ADDRESS: Alexandra Court, 1A Belgrade Road, London, N16 8AF

WARD: Shacklewell

APPLICATION NUMBER:
2021/1807

REPORT AUTHOR:
Nick Bovaird

DRAWING NUMBERS:
M9063-HUN-A-ASL-001, 002, 003, 004, 101 Rev B, 102,

M9063-HUN-A-AGA-001, 201, 202 Rev A, 203, 204, 205 Rev B, 206, 207, 208, 209,

M9063-HUN-A-AEL-001, 002, 101 Rev B, 102 Rev A, 103, 104 Rev B,

M9063-HUN-A-ASK-101 Rev A,

AC PRP-XX-DR-L-2000

Design and Access Statement April 2021, Planning and Affordable Housing Statement Issue 3 dated 12/05/2021, Energy & Sustainability Statement by XCO2 dated 22nd April 2021, Heritage Assessment dated April 2021 by HCUK Group, Daylight and Sunlight Study (Neighbouring Properties) dated 20 April 2021 by Right of Light Consulting, Daylight and Sunlight Report (Within Development) dated 20 May 2021 by Right of Light Consulting, Statement of Community Involvement April 2021, Letter from Strettons “RE: Alexandra Court, 67a Stoke Newington Road, London N16 8AH” dated 29th April 2021, Fire Safety Strategy by Fire Risk Solutions dated 28/05/2021, Arboricultural Impact Assessment dated 10/05/2021 by Arborterra Ltd, Air Quality Assessment dated April 2021 by XCO2, Travel Plan Statement dated 22/04/2021 by Motion, 20th April 2021 dated 22/04/2021 by Motion, Surface Water Drainage Strategy dated 20th April 2021 by Conisbee, Planning Noise Assessment 20 April 2021 by Anderson Acoustics Ltd

Transport Statement dated 22/04/2021, Construction Management Plan dated 22/04/2021,

Arboricultural Report dated 09/06/2022 by Arboterra Ltd

VALID DATE:
22/06/2021

AGENT: Boyer Planning 2nd Floor, 24 Southwark Bridge Road London SE1 9HF	**APPLICANT:** Islington and Shoreditch Housing Association C/o agent
PROPOSAL: Erection of part two, part three, part four storey building facing Princess May Road and a five storey building facing Stoke Newington Road [following demolition of lower-ground and ground floor office floorspace (Use Class E) and car park] to provide 15 self-contained residential units and a flexible use at ground floor level (Class E); external alterations to existing Alexandra Court block to include remodelled front entrances; associated landscaping to include replacement trees, a communal courtyard to the rear of Alexandra Court, cycle and bin storage.	
POST SUBMISSION REVISIONS: ● Minor layout revisions, clarity on the positioning of a roof terrace, amendments to the remodelled entrance to the Alexandra Court tower, amendments to the ground floor of Block B. These changes were of minor impact and it was therefore considered unnecessary to reconsult the scheme.	
RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and completion of a Legal Agreement	
NOTE TO MEMBERS: None.	

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:	
Major application	**Yes**
Substantial level of objections received	
Other (in accordance with the Planning Sub-Committee Terms of Reference)	

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
CPZ	Stoke Newington	
Conservation Area		No (Adj Dalston CA)
Listed Building (Statutory)		No

Listed Building (Local)		No (Adj. Nos. 82-90 Stoke Newington Road (St John's Court), Nos. 92-100 Stoke Newington Road (Simpson House), Princess May School)
Priority Employment Area		No (Adj Shacklewell PEA)

LAND USE:	Use Class	Use Description	Floorspace Sqm
Existing	E	Office	98
Proposed	E	Flexible within use class	78
	C3	Residential	1409

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	10	0	0
Proposed	0	1 (on street)	42 Residential 2 Commercial 4 Visitor

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing		0	0	0	0	0
Proposed	Houses	0	0	1	0	0
	Flats	3	11	0	0	0
Totals		**3**	**11**	**1**	**0**	**0**

LONDON AFFORDABLE RENT DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing		0	0	0	0	0
Proposed	Houses	0	0	1	0	0
	Flats	3	11	0	0	0
Totals		**3**	**11**	**1**	**0**	**0**

CASE OFFICER'S REPORT

1.0 SITE CONTEXT

1.1 The application site is located on Stoke Newington Road between Belgrade Road and Princess May Road and is currently occupied by a postwar 11 storey residential tower block and an L shaped single storey perimeter block, enclosing the site to east and south. A largely unused basement floor covers the whole area of the site. The existing building to be demolished has been in use as temporary accommodation and emergency housing by Hackney Council but had previously provided 311 sqm of commercial (formerly B1a) floorspace.

1.2 Access is currently provided to the residential accommodation within Alexandra Court from Belgrade Road, with the principle access to the office accommodation at the corner of Stoke Newington Road and Princess May Road. There are six undesignated street trees that are located close to the site boundary along Stoke Newington Road.

1.3 Belgrade Road and Princess May Road are both principally residential streets and are formed of largely two-storey residential properties, with an access into Princess May Primary School from Princess May Road. Stoke Newington Road is a busy thoroughfare, made up of a mix of residential and commercial properties. It is an adopted Red Route by Transport for London (TfL), which is also the highway authority.

1.4 The application site is not within a Priority Office or Industrial Area or Town Centre. It is located within close proximity of the Shacklewell Priority Office Area, to the immediate east of the application site and is to the south of the Stoke Newington Road (Shacklewell South) Local Designated Shopping Centre.

1.5 This segment of Stoke Newington Road is largely characterised by three storey Victorian buildings with commercial uses on the ground floor. The locally listed buildings opposite the site are slightly larger at four storeys.

1.6 The site is located within Stoke Newington Controlled Parking Zone (CPZ) and has a Public Transport Accessibility Level (PTAL) rating of 5 (on a scale of 1a – 6b where 6b is the most accessible).

2.0 Conservation Implications

2.1 To the east of the site is the boundary with the Dalston Conservation Area and is located within proximity to three locally listed buildings.

2.2 Nos. 82-90 Stoke Newington Road (St John's Court), formerly known as the North London Magistrates Court, was built as the Dalston Police Court in 1889 by John Taylor. This three storey (with generous floor to ceiling height), symmetrical Italianate building, consists of five bays with narrow projecting end bays. Nos. 92-100 Stoke

Newington Road (Simpson House) and Nos. 2-26 Somerford Grove (Olympic House) is the former Simpson's clothing factory on the corner with Somerford Grove which was built as a model factory. The remaining pair of dwellings of a Victorian terrace are neighbouring the site to the south, opposite Princess May Road and are reported as buildings of townscape merit in the Dalston Conservation Area appraisal.

2.3 To the south of the site lies the locally listed Princess May Primary School. The building is constructed in red brick with ornamental faience details and yellow stock brick chimneys and recessed bays in an Arts and Crafts style. The building is three-storey with pitched roofs, Dutch gables and at the southern end a square tower with an ogee-shaped copper cupola.

3. History

3.1 Planning Reference: NORTH/482/97/FP
Description of Development: Use of existing accommodation as shared + temporary housing and erection of ramp access to princess may road elevation
Decision: Granted
Decision Date: 24/10/1997

3.2 Planning Reference: NORTH/80/98/DTD
Description of Development: installation of rooftop telecommunications equipment
Decision: Approval Not required
Decision Date: 23/02/1998

3.2 Planning Reference: NORTH/616/99/DTD
Description of Development: installation of telecommunication equipment on roof.
Decision: Approval Not required
Decision Date: 07/11/2000

3.3 **Enforcement History**

3.4 None

3.5 **Appeal History**

3.6 None

4.0 Consultation

4.1 Date Statutory Consultation Period Started: 02/07/2021.

4.2 Date Statutory Consultation Period Ended: 26/07/2021.

4.3 Site Notices: Yes.

4.4 Press Advert: Yes

4.5 Neighbours

Letters of consultation were sent to 213 adjoining owners/occupiers. At the time of writing the report (20/06/2022), three objections had been submitted, on the following grounds:

- Impact on the visual character of the local area;
- Impact on amenity (daylight/sunlight and overlooking) to neighbouring residents and gardens;
- Increased residential occupiers on Princess May Road, with impacts on noise and local infrastructure;
- Impact on local traffic and parking, particularly given that Princess May Road is a School Street;
- Impact on neighbours and schoolchildren of construction period;
- What are the plans for the positioning of refuse bins of the tower and other blocks. It appears from one drawing that there is a space immediately to 1 Belgrade Road, what is the purpose for this space?
- The applicant would be building on the party wall with the adjacent property on Princess May Road and has not signed the correct certificate on the application form;
- A gas pipe runs alongside the flank wall of adjacent property to Block B.
- The neighbouring properties at Princess May Road were built without foundations and could be damaged by the development.
- The proposed commercial unit may not be viable.

The application does not appear to involve building on the party wall and the drawings show the entire development within the red line boundary in the ownership of the applicant. The gas pipe and the foundations of the next door property are not material planning considerations and are matters that would be addressed by the applicants in advance of any construction, rather than grounds to refuse the application. The other objections are considered in the report that follows.

4.6 Statutory / Local Group Consultees

4.6.1 Transport For London:

No objection, subject to conditions on Cycle Parking and a Construction Management Plan to ensure mitigation of impacts on the adjacent Transport for London Road Network (TLRN). Replacement footway works may be required along the TLRN. The applicant proposes the residential and commercial entrances along the TLRN therefore, S.278 works should be secured for works along the TLRN. TfL will need to confirm in writing the works are substantially completed to TfL satisfaction (in the form of the Provisional Certificate as described in the s278 agreement) before the Council confirms the highways works are complete and occupation is allowed.

Officer Note: During the course of this application the applicants have dug a tree pit in the footway of the TLRN to ensure that five replacement trees can be provided within the scope of the above Highways Works. This issue is discussed in more detail below. TfL have agreed the principle of the proposal and are currently working

to agree a suitable figure for the replanting. As such, we are currently awaiting the final costings from TfL for the TLRN Highways Works and if this matter has not been finalised by the time of the addendum to this report, it will be ensured that the proposed figure is also sufficient to cover the cost of the replanting within the legal agreement prior to any decision.

4.6.2 Historic England- Archaeology:

An Archaeological Desk Based Assessment should have been submitted, to clarify the existing impacts from the current and past land uses. However there is no objection to the approval of this application subject to two pre-commencement conditions: one for a desk-based assessment as the first stage of the process, followed by a second pre-commencement condition for two stages of fieldwork which should follow discharge of the first condition.

4.6.3 Dalston Conservation Area Advisory Committee (CAAC):

Objection. The buildings proposed exceed all surrounding buildings by 2 or 3 storeys, which is not justified. This is hard to judge from the information provided.

The scheme has a damaging impact on the adjacent Dalston Conservation Area and surrounding listed buildings (on 2 sides) due to its massing and poor urban design qualities.

The general architectural expression, (fenestration/balconies/materials) reproduces a somewhat standard housing type that is not appropriate in the context, and misses the chance to take advantage of this prominent corner location. It creates a break in the scale of buildings on the street without providing a sense of place at ground floor.

Overall the massing replaces a clear tower and podium concept with a confused arrangement of masses in this very sensitive location.

The closure of the tower at the ground floor seems heavy and confusing at the front, (the entrance to the laundry or plant room seems more important than the entrance to the tower), and creates a poor environment in the ground floor courtyard.

The ground floor of Building B is particularly poorly planned. As an example, the ground floor places a flat at the Eastern end, with an internal corridor along the elevation to Stoke Newington Road - facing the widened pavement. This is inappropriate for the location, as it provides a poor public face on the street, as well as for the flat. A commercial unit might be more appropriate.

The courtyard proposed has no urban quality or connections to the surrounding development and offers little to the residents of the tower. At the same time, the sense of enclosure caused by the development on the lower floors of the tower will be detrimental to the quality of those apartments in that part of the tower.

Officers' Note: The scheme was revised to provide a rearranged ground floor to Block B and an amended entrance to Alexandra Court, which would appear to be in line with this advice. In other respects, consideration of the design of the scheme is addressed in the report below.

4.6.3 Hackney Society:
The Hackney Society supports the submission of the Dalston CAAC.

4.6.4 Secure by Design:

No objection: In principle we have no objections to the site, we have recommended the attaching of a suitably worded condition and an informative to ensure SBD guidance is fully carried out.

4.6.5 Thames Water:

No objection. The proposed development is located within 15 metres of a strategic sewer and a Piling Method Statement should be required of any permission, along with standard informatives.

4.6.6 Transport for London Green Infrastructure:

Objection. We would be very apprehensive of accepting the proposal at this time. The loss of street trees without mitigation conflicts with TFL policies which are Mayoral commitments. We note there a number of trees that have been deemed as of low value in the report, however it's the locations and the young trees' potential to establish tree canopy which needs to be valued.

Officer's Note: This objection has led to the applicants proposing replacement trees parallel to the site of the trees to be removed. This is assessed in detail in the report that follows.

4.6.7 Hackney Swifts Society:
This building is in area where swifts (on the RSPB amber list due to rapidly declining numbers) are currently nesting and will potentially nest, so we request that a significant number of integrated swift nestbox bricks, reflecting the relatively large size of the development in this location, are installed near roof level, which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and ensure a gain for local biodiversity, in line with Hackney Council's guidance on this issue (Local Plan and Biodiversity Action Plan), and NPPF 2019.

Biodiverse roofs and/ or integrated bat boxes would further enhance biodiversity. An ecologist can provide guidance on the best locations for these measures.

Officer's Note: A condition has been recommended in this regard.

4.7 Council Departments

4.7.1 Transportation: No objection. The development is considered policy compliant with respect to the level of car and cycle parking, servicing arrangements and the scope of highway works. The proposal promotes the use of sustainable transport modes and will not give rise to significant adverse impacts to the surrounding highway network.

Conditions requiring the provision of cycle parking, demolition and construction, delivery and servicing management plans and a s278 agreement with TfL have been recommended, along with Legal Agreement clauses restricting future residents from applying for parking permits, compliance and adoption of a travel plan, provision of blue badge spaces, car club membership and Highway Works.

4.7.2 Waste: No objection. We are content with the design and size of the refuse stores and the relevant access to each one.

4.7.3 Streetscene: Objection. We can see no reason for the loss of these trees which stand on the public footway and which are under the management and responsibility of colleagues within Transport for London, which is a Red Route. The young tree line forms a well needed buffer to a major arterial route through the Borough. The building line is set back and needs to remain so with any future proposal. The loss of important space for tree provision needs to be accounted for and while this is not easy to do so, street tree provision should be accorded this importance. The nearest open space area to this site is Butterfield Green, a very small pocket park or Clissold Park.

Officer Note: The proposed removal and replacement of these trees is addressed in the report that follows.

4.7.4 Tree Officer: No objection. While the objections from colleagues in the Streetscene Team and from TfL are noted, it is considered that the smaller trees proposed for removal are not worthy of retention in terms of their overall size and condition. However, any tree removal should only be allowed where these trees are replaced. The replacement trees must also stand in a proper tree pit/trench. Without this tree pit/ trench there should be no tree removal. It is noted here for clarity that the larger tree must certainly be protected.

4.7.5 Environmental Protection: No objection, subject to conditions in respect of soundproofing and external plant noise.

4.7.6 Pollution Air: The Air Quality Assessment (AQA) is satisfactory. However, if planning is approved a Construction Management Plan (CMP) including an air quality and dust management section must be requested in the form of a condition.

4.7.7 Sustainability (to application 2019/4461): No objection. The applicant should consider combining PV panels with the biodiverse roof mentioned in the Drainage Statement. Given the scale of the Class E unit, exceptionally in this instance, we do not require that it reach BREEAM ‘Excellent’. Any approval should be subject to a Carbon Offset payment and conditions in respect of overheating, details of plant equipment, plant noise, Air Permeability Testing and a Biodiverse roof.

Officer's Note: In this instance it is accepted that PV panels would be visible from the street and inappropriate for this Conservation Area location without further consultation, particularly given the existing objections from the CAAC. It has not been required of the applicant that they be added to this application.

4.7.8 Pollution Land: The site is located within an area designated a Site of Potential Concern. As such we recommend attaching three pre and post development contaminated land conditions to the application, which will require a detailed phased contaminated land risk assessment to be undertaken.

4.7.9 Sustainable Urban Drainage (SUDS): The site is not shown to be at significant risk of flooding from surface water or groundwater. We have reviewed the Surface Water Drainage Strategy report and would recommend a condition requiring detailed specification of the sustainable drainage system.

4.7.10 Streetscene: Highways and public realm works are required to make the development acceptable in terms of the impact on the neighbouring streets. The estimated cost for this work is £59,181. The proposed works would reconstruct the adjacent footways on Belgrade Road and Princess May Road for the development at Alexandra Court, 1A Belgrade Road, with fibre-reinforced ASP and new granite kerbs to tie into the existing. Two redundant vehicle crossovers are to be removed. Furthermore, six new small trees are to be planted adjacent to the development at locations determined by the Senior Arboricultural Officer.

4.7.11 Housing Strategy and Policy: Given the outstanding need for affordable housing in the borough and the limited opportunities Registered Providers have to bring forward land-led, 100% affordable schemes, Housing Strategy and Policy strongly support these proposals, which will bring forward 15 genuinely affordable new homes to the borough.

4.7.12 Building Control: No objection to the submitted Fire Strategy document.

5.0 POLICIES

5.1 Hackney Local Plan 2033 (2020)

PP1	Public Realm
PP5	Enhanced Corridors
LP1	Design Quality and Local Character
LP2	Development and Amenity
LP3	Designated Heritage Assets
LP4	Non Designated Heritage Assets
LP6	Archaeology
LP7	Advertisements
LP11	Utilities and Digital Connectivity Infrastructure
LP12	Housing Supply
LP13	Affordable Housing
LP14	Dwelling Size Mix
LP17	Housing Design
LP26	New Employment Floorspace

LP27	Protecting and Promoting Office Floorspace in the Borough
LP32	Town Centres
LP36	Shops Outside of Designated Centres
LP38	Evening and Night Time Economy
LP41	Liveable Neighbourhoods
LP42	Walking and Cycling
LP43	Transport and Development
LP45	Parking and Car Free Development
LP46	Protection and Enhancement of Green Infrastructure
LP47	Biodiversity and Sites of Importance of Nature Conservation
LP50	Play Space
LP51	Tree Management and Landscaping
LP53	Water and Flooding
LP54	Overheating
LP55	Mitigating Climate Change
LP57	Waste
LP58	Improving the Environment - Pollution

5.2 London Plan (2021)

GG1	Building strong and inclusive communities
GG2	Making the best use of land
GG3	Creating a healthy city
GG4	Delivering the homes Londoners need
GG5	Growing a good economy
GG6	Increasing efficiency and resilience
D1	London's form, character and capacity for growth
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D8	Public realm
D11	Safety, security and resilience to emergency
D12	Fire safety
D14	Noise
H1	Increasing housing supply
H4	Delivering affordable housing
H5	Threshold approach to applications
H6	Affordable housing tenure
H7	Monitoring of affordable housing
H10	Housing size mix
S4	Play and informal recreation
E1	Offices
E2	Providing suitable business space
E9	Retail, markets and hot food takeaways
HC1	Heritage conservation and growth
HC6	Supporting the night-time economy
G4	Open space
G5	Urban greening

G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 4 Managing heat risk
SI 6 Digital connectivity infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 12 Flood risk management
SI 13 Sustainable drainage
T2 Healthy Streets
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.2 Office Parking
T6.3 Retail parking
T6.5 Non-residential disabled persons parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning
DF1 Delivery of the Plan and Planning Obligations
M1 Monitoring

5.3 Supplementary Planning Guidance / Documents (SPG):

Sustainable Design and Construction SPD (2014)
Hackney Planning Contributions SPD (2020)

5.4 National Planning Policies/Guidance

National Planning Policy Framework (NPPF)
Planning Practice Guidance

5.5 Legislation

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 COMMENT

6.0.1 Planning permission is sought for the erection of a part two, part three, part four storey building facing Princess May Road and a five storey building facing Stoke Newington Road [following demolition of lower-ground and ground floor office floorspace (Use Class E) and its car park], to provide 15 self-contained residential units and a flexible use at ground floor level (Class E). There would be external alterations to the existing Alexandra Court tower block to include a remodelled front entrance. The associated landscaping would include replacement trees, a

communal courtyard to the rear of Alexandra Court, cycle and bin storage.

6.0.2 The main considerations relevant to this application are:

6.1 Principle of the development of the site and land uses;
6.2 Design of the proposed development;
6.3 Quality of accommodation
6.4 Transport and Servicing
6.5 Potential impact upon the residential amenity of nearby occupiers;
6.6 Energy and Sustainability;
6.7 Trees, Landscaping and Biodiversity;
6.8 Other planning matters
6.9 Consideration of Consultee Responses
6.10 Planning contributions and Community Infrastructure Levy (CIL)

Each of these considerations is discussed in turn below.

6.1 Principle of the development of the site and land uses

6.1.1 Following the adoption of Local Plan 2033 policy LP12 (Housing Supply), which emphasises the need for self-contained residential accommodation, the principle of a largely residential development is accepted for this location. The proposed Class E unit provides an active use at ground floor level on this main road and is also considered acceptable in principle.

6.1.2 The replacement of the existing Class E use at ground floor level by a smaller unit could conflict with the aims of several policies, depending on its current use. The most pertinent is considered to be LP27 (Protecting and Promoting Office Floorspace in the Borough), given that the last use of the building to be demolished was as office space (formerly Use Class B1a). In this location outside of a Priority Office Area, this policy resists the net loss of B1a office floorspace where the site has not been marketed for two years. Nevertheless, the existing building has been vacant in its lawful use for a considerable period, a replacement Class E unit (albeit smaller) is proposed and, as noted below, the proposal provides 100% affordable housing for which there is also demonstrable local need. Moreover, given the wide scope of the new Use Class E, it is noted that it would not be development to change the use of the existing building to another use within Class E and no policy protections would apply to this change. As such, on balance, the net loss of former office floorspace is considered to be acceptable although it does not fully comply with Local Policy LP27.

6.1.3 <u>Residential Mix</u>

6.1.4 The majority of the units would be two bedroom units (73% of the total). The proposed housing mix provides one family unit of three bedrooms, representing 6% of the available units, rather than the 33-36% policy target of Local Plan 2033 policy LP14 (Dwelling Size Mix). Nevertheless, part C of the policy allows for variations in the dwelling mix where this can be justified on the basis of tenure.

6.1.5 It is acknowledged that these proposals are bringing forward a 100% affordable scheme, which has been designed to respond to the specific constraints of the site including design requirements and the fact that the site is located on a busy, largely

commercial main road.

6.1.6 The proposed mix will still meet outstanding housing need given that it will be provided as a genuinely affordable tenure. Most notably, smaller one and two bed units within this tenure are in demand as a result of the Government's bedroom tax policies, and this additional supply of smaller units would give existing Hackney residents the opportunity to downsize, freeing up larger accommodation for families currently living in overcrowded accommodation.

6.1.7 It is noted that two units will be provided as wheelchair accessible accommodation, which exceeds the 10% policy requirement. It is also worth noting that the 3-bed unit is wheelchair accessible, providing an accessible affordable unit of a size that is often difficult to secure.

6.1.8 For these reasons, the proposed residential mix is considered acceptable with regard to need in the Borough.

6.1.9 Affordable Housing

6.1.10 The Hackney Local Plan 2033 policy LP13 sets a target of 50% of new residential development to be affordable within developments of 10 or more units, with a tenure split of 60% London Affordable/social rent and 40% intermediate, subject to site characteristics, location and scheme viability. London Plan policy H5 requires that applications that reach the 35% threshold do not need to follow the Viability Tested Route.

6.1.11 These proposals will provide for 100% affordable housing, which is welcomed in policy terms. The proposed tenure for these units is London Affordable Rent, a genuinely affordable tenure of housing which is supported in Local Plan LP33 and the London Plan.

6.1.12 It is noted that a relatively new Affordable Housing product, ‘First Homes’, has been introduced by the Government. First Homes are the government’s preferred discounted market tenure and it has been stated that they should account for at least 25% of all affordable housing units delivered by developers through planning obligations. However Hackney’s Local Plan Policy LP13 prioritises the delivery of genuinely affordable tenures such as social rent and intermediate housing. As a form of discounted market sale, First Homes is not considered to be a genuinely affordable form of affordable housing in Hackney. The Local Plan was adopted in 2020 and has an up to date evidence base which identifies the need to deliver genuinely affordable housing as a priority. Similarly the recently adopted London Plan prioritises the delivery of affordable tenures such as low cost rent and intermediate rent. On that basis the Council would not support the provision of First Homes on schemes such as this as it would not deliver genuinely affordable homes in line with Local Plan Policy LP13 or the London Plan.

6.1.13 The Council supports London Affordable Rent, both generally and within this scheme, because it provides a genuinely affordable form of general needs housing. The proposed rent benchmarks are significantly lower than affordable rent values which can be set at anything up to 80% of market value.

6.1.14 London Plan Policy H7 relates to the tenure of affordable housing, including the

standard 60:40 split between social rent and intermediate accommodation. Nevertheless, paragraph 4.6.12 of the plan clarifies that "*the affordable housing tenure split in Policy H7 should be considered as the starting point for negotiations. It will, however, be for the Borough to decide if there should be a greater number of affordable homes, or fewer homes at a deeper discount."* In this instance, given that the scheme proposes 100% London Affordable Rented housing, it is considered inappropriate to require the standard target tenure split between private and affordable and between Social/London Affordable Rent and intermediate.

6.1.15 For these reasons, the proposal is considered acceptable in terms of Affordable Housing provision.

6.2 Design and Conservation

6.2.1 The Council's Local Plan 2033 policy LP1 and LP3, along with London Plan policies D3 and HC1, advocate that development should make a positive contribution to the character of Hackney's historic built environment, through conserving and enhancing the historic significance of the borough's designated heritage assets. LP1 seeks to adopt a rigorous design approach and ensure a good and optimum arrangement of the site in terms of form, mass and scale. London Plan Policy D3 seeks to ensure that buildings and structures should be of high quality, with architecture that pays attention to detail.

6.2.2 There are no statutorily or locally listed buildings within the site and it does not lie within a conservation area. However, the site lies immediately to the western boundary of the Dalston Conservation Area. In addition, the presence of several locally listed buildings (which are also within the conservation area) in close proximity give the site a sensitive setting. The locally listed buildings in order of the nearest being 92-100 Stoke Newington Road (Simpson House) right across the road, 82-90 St John's Court (Former Court Building) further south and the Princess May Primary School to the south-west of the site. The site is also nearby several buildings within the conservation area that are considered to be of 'townscape merit'.

6.2.3 <u>Massing and Form</u>

6.2.4 The wider site is dominated by the 11 storey tower of Alexandra Court but the adjacent terraces of Belgrade Road and Princess May Road are two storey. As such, the proposal for Block B is to build the height from the two storey terrace of Princess May Road towards the corner with Stoke Newington Road. A matching pitched roof above the two storey element mimics the character of the existing terrace, similarly bay windows are proposed. The proposed massing follows extensive negotiations with the Borough and is considered acceptable.

6.2.5 Along Stoke Newington Road the full four storey height of Block B is attained and Block A is designed at a height of four storeys plus a set back top storey. The prevailing character of this part of Stoke Newington Road is of three to four storey buildings, with fewer of the latter than the former. However, directly adjacent to the eleven storey tower of Alexandra Court, the proposed massing is considered appropriate and would help both to rebuild the street edge in front of the tower and somewhat to reduce the impact of the tower on the character of the street.

6.2.6 Architecture and materials

6.2.7 Block A has a strong base, middle and top section and block B is well-defined by the steps in height and the vertical bays. The proposed patterns of openings are considered to be coherent within the overall contemporary character of the scheme. The glazing of the ground floor shopfront has been successfully interspersed with brick elements to relate to the façade above. The level of ground floor active frontage is sufficient, with residential entrances along Princess May Road and the windows of the commercial unit along Stoke Newington Road. The flank elevations of both blocks are designed with windows, which prevents a blank facade.

6.2.8 Materials have been selected thoughtfully in a way as to create a legible visual relationship with the surrounding context of buildings. For example, the glass-fibre reinforced concrete (GRC) window surrounds, in off-white, reference the white window frames of surrounding heritage buildings. It is considered that the choice of materials and detailing would create a welcoming addition to the streetscape, with a coherent architectural character and a strong sense of place.

6.2.9 Following negotiations with the Borough, the proposed ground floor and entry to the tower of Alexandra Court have been improved. This aspect of the proposal connects the building better to the new development and ties in better with the adjacent building lines. The proposed brick and railing boundaries, along with brick canopies, new signage and planting are considered to better define this entrance following the demolition of the adjacent building.

6.2.10 The proposed condition requiring further details and material samples is considered appropriate to ensure that these elements are successfully implemented by the constructed scheme.

6.2.11 Conservation

6.2.12 The existing building to be demolished is an unattractive ground floor podium in white render, related to Alexandra Court. It does not relate well to the character of the surrounding buildings and has a negative impact on the setting of the adjacent Dalston Conservation Area to the south and east.

6.2.13 Dalston Conservation Area is a linear but cohesive mid-Victorian to Edwardian shopping street. It is principally a commercial area, characterised by two, three and four-storey terraced properties, many of which contain ground floor shops. Many of these were built in terraces. Other distinctive elements of the Conservation Area are the larger architecturally distinguished buildings that are interspersed with the shop terraces and include the former Simpson's factory and Princess May Primary School, both on Stoke Newington Road.

6.2.14 The proposed building frontages on Stoke Newington Road have a direct relationship with the conservation area and the locally listed buildings. The scheme has been through several revisions, including a set back top storey. The proposals would create a stronger frontage onto Stoke Newington Road. The proposed scale, up to four storeys plus a setback top storey would relate well to the existing building heights and

would partially screen the uncharacteristic Alexandra Court tower. The proposed design and materials, largely brick, are considered to relate well to the surrounding buildings and local character. The proposals are considered to make a positive contribution to the setting of the Conservation Area and would not present harm.

6.2.15 There are no statutory listed buildings nearby which would be impacted by the development. There are however three locally listed buildings adjacent to the site:

Nos. 82-90 St John's Court

A symmetrical Italianate building consisting of five bays with narrow projecting end bays. The ground floor is constructed of rusticated Portland stone and the upper floors are built in smooth red brick with stone architraves, quoins to end bays and projecting stone cornices with dentils.

Nos. 92-100 Stoke Newington Road (Simpson House)

One of the largest and most important buildings in the Dalston Conservation Area, a former Simpson's clothing factory, built as a model factory in 1929. It is three storeys in Art Deco in style.

Princess May Primary School

An imposing and flamboyant Board School built in 1900. The building is constructed in red brick with ornamental faience details and yellow stock brick chimneys and recessed bays in an Arts and Crafts style. The building is three-storey with pitched roofs, Dutch gables and at the southern end a square tower with an ogee-shaped copper cupola.

6.2.16 Each of these three buildings are taller than the average 3-storey buildings and similar in scale to the proposed development. The proposed design and materials, largely brick, are considered to be sympathetic to their setting. Detailed materials will be conditioned to ensure appropriate high quality materials. The proposals are considered to improve their setting, compared to the existing situation, and would not present harm.

6.2.17 The terraced buildings to the north of Princess May Road, are not within a conservation area but they have a character and rhythm to their architectural features and regular proportionality to their fenestration. The revised proposals are considered to successfully regard these characteristics, albeit in a contemporary manner.

6.2.18 The Dalston CAAC has objected to the development, considering that the height and massing of the building is inappropriate for the context and stating:

"The general architectural expression, (fenestration/balconies/materials) reproduces a somewhat standard housing type that is not appropriate in the context, and misses the chance to take advantage of this prominent corner location. It creates a break in the scale of buildings on the street without providing a sense of place at ground floor.

Overall the massing replaces a clear tower and podium concept with a confused arrangement of masses in this very sensitive location."

6.2.19 While the objection is noted, the development is considered an improvement on the existing situation. The proposed materials and design are more in keeping with the surrounding building than the white rendered, single-storey building that will be demolished and the new buildings will partly mask views of the uncharacteristic Alexandra Court tower. The work the applicant has done over numerous design revisions is considered to have created a high quality contemporary design that mediates between the height of the tower block behind and the massing of the surrounding streets. As such, despite the objection of the CAAC, the proposal is considered to preserve and enhance the setting of the adjacent conservation area and other neighbouring heritage assets, as required under s72 (planning (Listed Buildings and Conservations Areas) Act 1990.

6.2.20 No harm to heritage assets has been identified and the proposal is considered to satisfy paragraph 199 of the NPPF. It is therefore considered that the Council has discharged its duty to pay special regard to the settings of listed buildings in terms of section 16 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and that the requirements of London Plan Policy HC1 (Heritage conservation and growth) and LP33 Policies LP1 (Design Quality and Local Character), LP3 (Designated Heritage Assets) and LP4 (Non Designated Heritage Assets) are met.

6.2.21 Design Conclusions

6.2.22 The proposal is considered acceptable in design and conservation terms, subject to the recommended conditions, requiring materials, an on-site mock up panel, detail drawings and for there to be no additional pipework to that already shown on the drawings.

6.3 Quality of Accommodation

6.3.1 Local Plan 2033 policy LP17 (Housing Design) requires new homes to be of high quality design and meet the internal and external space and accessibility standards set out in the London Plan, GLA Housing SPG and Hackney's Housing SPD.

6.3.2 The proposal is for 30 residential units. All of the units meet the nationally prescribed space standards and are well laid out, with good floor to ceiling heights. All the units are dual aspect and all benefit from some form of private amenity space in the form of a balcony or front garden.

6.3.3 The submitted daylight/sunlight report shows that the levels of daylight and sunlight received within each unit is acceptable and in most cases good. Where there are shortfalls measured against the BRE's guidance in terms of Average Daylight Factor, these are nearly all either marginal, or the result of projecting balconies. A ground floor unit in Block B has been redesigned to include east facing windows, increasing the daylight to that unit further.

6.3.4 The noise report has identified the site as at medium risk during daytime hours and high risk at night-time periods, so a condition is recommended to ensure that the soundproofing is adequate to ensure that the noise experienced at the proposed units is at acceptable levels.

6.3.5 For these reasons, the proposed quality of accommodation is considered to be acceptable for future residents.

6.3.6 The proposed Class E unit is well laid out and would allow flexible use of the space by a range of prospective tenants and uses.

6.4 Transport and Servicing

6.4.1 The applicant has submitted a Transport Statement (TS) as part of the application which has been carefully reviewed. The site is located to the west of the A10 Stoke Newington Road, part of the Transport for London Road Network (TLRN). It is also bounded by Belgrade Road to the north and Princess May to the south. Belgrade Road and Princess May Road are predominantly residential in nature. The site is located within Parking Zone E. The operational hours of the Zone on Belgrade Road and Princess May Road have changed and currently operate between Monday to Friday between 8:30 to 6:30pm and Saturday between 8:30am to 1:30pm. The Public Transport Accessibility Level (PTAL) in the area is rated as 5. This is deemed to be 'very good' (on a scale of 1-6b, where 6b is the most accessible). Bus stops are located close to the site serving four bus routes. Railway stations within one kilometre distance from the site include Dalston Junction, Dalston Kingsway and Rectory Road.

Trip generation, car and cycle parking

6.4.2 Overall trip generation related to the occupants of the proposed development is considered acceptable. In terms of net increases in trip generation, the submission predicts a relatively small increase in the overall trips to and from the application site. The net increase in trips to the application site is predicted to be approximately 101 arrivals and 103 departures by all transport modes over the course of a day. However the comparative data may underestimate the recent decrease in public transport patronage that can be attributed to the Covid-19 pandemic and it will be necessary to implement a well managed travel plan to encourage sustainable transport uptake and reduce private vehicle use and dependency.

6.4.3 A CPZ exclusion to restrict parking permits being issued is recommended for all residential users of the proposed site (except those with a blue badge). The car parking is recommended to be limited to one blue badge car parking space, to be provided on the highway prior to occupation of the development as part of the proposed legal agreement. Additionally, there is Pay and Display Parking on Princess May Road. Blue Badge holders are allowed to park in pay and display bays without charge in Hackney. Further provision of disabled spaces as required for existing and future residents would be controlled and monitored by the proposed Travel Plan. It is recommended that a Parking Design and Management Plan should be submitted prior to occupation indicating how the car parking would be designed and managed.

6.4.4 Local Plan policy requires that, for dwellings above 45 sqm, 2 cycle parking spaces should be provided, with 1 additional visitor space per 10 bed spaces. In line with this, a total of 30 internal cycle spaces will be accommodated on site to serve the proposed units. A further 12 internal cycle parking spaces will be integrated into the cycle store for existing residents, who do not currently benefit from any provision. The majority of the spaces are provided as two-tier spaces but 2 Sheffield stands for 4 bicycles are included in the overall mix, as well as 4 spaces for larger cycles. Given

the constraints of the existing building and the desire to provide spaces for the existing residents, the design approach to maximise the quantum of spaces to be provided is understood and considered acceptable. 4 visitor spaces on Sheffield stands would be provided on the forecourt, as shown on the landscape plan. A condition to require the provision of these is recommended and the proposal is considered acceptable in respect of the quality and quantum of spaces proposed.

Travel Plan

6.4.5 The applicant has agreed to enter into a Travel Plan arrangement via the proposed legal agreement, inclusive of a financial contribution towards the monitoring of the Travel Plan of £2,000. As such, the use of the site will be monitored and adapted over time, including use of the blue badge parking. The full travel plan would be carried out in accordance with TfL's best practice guidance and these arrangements are considered acceptable.

Deliveries and Servicing

6.4.6 The overall predicted net 103 additional vehicle movements daily are expected to have a limited negative impact on the network, which would be adequately mitigated through Travel Planning and Delivery and Servicing Management. Given the location adjacent to the TLRN, a condition has been recommended requiring a Delivery and Servicing Plan, to ensure that this is carried out effectively.

Refuse Strategy

6.4.7 The Council's Waste Officer has reviewed the proposal and raises no objection to the location or capacity, or access to the waste storage provided. The proposal is considered to provide suitable waste and collection servicing arrangements.

Public Realm and Highway Improvement Works

6.4.8 A public realm contribution of £59,181 is sought by LB.Hackney to off-set the impact of the development. This would mitigate the impact of the proposed development on the surrounding highways. The contribution is to be provided within the legal agreement. The proposal is to reconstruct the adjacent footways on Belgrade Road and Princess May Road for the development at Alexandra Court, 1A Belgrade Road, with fibre reinforced ASP and new granite kerbs to tie into existing. Two redundant vehicle crossovers are to be removed. Furthermore, five new trees are to be planted adjacent to the development at locations determined by the Senior Arboricultural Officer.

6.4.9 Transport for London has also required a s278 agreement with the applicant in order to mitigate the impact of the development on the TLRN and to plant five trees. This has been required by the recommended legal agreement.

Car Club

6.4.10 There are two types of car clubs in Hackney – round-trip (or station-based) and one-way (or flexible). As outlined above, there is a fixed car club bay on Wordsworth Road. This is approximately 300 metres from the application site. Residents are able

to access one-way car club vehicles from parking bays throughout the borough. To encourage occupants to travel by sustainable modes a contribution towards car club membership and driving credit would be offered to all residents of the development. This would discourage the use of private vehicles on occasions when the use of a vehicle cannot be avoided and a provision in this regard is contained within the proposed legal agreement.

Construction Logistics

6.4.11 Due to the scale of the proposed development and its location adjacent to the TLRN, TfL have a detailed Construction Logistics Plan to mitigate negative impact on the surrounding highways network. This has been recommended by condition.

Summary

6.4.12 The development is considered policy compliant with respect to the level of car and cycle parking, servicing arrangements and the scope of highway works. The proposal promotes the use of sustainable transport modes and will not give rise to significant adverse impacts to the surrounding highway network.

6.4.13 Conditions requiring the provision of cycle parking, demolition and construction, delivery and servicing management plans and a s278 agreement with TfL have been recommended, along with Legal Agreement clauses restricting future residents from applying for parking permits, compliance and adoption of a travel plan, provision of blue badge spaces, car club membership and Highway Works.

6.4.14 In light of the above, it is considered that the proposed development is acceptable in terms of transport considerations.

6.5 Impact on Nearby Residential Amenity

6.5.1 London Plan policy D3 states that development should have regard to the form, character and function of an area, through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions and that they should deliver appropriate outlook, privacy and amenity. Policy D6 requires that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context. Local Plan 2033 policy LP2 is concerned with the amenity of neighbouring occupants.

6.5.2 The application site features immediate site constraints, including Alexandra Court itself, the two adjacent terrace rows and the properties on the corners of Stoke Newington Road with Princess May and Belgrade Roads.

Daylight, Sunlight and Overshadowing Assessment

6.5.3 The British Research Establishment (BRE) has produced guidance on assessing the impact of proposals on the daylight and sunlight received from adjoining properties. The daylight / sunlight report submitted with the application refers to the BRE guidance as a point of reference, and this guidance will be used to assess the impacts of the proposals.

6.5.4 BRE guidance needs to be applied with regard to the site context. Sunlight and daylight target criteria as found in the BRE guidance have been developed with lower density suburban situations in mind. In denser inner urban contexts, sunlight and daylight levels may struggle to meet these target criteria in both existing and proposed situations. The target criteria cannot therefore be required for dwellings in denser inner urban locations as a matter of course.

6.5.5 A submission has been made in relation to daylight and sunlight impacts. The report provides information on Vertical Sky Component (VSC), No Sky Line (NSL) and Annual Probable Sunlight Hours (APSH). The Vertical Sky Component assessment (VSC) is a measure of the amount of daylight available at the centre point to the external pane of a window. The BRE guide states “If any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the lowest window, subtends an angle of more than 25% to the horizontal, then the diffused daylighting of the existing building may be adversely affected. This will be the case if the Vertical Sky Component measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value”.

6.5.6 The NSL shows points on the working plane (0.85m above floor level) which cannot see the sky. The BRE Guidance states a reduction of 20% or over in the area of an existing room that receives direct sunlight will be noticeable.

6.5.7 The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. North facing windows may receive sunlight on only a handful of occasions in a year and windows facing eastwards or westwards will only receive sunlight for some of the day. In order for rooms to achieve good sunlight the BRE target criteria is that rooms should receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter. Where rooms receive less than the recommended APSH then the BRE guidance states that a reduction of more than 20% would be noticeable.

6.5.8 In general the impact to the daylight of surrounding properties is considered to be insignificant. The impacts to VSL and Daylight Distribution are in most cases marginal and in a few others they are well within 20% reduction range considered by the BRE guidance to be acceptable. At all these properties the impact to APSH is equally acceptable, with generally marginal impacts and retained levels of daylight well within the BRE target guidelines at all impacted rooms.

6.5.9 Nevertheless, there are two sites where there are more significant impacts that warrant further investigation and the following paragraphs consider the impact of the development on these properties with regard to the BRE guidance.

6.5.10 *69 Stoke Newington Road*

6.5.11 At 69 Stoke Newington Road, the VSC sees significant reductions to some of the facing windows towards Block A (20%-29%) . However, the retained level of VSC at these windows does not reduce beyond the mid-teens, which is a level that is generally considered acceptable for an Inner London location such as this. As the applicant did not have access to floorplans, the NSL is not provided but the VSC

calculations are considered sufficient to show that the impact to the daylight of this property are acceptable.

6.5.12 In terms of sunlight, it is noted that the APSH sees significant reductions but 25% of annual sunlight hours and 5% of winter sunlight hours are still retained at every window, indicating that the sunlighting of the property would remain in line with the BRE targets.

6.5.13 *Alexandra Court*

6.5.14 At the tower of Alexandra Court, the great majority of the habitable room windows, including all those on the Belgrade Road elevation would experience no or insignificant reductions in daylight and sunlight. It is noted that, at the Living/Kitchen Dining room on the lowest inhabited floors facing south (first floor), there are significant reductions to VSC, from 34% to 12.8% on the room's worst affected window. While this is a significant impact, the windows to the other rooms of the unit retain good levels of daylight because they face the lower elements of Block B and are set away from Block B. In addition, the daylight distribution at this one room sees only a 21% reduction which, while significant, represents only a marginal shortfall on the BRE indicative figure of 20% and the retained NSL shows good daylight distribution (reducing from 98% to 77%) in the room. As such, the significant impacts to Alexandra Court are considered to be very localised and acceptable.

6.5.15 In terms of sunlight, all of the windows of Alexandra Court would retain 25% of Annual Sunlight Hours and 5% of Winter Sunlight Hours, indicating that the sunlighting of the property would remain in line with BRE targets.

6.5.16 With regards to the overshadowing of gardens, in most cases the area receiving at least two hours of sunlight on 21st March does not change, or is reduced by less than 0.5%. One garden is more affected, that of 1 Belgrave Road, where 16% (4m2) more of the garden would be overshadowed (i.e. would not receive at least two hours of sunlight) on 21st March. Nevertheless, given the small area involved and the fact that this would be in the middle of the garden, rather than the more sensitive area adjacent to the house, the impact on this property is considered to be acceptable and the impact on the overshadowing of neighbouring gardens is considered not to be so significant as to warrant refusal of the application.

6.5.17 For these reasons, the impact of the development on the daylight and sunlight of neighbouring properties is considered to be acceptable.

Outlook/Sense of Enclosure

6.5.18 In line with the assessment above in respect of daylight/sunlight, the proposal is considered to have been designed sensitively to have an acceptable impact on the outlook and sense of enclosure experienced at neighbouring properties.

Privacy and Overlooking

6.5.19 The Council has no specific policy guidance on acceptable separation distances for outlook. This is due to the differing established grain and density of the borough, the potential to limit the variety of urban space and unnecessarily restrict density.

6.5.20 The rear of Block B faces the lower floors of Alexandra Court directly, raising the possibility of overlooking of those existing residences. In negotiations with the Borough, the proposal has been designed to ensure that there are no windows directly overlooking the properties of Alexandra Court. A roof terrace above the three storey element of Block B is set away from the rear elevation and at a distance of around 16m from the nearest windows tower, is sufficiently distant that a privacy screen is considered unnecessary in this instance.

6.5.21 Equally, the windows of Block A have only oblique views of Alexandra Court. Other views from the proposal are also either distant, oblique, or across a road and do not create significant issues with regards to overlooking. As such, the level of overlooking created is considered acceptable.

Noise/Odour

6.5.22 The noise report has identified the site as at medium risk during daytime hours and high risk at night-time periods, therefore detailed specifications for the proposed plant are required by the recommended condition, which will require mitigating solutions to ensure that the plant does not exacerbate the existing situation.

6.5.23 Objections have been raised in relation to the increased occupancy of the surrounds as a result of the development and of the noise that this might bring. Nevertheless, there is no reason why the use of the private balconies and roof terrace would be more noisy than the existing gardens of the Princess May and Belgrade Road terraces. As such, the amount of noise to be expected from the development is considered acceptable.

6.5.24 No extract flue is proposed and the applicants have agreed to a condition preventing primary cooking within the Class E use to safeguard against potential odour impacts on surrounding residential occupiers.

Amenity Conclusions

6.5.25 The proposed development is considered to give rise to no issue which would have an unacceptable impact upon the amenity of adjoining occupiers or users of the area andl is considered acceptable in terms of its amenity impact.

6.6 Energy and Sustainability

6.6.1 London Plan policy SI 2 states major development proposals should be net zero-carbon.

6.6.2 Since the commercial area is small (circa 78m2) and the development has 16 dwellings, it is considered acceptable that a BREEAM certificate not be required in this instance. The domestic development achieves the minimum target of 35% CO2 reductions beyond Part L 2013. The shortfall of 9.5 Tonnes of CO2 annually to satisfy the target of zero carbon, is to be offset offsite or with a payment to the Carbon Offset Fund, via a S106 agreement. This for the stipulated period of 30 years at a current cost of 95 pounds per tonne of CO2 is estimated as a contribution of £27,075.

6.6.3 While a Sustainability Assessment has been provided, it is not sufficiently clear whether criteria 3 of the SAP assessment is enough to assess the risk of overheating and adapt the building to climate change. As such, the recommended condition requires a dynamic overheating assessment for the domestic development based on the criteria indicated at the CIBSE TM 59 (2013), or any other that may replace it.

6.6.4 The applicant has agreed to a biodiverse green roof on the flat roofs of the development and the recommended condition would ensure that this is provided.

6.6.5 For these reasons, subject to the carbon offset payment within the s106 and conditions in respect of overheating, details of plant equipment, plant noise, Air Permeability Testing and a Biodiverse roof, the proposal is considered acceptable in sustainability terms.

Flood Risk

6.6.6 The site is not shown to be at significant risk of flooding from surface water or groundwater. The Council's Drainage team have reviewed the proposal and state no objection, subject to a condition requiring detailed specification of the sustainable drainage system and its management.

6.6.7 Thames Water have also reviewed the proposal and have raised no objection but have requested the recommended Piling Management condition, since the development is within 15m of their subsurface assets.

6.6.8 Subject to the above conditions, the proposal is deemed to be in line with the requirements of local and regional policy.

6.7 Trees, Landscaping and Biodiversity

6.7.1 Since pre-application stage the design of the development has accommodated the retention of a large plane tree on Stoke Newington Road. However there are 5 smaller street trees that are too close to the site boundary that they are proposed for removal. These 5 trees are considered within the submitted Arboricultural Impact Assessment. It considers that.

- None of the trees are of high amenity value (A).
- Lime tree T2 is an early mature tree that is well established and of good form. It has been assessed as a category B tree, (i.e. of moderate quality and value).
- Japanese cherry T3 has a severely cankered stem and is likely to warrant removal in the short term regardless of the development. It has been assessed as a category U tree (i.e. does not warrant retention).
- Sweet gums T4 and T6 and maple T5 are of low value, due to their small size and have been assessed as category C

The Borough's Arboricultural Officer has reviewed the report and accepts its findings.

6.7.2 The amenity benefit of the trees in this public location on the main road is recognised. An objection from the Borough's Streetscene team has been received, stating that such trees should not be removed for the sake of new development. Nevertheless,

the Borough's Arboricultural Officer has reached the view that these trees are young and small enough that they should be considered acceptable for removal, solely in light of their proposed replacement by 5 new trees set further away from the site boundary, parallel to their existing location. The proposed Highways Works to be undertaken by the Council, for which the legal agreement agrees a total payment of £59,181, includes tree planting to be undertaken on the adjacent LBH side roads (Belgrade Rd and Princess May Rd) and not Stoke Newington Road on the TLRN. A separate fee for Highways Works to be undertaken by TfL on the TLRN, would include a proper tree pit for five replacement trees parallel to the location of the five trees to be removed. The CAVAT value of the trees to be removed has been calculated at £21,996 and this is required as a payment in the proposed legal agreement. A trial pit undertaken by the applicant under licence from TfL has confirmed that there is no subsurface infrastructure that would make the proposed tree pits impossible to create in practice. As such, the amenity value of trees in this location is recognised and the application is considered to make appropriate arrangements for the long term survival and flourishing of the replacement trees.

6.7.3 The proposed development is considered to provide sufficient levels of landscaped space in appropriate locations. The details submitted with the application indicate that the proposed landscaping strategy for the space is broadly acceptable. A condition is recommended to ensure that the final details are acceptable.

6.7.4 What space there is within the red line boundary that is not taken up by the existing buildings is of impermeable hard surface. In contrast, the proposed planting and living roofs of the application provide a net gain to the biodiversity of the site. While this only provides an Urban Greening Factor (UGF) of 0.13, rather than the 0.4 of policy requirements, the limitations of this constrained site are noted and this represents a not insignificant improvement on the existing UGF of 0.00. The proposed living roofs would be biodiverse and subject to a maintenance plan, as recommended by condition.

6.7.5 The development is identified as being in an area where swifts are nesting and will potentially nest. In the interest of improving the biodiversity value of the site, a condition is recommended requiring the installation of integrated swift and bat boxes.

6.7.6 In light of the above, the proposed development is considered to be acceptable in terms of proposed landscaping, biodiversity and its impact on trees.

6.8 Other Planning Matters

Ground Contamination

6.8.1 This is a Site of Potential Concern in respect of land contamination and the application has been reviewed by the Borough's Land Pollution Team. It is recommended that three pre and post commencement conditions be imposed to ensure a detailed phased contaminated land risk assessment will be undertaken.

Fire Strategy

6.8.2 The Borough's Building Control team have reviewed and accepted the submitted Fire Safety Strategy and a condition is recommended to ensure that the findings of that

report are adhered to.

Digital Connectivity

6.8.3 In line with Local Plan policy LP11 (Utilities and digital connectivity infrastructure), a condition has been recommended to ensure that fibre optic connections (FTTP) are installed within every residential unit hereby approved.

Waste

6.8.4 The proposal includes four waste store, including one for the existing residents of Alexandra Court. The proposal has been reviewed by the Borough's Waste Management Team and is considered acceptable with regards to waste, recycling and bulky waste provision.

6.9 Consideration of Consultee Responses

6.9.1 In general, the response to issues raised by consultees has been outlined in the main body of the report, However there were additional consultation questions that are dealt with here:

- *Increased residential occupiers on Princess May Road, with impacts on noise and local infrastructure*
- *Impact on local traffic and parking, particularly given that Princess May Road is a School Street;*
- *Impact on neighbours and schoolchildren of construction period;*
- *The applicant would be building on the party wall with the adjacent property on Princess May Road and has not signed the correct certificate on the application form;*
- *A gas pipe runs alongside the flank wall of adjacent property to Block B.*
- *The neighbouring properties at Princess May Road were built without foundations and could be damaged by the development*

Impact on local traffic and parking, particularly given that Princess May Road is a School Street
As discussed above, the proposal is for a car-free development for the new uses, which also corresponds to ample provision of cycle spaces for new residents. A disabled bay will also be provided for the new residents on-street. As such, the impact of the development on local traffic and parking is considered acceptable.

Increased residential occupiers on Princess May Road, with impacts on noise and local infrastructure
It is considered that the proposed number of additional residents in this location next to a main road would not cause a significant increase in the noise experienced by existing residents. A Community and Infrastructure Levy payment of £356,930.00 is also required and, specifically in relation to water infrastructure, Thames Water have raised no objection, subject to the recommended conditions. As such, the proposal is considered to be acceptable in these respects.

Impact on neighbours and schoolchildren of construction period;

Limited weight can be afforded to the consideration of noise and disturbance from construction works given the otherwise acceptable nature of the proposal and temporary nature of the construction impact. In addition, controls outside of the planning system exist to ensure that disturbance from construction work is minimised.

That Princess May Road is a School Street is noted and it is considered that the recommended Construction Management Plan will mitigate the impacts of construction in an acceptable manner. In other respects it is considered that there are no constraints at or surrounding the site which would make the area particularly sensitive to disturbance from construction work and therefore justify further consideration. As such it is considered that disturbance from construction work would not justify the refusal of the application.

The applicant would be building on the party wall with the adjacent property on Princess May Road and has not signed the correct certificate on the application form
The application does not appear to involve building on the party wall and the drawings show the entire development within the red line boundary in the ownership of the applicant.

A gas pipe runs alongside the flank wall of adjacent property to Block B.
The gas pipe is a civil matter that would be addressed by the applicants in advance of any construction. It does not form grounds to refuse the application.

The neighbouring properties at Princess May Road were built without foundations and could be damaged by the development
It is entirely possible to construct the proposed development without damaging the neighbouring properties, despite their shallow foundations. As such, any damage that might be caused would be a civil matter and not grounds to refuse the application.

What are the plans for the positioning of refuse bins of the tower and other blocks? It appears from one drawing that there is a space immediately adjacent to 1 Belgrade Road- what is the purpose for this space?
The drawings are clear as to the positioning of the refuse bins. The 'space immediately adjacent to 1 Belgrade Road' is currently an entrance driveway, this space would be paved and the crossover removed, with entrance doors added to a new refuse store behind.

The proposed commercial unit may not be viable.
As a flexible Class E unit on a busy commercial road, it is considered that a commercial unit would be attractive to potential occupiers. Strettons have provided advice to the applicant of how best to achieve a tenant in this location, within the flexible uses available within Class E.

6.10 Planning contributions and Community Infrastructure Levy (CIL)

6.10.1 The Mayor of London has introduced a CIL to assist with the funding of Crossrail. In the case of developments within the London Borough of Hackney, Residential development in the Central Zone of Mayoral CIL2 is chargeable at a rate of £60 per square metre of development. Hackney Zone A City Fringe CIL is applicable to this

development, at a rate of £190 per square meter of residential floorspace, with no charge for the proposed Class E floorspace. It is noted that the existing building has not been in use recently, so all the new floorspace is liable for CIL.

6.10.2 The Hackney and Mayoral CIL liability for the development is calculated as follows:

LBH CIL

1409m^2 x £190 = £267,710

Mayoral CIL2

1487m^2 x £60 = £89,220

6.10.3 Further recommended heads of terms for the legal agreement covering Hackney Works (operational phase), Hackney Works (construction phase), Employment Skills Plan, Carbon offset contribution, Provision of Affordable Housing, Considerate Contractor Scheme, Travel Plan, Travel Plan monitoring, Car Free Agreement, Car Club membership, Hackney Highways Works and Transport For London Highways Works are set out in recommendation B.

6.11 Equalities Considerations

6.11.1 The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.11.2 Having regard to the duty set out in the S149 Equality Act 2010, the development proposals do not raise specific equality issues other than where discussed in this report.

7.0 CONCLUSION

7.1 The proposed application for demolition of the existing buildings and the erection of a part two, part three, part four storey building facing Princess May Road and a five storey building facing Stoke Newington Road to provide 15 self-contained residential units, a flexible use at ground floor level (Class E), a remodelled ground floor frontage of the Alexandra Court tower and landscaping, is deemed acceptable.

7.2 The proposed development provides 100% Affordable Housing on this underutilised site in a high quality contemporary design that would be appropriate in scale for this sensitive location. It is considered to preserve the character of the adjacent Conservation Area and heritage assets. While existing street trees would be removed, these would be replaced in an acceptable manner.

7.3 The proposal would provide a good standard of accommodation and would respect the amenity of neighbouring occupants. A car free development promotes the use of sustainable modes of transport and the cycle parking provision is acceptable. The waste and recycling arrangements are also considered acceptable. Financial contributions within the proposed legal agreement would further mitigate the impacts of the development.

7.4 In these and other respects the proposal is deemed to comply with pertinent policies in the Hackney Local Plan 2033 (2020), the policies of the London Plan (2021), and the NPPF for the reasons set out above. The granting of planning permission is recommended, subject to conditions, and the completion of a section 106 agreement.

8.0 RECOMMENDATIONS

8.1 Recommendation A

That planning permission be GRANTED, subject to referral to the Greater London Authority and the following conditions:

8.1.1 Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved

8.1.2 Time Limit

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of the Town and Country Planning Act 1990 as amended.

8.1.3 Material details to be approved

Full details, including samples, of the materials to be used on the external surfaces of the building, including glazing, shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

8.1.4 Detail Drawings to be approved

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

- Technical detail drawings (scaled 1:20) of walls and features, showing all joints and interface of materials, including doors and windows, sills, balconies, balustrades, shopfront and parapets,
- Brick grid system.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

8.1.5 1:1 Mock Up Panel

A 1:1 Mock Up of a typical part of the gridded, brick facade shall be built on site and approved by the Local Planning Authority, before any work is commenced. The Mock Up should show how the proposed materials and brick grid system fit together.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

8.1.6 Landscaping details to be approved

Notwithstanding the details shown on the plans and documents hereby approved, the following details to consist of, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works:

a) Drawings indicating all materials and detailed sections, scaled 1:5 and 1:10 of the courtyard, green areas and entranceways;

b) 1:20 details of the boundary treatments;

c) All planting showing location, species, type of stock, numbers of plants and tree pits/planters;

All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the conservation area.

8.1.7 Withdrawal of permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Class(es) AA, A, B, C, D, E, F, G and H, or Schedule 2, Part 2, Class A, or Schedule 2, Part 3, Class MA to that Order shall be carried out without express planning permission from the Local Planning Authority or Secretary of State first being obtained.

REASON: To ensure a satisfactory appearance to the development and a high

quality of design, preserve and enhance the character and appearance of the Stoke Newington Conservation Area, and safeguard the residential amenity of future occupiers of the development.

8.1.8 No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building other than as shown on the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

8.1.9 Secure bicycle parking

Before the development is first occupied, space shall be made available for the secure and waterproof parking of 42 bicycles, including 4 Sheffield Stand spaces and 4 larger cycle spaces, plus 2 Sheffield Stand spaces for staff and visitors in the forecourt, as per the drawings hereby approved. The cycle parking spaces shall be retained in perpetuity thereafter.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

8.1.10 Demolition and Construction Management and Logistics Plan

No development shall take place until a detailed Demolition and Construction Management and Logistics Plan covering the matters set out below has been submitted to and approved in writing by the Local Planning Authority and Transport for London. The development shall only be implemented in accordance with the details and measures approved as part of the demolition and construction management plan, which shall be maintained throughout the entire construction period.

a) A demolition and construction method statement, to include details of all noise and vibration (including noise from ancillary or temporary power supplies, details and locations of noisy activities including mobile plant machinery) and details of the best practicable means of mitigation employed against noise and vibration in accordance with British Standard Code of Practice BS5228 and measures to control dust and preserve air quality (including a risk assessment of the demolition and construction phase);

b) A detailed demolition and construction logistics plan to include the following: the construction programme/ timescales; the number/ frequency and size of construction vehicles; construction traffic route; location of deliveries; pedestrian and vehicular access arrangements; any temporary road/ footway closures during the construction period;

c) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during the construction project;

d) Procedures for maintaining good public relations including complaint management, public consultation and liaison. Arrangements for liaison with the Council's Community Safety Team;

e) Details of measures to protect the street tree to be retained.

REASON: To avoid hazard and obstruction being caused to users of the public highways and TLRN, in the interests of sustainability and in the interest of public safety and amenity.

8.1.11 Delivery Service Plan

A Delivery Service Plan (DSP) specifying delivery and servicing arrangements shall be submitted and agreed by the Local Planning Authority prior to the occupation of the development. Delivery and service arrangements shall thereafter take place in accordance with the measures identified within the DSP.

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers.

8.1.12 Contaminated Land: Pre Development

Development, except demolition to ground level, will not commence until preliminary risk assessment work has been undertaken and fully reported on. If required, additional physical site investigation work will be undertaken and fully reported on and a remedial action plan will be produced to the satisfaction of and approved in writing by the Planning Authority. Where physical site investigation work has not been agreed at a pre-application stage, further physical investigation work must be agreed with the contaminated land officer before being undertaken. Development will not commence until all pre-development remedial actions, set out within the remedial action plan, are complete and a corresponding pre-development verification report has been produced to the satisfaction of and approved in writing by the Planning Authority. Work shall be completed and reported by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Planning Authority and Contaminated Land Officer must receive verbal and written notification at least five days before investigation and remediation works commence. Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

8.1.13 Contaminated Land: Pre Occupation

Before first occupation/use of the development a post-development verification report will be produced to the satisfaction of and approval in writing by the Planning Authority. The verification report must fully set out any restrictions on the future use of the development and demonstrate that arrangements have been made to inform future site users of the restrictions. Work shall be completed and reporting produced by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Contaminated Land Officer must receive verbal and written notification at least five days before development and remedial works commence. Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases.

Any additional, or unforeseen contamination encountered during the course of development shall be immediately notified to the Planning Authority and Contaminated Land Officer and all development shall cease in the affected area. Any additional or unforeseen contamination shall be dealt with as agreed with the Contaminated Land Officer. Where development has ceased in the affected area, it shall re-commence upon written notification of the Planning Authority or Contaminated Land Officer.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

8.1.14 Unexpected Contamination

In the event that contamination is found at any time, when carrying out the approved development, that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and, once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the site investigation, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the approved remediation scheme. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with the implementation of the remediation scheme.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination

8.1.15 Fire Strategy

The details and measures set out in the Fire Safety Strategy by Fire Risk Solutions dated 28/05/2021 document hereby approved shall be carried out in full and maintained to the satisfaction of the Local Planning Authority for the lifetime of the development.

REASON: To ensure that the measures outlined to mitigate the risks of fire remain part of the development as constructed.

8.1.16 Bio-diverse Roof

A biodiverse, substrate-based intensive living roof (150mm minimum depth) shall be established on the two larger flat roofs hereby approved, in line with the submitted Urban Greening Factor calculations hereby approved. Full specifications and a detailed maintenance plan, shall be submitted and approved in writing by the local planning authority, prior to commencement of the relevant part of the work. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

Reason: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage, and to enhance the performance and efficiency of the proposed building.

8.1.17 Sustainable Urban Drainage (and Maintenance)

No development shall commence, other than works of demolition until full detailed specification of the sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan have been provided. These shall be submitted and approved by the LPA in consultation with the LLFA. Surface water from the site shall be managed according to the proposal referred to in the Surface Water Drainage Strategy report (Ref: 180425/S Rice Version 2.0 dated 20th April 2021) and the peak discharge rate is restricted to 2 l/s per outfall.

REASON: To safeguard against flooding and pollution and to improve local biodiversity.

8.1.18 Piling Method Statement

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

8.1.19 Bird and Bat Box Provision

Prior to the occupation of the development at least 6 swift bricks (on north, west or east facing walls) and 2 bat bricks (on south facing walls) will be installed at the eaves level of the development. The swift and bat bricks shall be maintained for the lifespan of the development.

REASON: To provide potential habitat for local wildlife, in line with the recommendations of the submitted habitat survey.

8.1.20 Details of external plant

Prior to commencement of works on the development hereby approved, full details of the location of the plant equipment at the roof, including mitigating solutions to prevent unacceptable noise levels to nearby sensitive receptors are to be submitted for approval in writing by the Local Planning Authority.

Reason: To ensure the development meets the sustainability requirements of the London Plan

8.1.21 Internal Noise Levels

All residential premises in the proposed development shall be designed in accordance with BS4142:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Activity	Location	07.00 to 23.00	23.00 to 07.00
Resting	Living room	35 dB L_{Aeq}	None
Dining	Dining room/area	40 dB L_{Aeq}	None
Sleeping (daytime resting)	Bedroom	35 dB L_{Aeq}	30 dB L_{Aeq}

Before the first use of the residential premises hereby permitted a test shall be carried out prior to the discharge of this condition to show the standard of sound insulation required has been met and the results submitted to the Local Planning Authority for approval.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources

8.1.22 Soundproofing between Commercial and Residential floorspace

Before the occupation of the residential units of Block A, the applicant shall submit to the Local Planning Authority the results from a pre-completion sound test to confirm that the acoustic rating of the structure between ground floor (Class E) and first floor residential units achieves the airborne sound insulation value of 50dB $D_{nT,w}+ C_{tr}$

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise and to ensure the operators of the commercial unit can operate in a reasonable manner.

8.1.23 Noise from Plant and Equipment

The total noise level from fixed plant (internal or external) shall be 5dB(A) or more below the background noise level at any noise sensitive premises at all times. The equipment shall be installed and constructed in accordance with the approved scheme and be maintained thereafter.

REASON: To ensure that occupiers of residential premises do not suffer a loss of amenity by reason of noise nuisance from equipment and machinery.

8.1.24 Secure by Design

Prior to the first occupation of the building a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained.

REASON: To ensure satisfactory living and working standards and safeguard against potential crime and anti-social behaviour.

8.1.25 Tree Protection: Foundations and Excavation:

No piling mats, foundations or excavation more than 0.5m beyond the ground floor footprint where it would enter the Root Protection Area of any retained tree. Any postholes permitted in the RPA are to be sleeved to avoid leaching of cement.

REASON: To safeguard and protect neighbouring trees.

8.1.26 Tree Protection: Services

No services, trenches or soakaways to impinge on any Root Protection Areas unless expressly approved in writing with Local Planning Authority. Permission would need agreement on the precise location and method of installation.

REASON: To safeguard and protect retained trees.

8.1.27 Archaeological Scheme of Investigation

No development shall take place, or any other archaeological details submission be made, until a professional archaeological desk-based assessment (ADBA) of the site has been submitted to and approved by the local planning authority. The ADBA should be prepared according to a brief from the Greater London Archaeological Advisory Service (GLAAS) and should include specialist palaeolithic assessment work.

REASON: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to ensure that an understanding of past and future development impacts on any significant remains is understood, and then managed via a separate condition.

8.1.28 Archaeological Scheme of Investigation

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. Where appropriate, details of a programme for delivering related positive public benefits.

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: Following consideration of the ADBA secured by a separate condition, the planning authority wishes to ensure that an understanding of past and future development impacts on significant remains is managed appropriately.

8.1.29 Overheating

Prior Prior to the commencement of construction of the development hereby

approved an assessment of the risk of overheating should be undertaken with dynamic simulation using the guidance provided in CIBSE TM59 (for residential) & TM52 (for non-residential) under TM49 weather files (DSY1, DSY2 and DSY3) and Cooling Hierarchy, or the relevant London Plan and Local Plan policies and methodology/criteria. Reliance on internal blinds and tree shading will not be accepted.

If overheating is present on the assessment, the following details shall be submitted to and approved in writing by the Local Planning Authority

- Details of any additional measures to be incorporated into the development to minimise the risk of overheating (without active cooling) and
- Details of strategy on how occupants can cope in extreme weather events and
- commitment that relevant guidance will be provided to occupants shall also be submitted and
- Evidence that these measures can be incorporated into the development.

The development shall not proceed otherwise than in accordance with the details thereby approved, which shall be maintained throughout the lifespan of the development.

REASON: To mitigate the risk of overheating with passive strategies avoiding reliance on active cooling systems.

8.1.30 Non-Road Mobile Machinery

All non-road mobile machinery present on or used at the development site during the demolition and construction process must meet the requirements of the NRMM Regulations. All NRMM must be entered on the Non Road Mobile Machinery online register at https://nrmm.london/user-nrmm/register before being operated. Where Non-Road Mobile Machinery, which does not comply with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery', is present on site all development work will stop until it has been removed from site.

REASON: To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works and during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Stack height and location.

8.1.31 Air Permeability

Prior to occupation of the development hereby approved, a full air permeability test report confirming that both domestic and non-domestic areas have achieved an average air permeability of 3 m3/h/m2 at 50pa, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To enhance the performance and efficiency of the proposed building and assist in meeting the Local Plan 2033 objective of reducing carbon emissions.

8.1.32 Insulation and Refrigerant Materials

Any insulation and refrigerant materials used shall have a low or zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP). Details and specifications of the proposed materials shall be submitted to and approved in

writing by the Local Planning Authority prior to the first occupation of the development.

REASON: In the interest of addressing climate change and reducing greenhouse gases.

8.1.33 Air Source Heat Pumps

Full details of location of the condenser units from the Air Source Heat Pumps (ASHP) (and any other related fixed plant adopted), shall be submitted to and approved by the Local Planning Authority, in writing, before any above ground development commences. The ASHP thereby approved shall be maintained throughout the lifetime of the development unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and reducing greenhouse gases.

8.1.34 Energy Monitoring Information

In order to demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and in all respects comply with the energy monitoring requirements set out in points a and b below. In the case of non-compliance the legal Owner shall upon written notice from the Local Planning Authority immediately take all steps reasonably required to remedy non-compliance.

a. Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.

b. Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.

In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner must use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'be seen' spreadsheet. Where measures are identified, which it would be reasonably

practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority and be implemented by the legal Owner as soon as reasonably practicable.

REASON: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan

8.1.35 Accessible Dwellings M4 (3)

Two of the units hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter. The remainder of the units hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (2) 'accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

REASON: To assist in meeting the Local Plan requirements to ensure the accessibility of dwellings and their ability to meet the needs of their users over time.

8.1.36 Digital Connectivity

The development shall not be occupied until fibre optic connections (FTTP) are installed within every residential unit hereby approved.

REASON: In order to ensure high quality and reliable communications infrastructure, to the benefit of economic growth and social well-being.

8.1.37 No Primary Cooking

Any use as a cafe/all day eatery hereby permitted under Class E shall include the serving of hot and cold drinks, sandwiches and other light refreshments for consumption on or off the premises. No primary cooking of unprepared food shall be carried out at the site. Only reheated or cold food that has been prepared elsewhere shall be served within the premises.

REASON: No flue is proposed for the unit, so the restriction would ensure that occupiers of neighbouring premises would not suffer a loss of amenity by reason of odour.

8.1.38 Parking and Design Management Plan

A Parking Design and Management Plan should be submitted prior to occupation and approved by the Council indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design. The development shall be carried out and managed in full accordance with the details thereby approved.

REASON: In order to ensure that the on-site car parking is designed and managed correctly, including the conversion of spaces if they should become redundant in the future.

8.2 Recommendation B

That the above recommendation is subject to completion of a legal agreement which secures the following matters to the satisfaction to the satisfaction of the Head of Planning and the Director of Legal and Governance Services.

1. £59,181 for Hackney Highways Works improvements.
2. Future occupiers will not qualify for resident parking permits;
3. Apprenticeships – apprentices (residents of Hackney) in the various building trades such as brick laying, carpentry, electrical, plumbing and plastering and the new methods of construction. At least one full framework apprentice is to be employed per £2 Million of construction contract value;
4. Commitment to the Council's local labour and construction initiatives;
5. Considerate Constructor Scheme – the applicant to carry out all works in keeping with the National Considerate Constructor Scheme;
6. Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Section 106 Agreement;
7. Ways into Work (Hackney Works) contribution of £7211.95 for the Construction Phase and £4275.58 for the Employment Phase;
8. The residential shown on the plans hereby approved, shall be provided as Affordable Housing (London Affordable Rent);
9. Provision of a Travel Plan and £200 for its monitoring;
10. Provision of on-street 1xDisabled car parking space;
11. Contribution towards car club membership;
12. The development shall not be occupied until a Scheme of Highway Improvement Works necessary to serve this development, including the removal of the existing vehicle crossover to Stoke Newington High Street and the planting of five new trees along the TLRN to replace those that are to be removed, has been submitted to and approved in writing by Transport for London and completed in full;;
13. A cash in lieu contribution to off-set to 100% the remaining regulated carbon dioxide emissions is £27,075.
14. £21,996 payment to reflect the CAVAT value of the trees to be removed.

8.3 Recommendation C

That the Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team Manager or DM and Enforcement Manger) to make any minor alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

9.0 INFORMATIVES

A reason for approval is required quoting all the Hackney Local Plan 2033 and London Plan policies listed at sections 5 of this report. In addition the following informatives should be added:

SI.2 Work Affecting Public Highway
SI.3 Sanitary, Ventilation and Drainage Arrangements
SI.6 Control of Pollution (Clean Air, Noise, etc.)
SI.25 Disabled Person's Provisions
SI.27 Fire Precautions Act
SI.28 Refuse Storage and Disposal Arrangements
SI.34 Landscaping
SI.45 The Construction (Design & Management) Regulations 1994
SI.48 Soundproofing

NSI Any Hoarding along the TLRN will require separate TfL licensing approval. Any piling and highway works along TLRN will be subject to TfL s.278 agreement, the applicant should confirm planning works on the Stoke Newington Road.

NSI "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholsesale; Business customers; Groundwater discharges section.

NSI The proposed development is located within 15m of Thames Water's underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.
https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-ourpipes. Should you require further information please contact Thames Water. Email:developer.services@thameswater.co.uk

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.
https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-ourpipes

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

NSI Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters

pipes. The developer should take account of this minimum pressure in the design of the proposed development.

NSI The best practical means available in accordance with British Standard Code of Practice BS5228 shall be employed at all times to minimise the emission of noise from the site.

NSI The applicant must seek the continual advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs) to achieve accreditation. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk.

NSI Thames Water recommends the installation of a properly maintained fat trap on all catering establishments.

NSI Construction activities audible at the facade of the nearest noise sensitive premises shall only be carried out between the specified hours: Monday to Friday 08:00-18:00 hours; Saturdays 08:00-13:00 hours; at no time on Sundays and Public Holidays unless otherwise agreed in prior consent to the Local Authority under the provisions of Section 61 of the Control of Pollution Act 1974.

NSI The Fire Brigade recommends the use of sprinklers within the development. The applicant should contact the Brigade (032085551200) for further advice.

NSI The provision of deadwood and/or rubble piles to enhance wildlife value is strongly supported. These features will provide additional microhabitats to support a broader range of plants and invertebrates, and will benefit Hackney BAP target bird and moth species.

NSI Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

NSI: Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

NSI: The assessment will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

Signed…… Date……

ALED RICHARDS
Director, Public Realm

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website. Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies Other background papers referred to in this report are available for inspection upon request to the officer named in this section. All documents that are material to the preparation of this report are referenced in the report	Nick Bovaird x8291	2 Hillman Street, London E8 1FB

APPENDIX A – Site photos

Site and context, looking north:

Site:

Adjacent terrace of Princess May road:

Looking east down Princess May Road:

Belgrade Road: