

<b>ADDRESS: 49 - 51 East Road, London, N1 6AH</b>	
<b>WARD: Hoxton West</b>	
<b>APPLICATION NUMBER:</b> 2022/1480 (Full Application)	<b>REPORT AUTHOR:</b> Catherine Nichol
<b>DRAWING NUMBERS:</b> <u>Location Plans:</u> 107-ANO-XX-00-DR-AX-00001 Rev PL1 (Location Plan) 107-ANO-XX-00-DR-AX-00000 Rev PL1 107-ANO-XX-00-DR-AX-10000 Rev PL1 107-ANO-XX-00-DR-AX-10001 Rev PL1  <u>Existing Plans:</u> 107-ANO-XX-B1-DR-AX-01010 Rev PL1 107-ANO-XX-00-DR-AX-01000 Rev PL1 107-ANO-XX-01-DR-AX-01001 Rev PL1 107-ANO-XX-02-DR-AX-01002 Rev PL1 107-ANO-XX-03-DR-AX-01003 Rev PL1 107-ANO-XX-RF-DR-AX-01004 Rev PL1  107-ANO-XX-XX-DR-AX-07001 Rev PL1 107-ANO-XX-XX-DR-AX-07002 Rev PL1 107-ANO-XX-XX-DR-AX-07003 Rev PL1 107-ANO-XX-XX-DR-AX-07004 Rev PL1 107-ANO-XX-XX-DR-AX-07005 Rev PL1  107-ANO-XX-XX-DR-AX-06001 Rev PL1 107-ANO-XX-XX-DR-AX-06002 Rev PL1 107-ANO-XX-XX-DR-AX-06003 Rev PL1 107-ANO-XX-XX-DR-AX-06004 Rev PL1 107-ANO-XX-XX-DR-AX-06005 Rev PL1  <u>Proposed Plans:</u> 107-ANO-XX-B1-DR-AX-11999 Rev PL1 107-ANO-XX-00-DR-AX-11000 Rev PL1 107-ANO-XX-01-DR-AX-11001 Rev PL1 107-ANO-XX-02-DR-AX-11002 Rev PL1 107-ANO-XX-03-DR-AX-11003 Rev PL1 107-ANO-XX-04-DR-AX-11004 Rev PL1 107-ANO-XX-05-DR-AX-11005 Rev PL1 107-ANO-XX-06-DR-AX-11006 Rev PL1 107-ANO-XX-RF-DR-AX-11007 Rev PL1  107-ANO-XX-XX-DR-AX-16001 Rev PL1 107-ANO-XX-XX-DR-AX-16002 Rev PL1 107-ANO-XX-XX-DR-AX-16003 Rev PL1 107-ANO-XX-XX-DR-AX-16004 Rev PL1	<b>VALID DATE:</b> 14-06-2022

<p>107-ANO-XX-XX-DR-AX-16005 Rev PL1</p> <p>107-ANO-XX-XX-DR-AX-17001 PL1 107-ANO-XX-XX-DR-AX-17002 PL1 107-ANO-XX-XX-DR-AX-17003 PL1 107-ANO-XX-XX-DR-AX-17004 PL1 107-ANO-XX-XX-DR-AX-17005 PL1</p> <p>107-ANO-XX-RF-DR-AX-27011 PL1</p> <p><u>Supporting documents</u> Existing and Proposed Area Schedule; Covering Letter; Design and Access Statement (Part 1 and Part 2); Planning Statement by Hatton Planning dated 9 June 2022; Noise Impact Assessment by Sustainable Acoustics dated 10 June 2022; BREEAM Stage 2/3 Pre-assessment (New Build) by EB7 dated 2 February 2022; BREEAM Stage 2/3 Pre-assessment (Refurbishment) by EB7 dated 2 February 2022; Sunlight and Daylight Assessment by Point 2 dated June 2022; Air Quality Assessment by phlorum dated June 2022; Biodiversity Net Gain Assessment by Phlorum Limited dated 31 May 2022; Preliminary Ecological Appraisal and Bat Building Survey by Phlorum Limited dated June 2022; Delivery and Servicing Plan by iceni dated June 2022; Framework Construction Management Plan by iceni dated June 2022; Framework Travel Plan by iceni dated June 2022; Transport Statement by iceni dated November 2022; Fire Statement by Jensen Hughes dated 21 October 2022; Energy and Sustainability Report by EB7 dated 22 November 2022 Carbon Assessment for Kinrise (6 June 2022) Affordable Workspace Statement TM52 Thermal Comfort Analysis by EB7 dated November 2022</p>	
<p><b>AGENT:</b> Hatton Planning 87 Warwick Street, Leamington Spa, CV32 4RJ</p>	<p><b>APPLICANT:</b> Kinrise 7 Portland Rise, London, W1F 8JQ</p>
<p><b>PROPOSAL:</b></p>	

Erection of a 3 storey roof extension to create office accommodation (Use class E), partial rear infill to provide improved vertical circulation, creation of terraces at second, fourth, fifth, and sixth levels, replacement of plant and alterations to the windows and doors at ground floor level, and alterations of the existing building.

**POST SUBMISSION REVISIONS:**

Submission of additional information with regard to transport, sustainability and fire strategy. No re-consultation on this information has been carried out, as revised plans feature amendments which are very small in nature.

**RECOMMENDATION SUMMARY:**

Grant planning permission subject to conditions and completion of a Legal Agreement

**NOTE TO MEMBERS:**

This application is presented to the Planning Sub-Committee as it constitutes a major development.

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:	
Major application	YES
Substantial level of objections received	
Council's own planning application (in accordance with the Planning Sub-Committee Terms of Reference)	
Other (in accordance with the Planning Sub-Committee Terms of Reference)	

**ANALYSIS INFORMATION**

ZONING DESIGNATION:	(Yes)	(No)
CPZ	Yes (Zone A)	-
Conservation Area	-	No
Listed Building (Statutory)	-	No
Listed Building (Local)	-	No
Priority Employment Area	Yes (Wenlock)	-
Central Activity Zone	Yes	-

LAND USE:	Use Class	Use Description	GIA Floorspace Sqm
Existing	Class E	Office	3782
Proposed Extension	Class E	Office	2177
Total	Class E	Office	5959

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	14
Proposed	0	1	68

### CASE OFFICER'S REPORT

#### 1.0 SITE CONTEXT

- 1.1 The site is located on the western side of East Road, less than two hundred metres north of its junction with City Road.
- 1.2 The surrounding buildings include the following:
- The site forms a courtyard with two buildings to the north; a four storey building that abuts the application site to the north along East Road, this is occupied by the City College, with commercial units on the ground floor.
  - The building opposite the courtyard, north of the application site, is a four storey building '6-8 Vestry Street' which has a commercial use at ground floor and three residential units at upper levels.
  - The building that abuts the applications site to the west is 6 story building '34-38 Vestry Street' which is in use as an office building.
  - To the north-west of the site, opposite Vestry Street, is a four storey building providing residential units, '25-29 Provost Street'. This is located on the corner of Provost Street and Vestry Street.
  - To the east of the site, on the opposite side of East Road, is a four story residential building 'Ian Bowater Court'.
  - To the south of the site, opposite Silsbury Street, is the previous 'Dial a cab' building which is under construction for a 23 storey building containing office and hotel use, as approved under 2019/3936.
  - To the south-west, the five storey building is 'Zeus House', with residential uses on the upper 3 floors.
  - The building south-east of the site, on the opposite side of East Road, is a fourteen storey, red brick, student-housing building.

- 1.3 The site is located within the Central Activities Zone and the Wenlock Priority Office Area.
- 1.4 The existing building is located on the corner of Silbury Street and East Road, with existing ground floor access from both. The building consists of a four storey, plus basement, office building. The site also has existing access from Vestry Street, via an existing arch beneath 2-4 Vestry Street. This access leads into a shared courtyard space with the City College. There is existing vehicle access through this courtyard from Vestry Street to East Road, City College has a right of access across part of the site.
- 1.5 To the north of the site, the surrounding buildings are commercial and mixed use buildings, generally of between 4 to 6 storeys in height. The surroundings show a wide variety of plot sizes and periods.
- 1.6 To the south of the site, the buildings include a cluster of tall mixed buildings at the elbow of City Road and junction with East Street which includes 145 City Road (39 Storeys), the Montcalm Hotel (21 storeys) and Eagle House (27 storeys) and 39-47 East Road, which is under construction (23 storeys). The use of these buildings includes residential, hotel, student accommodation, offices and retail/cafe/restaurants.
- 1.7 The site has a Public Transport Accessibility Level (PTAL) of 6b, representing the highest level. The nearest underground station is Old Street to the west and multiple bus stops are located in the vicinity.

### **2.0 Conservation Implications**

- 2.1 The site is not located within a conservation area. The Underwood Conservation Area sits to the west, 100m approximately away from the site.

### **3. History**

- 3.1 **2008/1913** - Replacement of 4 existing air conditioning units with an air handling unit and 10 condensing units at roof level. **Granted 17/12/2008.**
- 3.2 **2009/1222** - Advertisement Consent for installation of a non-illuminated signage and projecting sign. **Granted 27/07/2009.**
- 3.3 **2008/1471** - Alterations including the relocation of the entrance door. **Granted 29/07/2008.**

#### **Adjacent Sites History**

39 - 47 East Road, Hackney, London, N1 6AH

- 3.4 **2019/3936** - Demolition of the existing office building and construction of a 23 storey building plus double basement accommodating offices (within the B1 Use Class) and a hotel (within the C1 Use Class) with associated refuse, servicing, cycle parking facilities and other ancillary works. **Granted 07/12/2020.**

## 53-55 East Road

- 3.5 **2017/0232** - Erection of a two storey roof extension to create 9 self-contained dwellings (use class C3) comprising 4 x 1 bed, 4 x 2 bed and 1 x 3bed dwellings, internal alterations to facilitate access and associated refuse and recycling facilities and cycle parking. **Granted 07/09/2017. Not Implemented.**

## 75-83 East Road, Hackney, London, N1 6AH

- 3.6 **2020/39329** - Erection of a two storey roof extension to create 6x residential units (C3), partial change of 3x office units (class E(g)(i)) at basement and ground floor level for ancillary residential use including bin and bike stores and the installation of a new lift. Alterations to existing residential access. Creation of a roof terrace. Granted 20/01/2022.

## 34-38 Provost Street London N1 7NG

- 3.7 **2017/4783** - Erection of a 2-storey roof extension to create office accommodation (Use Class B1) at fourth and fifth floors and associated works including installation of replacement plant, shopfronts and doors. **Granted 06/04/2018. Construction completed.**

## **Enforcement History**

- 3.8 None.

## **4.0 Consultation**

- 4.1 Date Statutory Consultation Period Started: 27 June 2022.

- 4.2 Date Statutory Consultation Period Ended: 25 July 2022.

- 4.3 Site Notices: Yes (1 July 2022)

- 4.4 Press Advert: Yes (1 July 2022)

## **4.5 Neighbours**

Letters of consultation were sent to 96 adjoining owners/occupiers. At the time of writing the report (25/11/2022), no correspondence had been received.

## **4.6 Statutory / Local Group Consultees**

### 4.6.1 The Hackney Society Planning Group (HSPG):

We note the consented schemes either side of the application property, and feel a two storey extension here would be more appropriate than the proposed 3 storeys, considering both the context and the scale of the host building. A three storey extension would be seen as overdevelopment and overly dominant to the host building.

#### **4.7 Council Departments**

- 4.7.1 Transportation: No objection to the development in principle, subject to a variety of transport related legal agreement clauses and conditions.
- 4.7.2 Waste: No objection. The new commercial units would be serviced by a bin store in the basement areas, with collections made on Vestry Street via a goods lift. Compaction would be used to reduce the number of bins required. The arrangement looks appropriate, although the occupiers would be responsible for ensuring that their chosen commercial waste provider collected at time frequencies to ensure the bins did not become overfull in the event of issues with the compaction planned.
- 4.7.3 Pollution Noise: No objection. The report (Noise Impact Assessment (Report No: 22-0016-0 R01) dated 10th June 2022 produced by J Smith of Sustainable Acoustics) confirms that the internal noise criteria within the proposed open-plan offices (with all windows closed) will meet the requirements of BS 8233:2014. It is noted that approved document O places a requirement to incorporate a ventilation strategy to mitigate overheating of the building either naturally or mechanically. Whilst it has not been confirmed if natural or mechanical ventilation will be used, further noise mitigation measures will need to be included if natural ventilation is solely used. There is no objection in principle to this proposed commercial development, subject to conditions.
- 4.7.4 Pollution Air: No objection.

#### **5.0 POLICIES**

##### **5.1 Local Plan 2033**

- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated heritage assets
- LP4 Non-Designated heritage assets
- LP26 Employment Land and Floorspace
- LP27 Protecting and Promoting Office Floorspace in the Borough
- LP28 Protecting and Promoting Industrial Land and Floorspace in the Borough
- LP29 Affordable Workspace and Low Cost Employment Floorspace
- LP31 Local Jobs, Skills and Training
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP53 Water and Flooding
- LP54 Overheating

- LP55 Mitigating Climate Change
- LP56 Decentralised Energy Networks (DEN)
- 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
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- SD4 The Central Activities Zone (CAZ)
- SD5 Offices, other strategic functions and residential development in the CAZ
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- E1 Offices
- E2 Providing suitable business space
- E3 Affordable Workspace
- E8 Sector growth opportunities and clusters
- E11 Skills and opportunities for all
- HC1 Heritage conservation and growth
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 6 Digital connectivity infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- T1 Strategic approach to transport
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.2 Office 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 (2016)  
S106 Planning Contributions SPD (2020)  
Public Realm SPD (2012)  
Transport Strategy 2015-2025  
City Fringe Opportunity Area Planning Framework (2015)

**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)

**6.0 PLANNING CONSIDERATIONS**

6.0.1 Planning permission is sought for the erection of a 3 storey roof extension to create office accommodation (Use class E), partial rear infill to provide improved vertical circulation, creation of terraces at second, fourth, fifth, and sixth levels, replacement of plant and alterations to the windows and doors at ground floor level, and alterations of the existing building.

6.0.2 The main considerations relevant to this application are:

- Land use
- Design
- Residential amenity of neighbouring properties
- Green infrastructure and biodiversity
- Transport and servicing
- Sustainability and energy
- Drainage and flood risk
- Other planning matters
- Consideration of Consultee Responses
- Community Infrastructure Levy

Each of these considerations is discussed in turn below.

**6.1 Principle of the development of the site and land uses;**Principle of development and land uses

6.1.1 The current building is in office use and is considered to fall within Use Class E (g). The development proposes approximately 2177 square metres (GIA) of new office floorspace.

6.1.2 The site is located within the Central Activities Zone (CAZ) and the Wenlock Priority Office Area (POA). As such, the proposal for a wholly office, employment-led scheme comprised solely of office (Use Class E(g)) floorspace would accord with Policies

LP26 (Employment Land and Floorspace), LP27 (Protecting and Promoting Office Floorspace in the Borough) and LP29 (Affordable Workspace and Low Cost Employment Floorspace) of the Hackney Local Plan 2033 (LP33).

- 6.1.3 In addition, an employment led scheme would be in accordance with policy SD5 (Offices, other strategic functions and residential development in the CAZ) of the London Plan. The site is within the core area of the City Fringe Opportunity Area, and a commercial development would assist in achieving the ambitions for this area outlined in the City Fringe Opportunity Area Planning Framework, which supports policy SD1 (Opportunity Areas) of the London Plan.
- 6.1.4 Planning conditions restricting the building to uses within Use Class Eg(i) are recommended to ensure any effects from a change of use can be properly assessed in a planning application.
- 6.1.5 A contribution towards employment and training will be secured via a s106 legal agreement, which will provide employment support to residents, through training, employment and local procurement, in accordance with policy LP31 of the LP33.
- 6.1.6 In light of the above, the proposed three story extension to provide office space is considered acceptable in land use terms.

#### Affordable Workspace

- 6.1.7 As a proposal for Wenlock POA, Local Plan 33 Policy LP29 states the Council will seek at least 10% of the new employment floorspace within major commercial and mixed use schemes to be affordable workspace, subject to the viability of the scheme. In this instance the whole 10% would be included in the new floorspace of the roof extension. In Wenlock POA, the requirement is that the space be rented at no more than 60% of market rate. As per the policy target, the proposal is that 218m<sup>2</sup> would be Affordable Workspace, which represents 10% of the new floorspace at 60% of market rate, in perpetuity.
- 6.1.8 An affordable workspace agreement has been reviewed by officers that looks at three scenarios for delivering the affordable workspace; the final strategy would be adopted prior to the occupation of the building. As such it is recommended that the affordable workspace be secured in perpetuity by way of section 106 agreement, including a requirement to submit an affordable workspace statement for approval and ongoing monitoring of rental levels and terms.

## **6.2 Design**

### *Background*

- 6.2.1 The proposals have been discussed at length at the pre-application stage. Further discussions regarding the staircase and roof balustrades have been undertaken during the course of this application. Amended roof plans have been provided which remove the permanent black metal railing for the perimeter of the roof edge, and instead provide a collapsible safety railing set in from the roof edge.

6.2.2 London Plan policy D3 says that development should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

6.2.3 Policy LP1 states that all new development must be of the highest architectural and urban design quality. Key elements of the policy include that development should respond to local character and context and be compatible with the existing townscape including urban grain and plot division.

6.2.4 The proposed roof extension to the existing building is considered acceptable in principle.

*Form and massing*

6.2.5 The proposed form, scale and massing is considered to be acceptable and is the maximum appropriate height for the host building in order to ensure some subservience to the host building is retained. The proposed rooftop extension has an appropriate architectural language for the surrounding area and reads clearly as one intervention at rooftop level, retaining the features of the warehouse at lower levels. The setback of each additional level ensures it remains subservient to the host building, in particular when viewed from street level.

6.2.6 The proposed height would result in 25.8m /Ground plus 6 storeys to green roof and 29.7m to top of rear stair core, which would be viewed within the townscape hierarchy of East Road. The building would tie into the lower level massing of the recently consented proposal at Dial-a-Cab house (currently under construction). As such, the three storey upward extension on the corner of East Road and Silbury Street would be acceptable in townscape merits.

6.2.7 Concerns were raised regarding the design of the vertical extension of the front stair core; the extension will extend up from only half of the host's stair core creating an unusual and prominent massing with a prominent side elevation when viewed in long views looking south down East Road. Officers note that this development would be viewed against the prominent tall buildings.

6.2.8 Furthermore, the applicant confirmed that this stair core had been designed to comply with fire safety standards. The stair core follows the existing internal configuration for the fire escape of the existing office building. Officers have considered the design as submitted and note that the existing stair core currently punctuates the horizontal parapet line of the host building giving vertical emphasis to an otherwise horizontal parapet. The extension will add extra emphasis to this vertical element. This is considered acceptable as it will contrast from the stepped massing of the main extension and the simplified facade treatment ensures it will differentiate from the adjacent office spaces. It is likely that the adjacent building would follow a similar pattern of development given the warehouse buildings have matching stair cores.

6.2.9 The proposed plant enclosure has been carefully considered in both its location and massing, being incorporated within the main bulk at roof level. It is proposed to be made of the same material and architectural quality as the main extension. Detailed

plans of this plant enclosure have not been provided and a condition is recommended to secure details of this prior to construction.

- 6.2.10 To the rear, substantial areas of the brick and glazed frontage will be infilled to create a new core, it is noted that the original external brickwork will be retained internally. The bulk to the rear of the proposal is considered acceptable in design terms given it has been designed as a lightweight addition and sits comfortably at lower levels within an existing void. Furthermore this would be completely concealed from public views given it is located within the courtyard to the rear.

#### *Architecture and materials*

- 6.2.11 The proposed architecture has undergone extensive consideration to be of a high quality and with careful thought given to the articulation of facades, which helps to ensure a subservient intervention at roof level.
- 6.2.12 The proposed terracotta colour and tone is considered acceptable in design terms. Specifically, the facade will be clad in GRC with a terracotta finish and terracotta finish metalwork
- 6.2.13 Revised drawings were submitted in response to comments regarding the balustrades at roof level. At roof level, safety balustrades have been set back and designed to only be visible when in use which is acceptable. Officers note that this assists in reducing the visual impact of the stair core.
- 6.2.14 Opening sash windows on the existing scheme will be replaced to match which is acceptable. The new extension incorporates juliette balcony windows, side hung windows and large format opening windows. On the East Road frontage the original entrance will be reinstated and lined with material from the extension. The ground floor windows will be replaced with crittal style windows. The proposed alterations to the existing building would help to tie in elements of the proposed roof extension. The resulting design is a subservient roof level extension which would be appropriate within the surrounding context.

#### *Public realm and landscaping*

- 6.2.15 The internal courtyard will be subject to considerable work but there is no plan for the proposed finished condition of the paving. A condition is recommended to require these final details to be provided prior to construction.
- 6.2.16 External amenity space is provided at 2nd, 4th, 5th and 6th floor level. At 6th floor the largest proposed space will overlook Silbury Street. Landscaping has been recommended and could include trees and shrub planting. Green roofs are also proposed to be incorporated into the flat roof at different levels.
- 6.2.17 A condition is recommended to ensure bat boxes, swift nests and a detailed biodiversity and landscaping plan and urban greening factor analysis is submitted prior to construction. This would ensure the applicant demonstrates how the proposal contributes planting and bat boxes to the health of Hackney's biodiversity and ecology.

*Conclusions*

- 6.2.18 It is noted that the Hackney Society Planning Group (HSPG) have objected: 'We note the consented schemes either side of the application property, and feel a two storey extension here would be more appropriate than the proposed 3 storeys, considering both the context and the scale of the host building. A three storey extension would be seen as overdevelopment and overly dominant to the host building.' This issue has been carefully considered. The view of officers is that the proposed height of the roof extension is appropriate against the southern tall buildings and provides a buffer between the 23 storey high mixed use building, and the northern modest warehouse buildings. As discussed above, the extension remains subsidiary to the host buildings; it is further considered that the positive design of the extension and the choice of materiality is such that the setting of the listed buildings is neutrally affected. The pitched roof form of the proposals is such that the nearest plane of the proposed extension leans away from the listed buildings. Although there is some impact to setting, since there is an increase in height near the listed buildings, this is not considered, in this instance, to be harmful.
- 6.2.19 The proposals are of a high design quality and, subject to conditions, the roof extension would comply with the Local Plan policies LP1 Design Quality and policies D1 and D3 of the London Plan 2021.

**6.3 Conservation Areas (Designated Heritage Assets)***Underwood Conservation Area*

- 6.3.1 The closest conservation area is the Underwood Street CA designated in 1991, located 100m west of the application site. The proposals do not impact the setting of the existing conservation area due to the separation distance and presence of intervening buildings. As such, no harm has been identified.

*Statutory Listings (Designated Heritage Assets)*

- 6.3.2 3 Posts at head of steps leading down to Provost Street (on Silbury Street). Grade II: Three cast iron gun posts from the early to mid 19th century. They are situated at the top of the steps that lead down to Provost Street, a few metres from the site boundary. As part of 2019/3936, the posts will be incorporated in the same location within the proposed public realm improvements scheme. As such, no harm from this application has been identified.
- 6.3.3 London College of Furniture (Hoffman Square Chart Street) Grade II: This building is located approximately 200 metres east of the site. The proposed building will be visible from the western elevation of the building. The proposals terminate the view successfully and the building is seen in the context of the taller Atlas building. As such, no harm has been identified.

*Statutory Listings (Non-Designated Heritage Assets)*

- 6.3.4 Regmar House, East Road: Regmar House is a post war building with a distinctive curved corner. It is located approximately 100 metres north of the site. The proposals will be visible within the setting of this building. However, this is in the context of the

wider tall building cluster. As such, no harm has been identified.

*Conclusion*

- 6.3.5 No harm is caused to designated heritage assets (the Conservation Area) or the setting of designated heritage assets (the nearby listed buildings). The policy tests in National Planning Policy Framework Paragraphs 201 and 202 are therefore not engaged and the Council considers that it has discharged its duties under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
  - 6.3.6 The proposed development conforms with The London Plan Policy HC1 Heritage conservation and growth Part C: “Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings”.
- 6.4 Quality of Commercial Accommodation**
- 6.4.1 LP33 policy LP27 relates to new office (Class E(g) formally B1a) floorspace and requires such floorspace to be well designed, high quality with floor space that is flexible / adaptable to accommodate a range of unit sizes and types with good natural light, suitable for sub-division and configuration for new uses and activities, including for occupation by small or independent commercial enterprises.
  - 6.4.2 The proposed development provides a variety of office accommodation within the proposed extension and the existing building. These provide flexible, open plan arrangements. The proposed floor to ceiling heights of the proposed roof extension are considered acceptable, being 3m for the three new upper levels at 4th, 5th and 6th.
  - 6.4.3 The proposed roof extension would provide open plan office space that would be readily adaptable to the needs of different types of occupiers. The new office space would be provided with ample natural light from large windows on the north, east and south elevations of the building.
  - 6.4.4 The existing office space does not need planning permission for internal alterations, although officers confirm that as proposed the spaces are open plan and provided with ample natural light. The basement office spaces do not benefit from natural light, and are proposed as ancillary space to the ground floor units. The basement would be reconfigured so that plant, refuse and cycling spaces are provided here including end of use facilities. Access to the office space on the upper floors of the building is from a shared ground floor lobby. This is considered to be an acceptable provision of natural light and the overall design and layout of the office floorspace is considered to be of a high quality and likely to appeal to potential office and affordable workspace occupiers.
  - 6.4.5 Local Plan policy LP48 requires 4sqm of outdoor space per employee, which equates to 462.6sqm, the proposal provides a total of 311sqm of open space including roof terraces and a shared courtyard. Given the constraints of the site, the provision of communal outdoor space is particularly challenging. As such, this provision is not met and a payment in lieu is required under the policy, to provide or improve additional space elsewhere.



- 6.4.6 The payment in lieu of outdoor amenity is to be captured within the s106 legal agreement and is considered acceptable.

## **6.5 Transport and Servicing**

- 6.5.1 The site is located on East Road, which is within a 10 minute walk to Old Street Station. Silbury Street and East Road bound the site to the south and east respectively. The site is located within walking distances to the Shoreditch area and therefore benefits from numerous amenities and services. The site has a PTAL rating of 6a, meaning that it is considered highly accessible by public transport (on a scale of 1-6b, where 6b is the most accessible).
- 6.5.2 Cyclists also have excellent access to and from the site, with the use of local cycle routes and cycle parking facilities. Cycle Superhighway 1, which links the City of London with Tottenham to the north, is located approximately 350m to the east of the Site on Pitfield Street. Therefore, cyclists travelling from the north or south to the Site can travel via Cycle Superhighway 1 and use Chart Street to travel west to the Site. Quietway 13 (Q13) is also located approximately 550m from the Site, crossing Great Eastern Street.
- 6.5.3 The Site is also well served by London Cycle Hire docking stations, with nearby docking stations located within a 10 minute walk. East Road is located within Hackney Controlled Parking Zone (CPZ) 'A – Wenlock', which is operational from Monday to Friday 08:30-18:30. The site benefits from multiple car clubs within a 10 minute walk from the site. The nearest permit holder parking bays are within 50m.
- 6.5.4 Also of relevance is the emerging context at the neighbouring development to the south, The Atlas Buildings, which will bring forward a high quality public realm scheme (informally known as the East Road Boulevard scheme [Phase 1]). This will result in the reduction of one carriageway lane along East Road. The aim is to reduce the vehicle-dominant nature of East Road, create a pedestrian-friendly environment by widening the footways and planting new trees, and improve crossing facilities whilst safely accommodating loading and servicing.

### Access

- 6.5.5 The proposed development will be accessible to pedestrians and cyclists from East Road, Vestry Street and Silbury Street, providing level access for all users at ground floor level. The main building entrance is located on Silbury Street with the ground floor office provided with separate access from East Road. Separate level access to on-site cycle parking is provided from Vestry Street, with level access provided via a cycle lift to the cycle stores at basement level from the lobby at round floor.

### Trip generation, car and cycle parking

- 6.5.6 A detailed trip generation assessment has been submitted as part of the Transport Statement (TS). The analysis has been provided based on estimates from the Trip Rate Information Computer System (TRICS). This provides comparable transport data from similar land uses to estimate a total number of trips.

- 6.5.7 The analysis is focused on transport movements during peak hours. The increase at AM peak hour has been estimated at 69 two-way trips, and the PM peak hour an estimated increase of 64 two-way trips.
- 6.5.8 The trip generation section predicts a relatively small increase in trips to and from the application site during the peak hours. Owing to the site being car free and having excellent public transport connections, the majority of trips are predicted to be made via sustainable transport modes including walking, cycling and public transport.
- 6.5.9 Council's Transport officer has raised concern with the method of estimating trip generation, as the data has not considered the total trips across the day. The data may also underestimate the recent decrease in public transport patronage that can be attributed to the Covid-19 pandemic. As such, a travel plan will be secured via a s106 legal agreement.
- 6.5.10 The application site is proposed to be car-free in accordance with LP45, this will be secured via a s106 legal agreement.
- 6.5.11 In line with policy T6.5 of the London Plan, one blue badge car parking space is required. Given the site constraints, it is not possible for the applicant to provide one. As such, a payment in lieu will be secured via a s106 legal agreement, which will provide highways with the means to provide a blue badge space within the vicinity of the site. A condition is also recommended to ensure that a parking and design management plan is submitted and approved in writing prior to occupation, to ensure the design and management of the blue badge is in accordance with Transport for London guidance on parking management and parking design.

#### Deliveries and Servicing

- 6.5.12 The application has proposed an amendment to the double yellow lines in the vicinity of the application site to facilitate delivery and servicing vehicle movements. Alterations are proposed to the on street vehicle parking bays. These proposals will be evaluated as part of the ongoing discussions about the S278 works.
- 6.5.13 A full delivery and servicing plan should be submitted prior to occupancy. This should evaluate ways in which deliveries can be reduced and consolidated to reduce their impact on the transport network. Other, alternative modes of sustainable transport and last mile delivery are preferable such as delivery via Cargobike.
- 6.5.14 A final delivery and servicing plan (DSP) is recommended to be conditioned to be approved by the Local Authority prior to occupation of the proposed site.

#### Cycle Parking

- 6.5.15 Local plan LP33 policies LP42, LP43, LP44 and LP45 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Provision of adequate cycle parking is deemed necessary to make this development acceptable in transport terms.
- 6.5.16 The proposed cycle parking has been revised to remove wall hung stands. The proposal is split into two, long-stay parking is located within the basement and



short-stay parks are located at ground floor within the courtyard. A total of 50 long stay office cycle parking spaces with 18 short-stay office spaces. Supporting facilities such as changing rooms and showers for staff are also proposed. A range of cycle parking spaces will be provided including larger spaces for trikes at ground floor level, accessible cycle parking spaces in the basement, with a mix of single and two tier cycle spaces as follows:

### **Basement**

- 19 two-tier racks to provide 38 spaces
- 6 single Sheffield racks to provide 6 spaces
- 3 Sheffield stands to provide 6 spaces

### **Ground Floor**

- 10 single sheffield racks to provide 10 spaces
- 2 Sheffield stands to provide 4 spaces
- 2 Trike stands to provide 4 spaces

- 6.5.17 The revised proposal is still dependent on two-tier cycle parking and officers do have concerns with the scheme. A condition is recommended which secures the above mentioned number of cycle spaces, including details of layout, foundation, stand type and spacing.

### Refuse Strategy

- 6.5.18 The Council's Waste Officer has reviewed the waste strategy provided with the proposal and raises no objection to it, or to the location or capacity of waste storage provided. The proposal is considered to provide suitable waste and collection servicing arrangements.

### Public Realm and Highway Improvement Works

- 6.5.19 In accordance with the requirements of Local Plan policies LP41, LP42, LP43, LP44 and LP45, all developments are expected to be integrated into the surrounding public realm and/or provide contributions to urban realm improvements within the site vicinity.
- 6.5.20 A Highways Works contribution will be secured as part of the s106 legal agreement. The proposal is to provide new access doors onto the Silbury Street frontage and reconstruct the footway fronting the site.

### Construction Logistics

- 6.5.21 Due to the scale and nature of the proposed development, a final Construction Management Plan (CMP) for the various stages of construction will be required to mitigate negative impact on the surrounding highways network, a condition is recommended to secure this.

- 6.5.22 The applicant is expected to work collaboratively with other developers in the local area. It will be crucial to carefully manage any conflict with other construction and highway works schemes in the area at the time of commencement. To effectively monitor the final CLP a monitoring fee will be secured via the s106 legal agreement

#### Travel Plan

- 6.5.23 A Framework Travel Plan (TP) outlining measures to manage travel demand has been submitted alongside the Transport Assessment. A full travel plan for the scheme to establish a long-term management strategy that encourages sustainable and active travel and SMART targets is required by the proposed legal agreement. The full travel plan would be carried out in accordance with TfL's best practice guidance.
- 6.5.24 To effectively monitor the final the Travel Plan for at least 5 years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC), a monitoring fee will be secured via the s106 legal agreement

#### Summary

- 6.5.25 Subject to conditions and clauses within the s106 legal agreement, the development is considered policy compliant with respect to cycle parking, servicing arrangements and the scope of highway works. The proposal improves site legibility, promotes the use of sustainable transport modes and will not give rise to any adverse impacts to the surrounding highway network.
- 6.5.26 Conditions requiring the provision of cycle parking, demolition, construction and servicing and delivery management plans have been recommended, along with legal agreement clauses restricting parking permits, a blue badge space, compliance and adoption of a travel plan and Highway Works.
- 6.5.27 In light of the above, it is considered that the proposed development is acceptable in terms of transport considerations.

### **6.6 Impact on Nearby Residential Amenity**

- 6.6.1 London Plan policy D6 states that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context including minimising overshadowing. Policy LP2 of LP33 states that all new development must be appropriate to its location and should be designed to ensure that there are no significant adverse impacts on the amenity of neighbours.
- 6.6.2 The assessment of the daylight, sunlight and overshadowing impact of the proposal on nearby sensitive receptors is informed by a Daylight and Sunlight Review submitted in support of the application. The methodology adopted for the assessment of daylight, sunlight and overshadowing is set out in the 2011 Building Research Establishment (BRE) Guidance. In accordance with BRE guidelines and with best practice, the assessments undertaken were considered primarily residential properties.
- 6.6.3 Officers note that new BRE guidance was updated in June 2022, which supersedes the 2011 edition. However, the main aim is the same: to help ensure good conditions

in the local environment considered broadly, with enough sunlight and daylight on or between the buildings for good interior and exterior conditions. The updated guidance still uses the same methods of measurement, and the sunlight and daylight report as submitted is considered adequate for the assessment of neighbouring amenity in relation to sunlight and daylight.

*Sunlight and Daylight*

- 6.6.4 As outlined in the supporting text for policy LP2, 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 strictly applied for dwellings in denser inner urban locations as a matter of course.
- 6.6.5 When assessing daylight to existing properties, the primary methods of measurement are vertical sky component (VSC); and No Sky Line (NSL).
- 6.6.6 The BRE 2013 Report sets out two guidelines for vertical sky component:
  - 1. If the vertical sky component at the centre of the existing window exceeds 27% with the new development in place, then enough sky light should still be reaching the existing window
  - 2. If the vertical sky component within the new development is both less than 27% and less than 0.8 times its former value, then the reduction in daylight will appear noticeable to the occupants and more of the room will appear more dimly lit
- 6.6.7 The BRE 2013 Report also gives guidance on the distribution of light in existing buildings, based on the areas of the working plane which can receive direct skylight before and after. If this area is reduced to less than 0.8 times its value before, then the distribution of light in the room is likely to be adversely affected, and more of the room will appear poorly lit. This is referred to as the No Sky Line (NSL) analysis.
- 6.6.8 For sunlight, the primary method of measurement is annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south. If a point at the centre of a window can receive more than one quarter of APSH, including at least 5% of APSH in the winter months, then the room should still receive enough sunlight. If these percentages are not met and the reduction in APSH is more than 20% of its former value, then the loss of sunlight will be noticeable.
- 6.6.9 It is important to note that the BRE guidelines are generally based on a suburban rather than inner urban model and acknowledge that a higher degree of obstruction may be unavoidable in densely developed or historic areas. As such, some flexibility against BRE standards is appropriate, as suggested in paragraph 1.6 of the BRE 2013 guidance.
- 6.6.10 Based on the methodology set out in BRE guidance, the following residential properties have been identified for daylight/sunlight assessment

- 6-8 Vestry Street
- Ian Bower Court
- 20 East Road
- Zeus House
- 25-29 Provost Street

#### 6-8 Vestry Street

- 6.6.11 Located to the north-west of the site, this former warehouse block is arranged over 4 floors with commercial at ground floor and three residential units at the upper levels. It is not possible to locate the floorplans of these three residential units and the layouts have been assumed from external observation and site visits. A total of nine windows serving nine habitable rooms are material for assessment.
- 6.6.12 This property is situated immediately to the north of the site and has windows a short distance from its boundary with the application site. In considering such situations, BRE guidance makes reference to “bad neighbour” buildings, when any redevelopment of the adjacent site would result in substantial reductions in daylight/sunlight due to the close proximity of windows to the site’s boundary. In light of this guidance, some flexibility in relation to transgressions against the BRE tests is considered appropriate. It should also be noted that the form of the proposed development has been arrived at in an attempt to minimise daylight/sunlight impacts as much as possible on this property, with stepped volumes rising away from the northern boundary in response to daylight/sunlight considerations.
- 6.6.13 Of the nine windows assessed for VSC, four are considered to have modest alterations of between 32.53% and 39.2%. Most of the impacts occur as a result of self-obstruction from balconies which limit the amount of skylight these receptors can enjoy. Given the inner urban nature of the surrounding context and the tight grain of streets in the area, this level of retained daylight is considered to be broadly acceptable. Overall, the impact of the proposal upon the daylight of this building is considered to be within acceptable limits.
- 6.6.14 In regards to sunlight, two of the nine windows assessed for sunlight experience a minor reduction in Annual Probable Sunlight Hours (APSH) at 13% and 14%. This position is not unusual in a built up urban area where the low lying sun during winter is obscured by tall buildings associated with an urban centre. Furthermore, these windows serve an internal courtyard with an unusually open aspect to the south. Given the inner urban context, the impact of the proposal upon the sunlight levels experienced at this building is considered to be within acceptable limits.

#### Ian Bowater Court

- 6.6.15 Situated to the east of the site on the north corner of East Road and Chart Street, this residential block has a front elevation overlooking the site. It is noted that the separation distance is 36m as measured from google maps. Some plans for this property have been located from estate agency websites and incorporated into the model. Twenty-four windows serving 16 bedrooms and 8 kitchens are material for assessment.

- 6.6.16 All of the windows assessed for VSC and the rooms assessed for NSL meet BRE guidance at this building.
- 6.6.17 Of the twenty four windows assessed for sunlight, all rooms assessed for NSL meet BRE guidance at this building.

20 East Road

- 6.6.18 Given that this building is not in residential use, it should not be considered as sensitive to daylight/sunlight impacts as a residential use, as per BRE guidance. However, the building's use as student accommodation means that there would be a reasonable expectation of natural light so the daylight/sunlight impacts of the proposed development have been assessed.
- 6.6.19 Located to the south-east of the site, on the south corner of East Road and Chart Street, this student accommodation block faces the site. It is noted that the separation distance is 20m as measured from google maps. Some plans and elevations for this property have been retrieved from the local authority planning portal and incorporated into our model. A total of eighty-one windows serving seventy rooms have been assessed.
- 6.6.20 Of the eighty-one windows assessed for VSC, fourteen windows are considered to have minor reductions. The majority of windows in this building would retain VSCs within the mid to high teens or higher which is a relatively good level of daylight in this area. While the reduction in sunlight at this building will be noticeable, given the site's orientation and the densely developed nature of the surrounding context, the overall sunlight impacts are considered to be within acceptable limits. This is within the context of a relatively high degree of compliance at this building in relation to daylight.
- 6.6.21 In terms of sunlight, the building only has one window which is orientated within 90 degrees of due south that would be affected by the development. There would therefore not be an unacceptable impact upon sunlight to this building.

Zeus House

- 6.6.22 Located to the south-west, the rear and flank elevations overlook the site. The floorplans of this property have been incorporated into the model. A total of twenty-six windows serving four living/dining rooms, a kitchen, two living/kitchen/dining rooms and eleven bedrooms have been assessed.
- 6.6.23 Three windows would have a reduction in VSC which is considered moderate reductions measuring 32% - 44%. Two of these windows would serve living rooms which have more than one BRE complaint window. The final window serves a bedroom which is considered less sensitive to a loss of daylight in BRE guidance. Given the inner urban context, the impact of the proposal upon the daylight levels experienced at this building is considered to be within acceptable limits.
- 6.6.24 In terms of sunlight, the building does have any windows which face within 90 degrees of due south that would be affected by the development. There would therefore not be an unacceptable impact upon sunlight to this building.

### 25-29 Provost Street

- 6.6.25 Situated to the west of the development site, this block has a front elevation overlooking the site. It is noted that the separation distance is 34m as measured from google maps. A total of thirty-one windows serving eighteen assumed habitable rooms are material for assessment.
- 6.6.26 All of the windows assessed for VSC and the rooms assessed for NSL meet BRE guidance at this building.

### Overshadowing

- 6.6.27 For shadow assessment, BRE guidance recommends that a garden or amenity area with a requirement for sunlight should have at least 50% of its area receiving 2 hours of sunlight on 21 March. There are no nearby amenity spaces that have been identified.

### Outlook/Sense of Enclosure

- 6.6.28 As discussed above, the proposed development will be located in close proximity to residential windows on the upper floors of 6-8 Vestry Street. The roof extension has been designed to be stepped back in columns from this boundary which would reduce the impact, furthermore the bulk of the 7th floor extension is located on the eastern side of the site, leaving the bulk of the roof extension in front 6-8 Vestry, as a two storey extension.
- 6.6.29 The proximity of the windows at 6-8 Vestry Street to the site boundary is also such that some degree of an increased sense of enclosure would be difficult to avoid should the application site be comprehensively redeveloped. Given the extent of the impact, and when considering the number of units affected against the wider public benefits of the scheme, the increased sense of enclosure that would arise at this building is considered to be within acceptable limits. The location of other nearby residential windows in relation to the development and the existing character of the area are such that there is not considered to be an increased sense of enclosure to other residential uses in the area arising from the development.
- 6.6.30 As such, it is considered that though the bulk of the proposed building will reduce outlook somewhat at neighbouring properties, this would not be beyond the level to be expected for this location. The impact of the development on neighbouring residents' outlook and sense of enclosure is considered acceptable.

### Privacy and Overlooking

- 6.6.31 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.
- 6.6.32 Generally, the proposed development would be of a layout and design that provides adequate distances between windows in the proposed development and windows in surrounding properties. These distances would be reflective of the dense urban grain.



In each case the development would be separated from the adjoining neighbours by a street or public realm, which would create a fairly conventional pattern of development.

- 6.6.33 The residential windows at 6-8 Vestry Street would be most affected by the development in terms of privacy. The office windows on the northern elevation of the proposed roof terraces would be located at some 6m from residential windows at their nearest point at first floor level, reducing to some 8.5m fourth floor level.
- 6.6.34 As discussed in the daylight/sunlight assessment above, the residential windows on the southern elevation of 6-8 Vestry Street are located a short distance from the site's boundary and, as such, close proximity to these windows would be difficult to avoid in the event of the development of the application site. It is also noted that the proposed use of the existing building and proposed roof extension is office where overlooking impacts are not considered to be as significant as residential uses.
- 6.6.35 In order to ensure that the privacy of the occupants of this property is protected, it is recommended that a condition be attached requiring the submission of a Privacy Mitigation Strategy for the northern elevation of the infill and roof terraces to include details of, privacy screens on roof terraces, obscured glazing or other methods of safeguarding privacy.
- 6.6.36 Other residential windows located in the vicinity of the site, such as those at the Zeus House, are considered to be located at such a distance and angle that there would not be an unacceptable impact upon privacy, particularly given the nature of the proposed use and the roof extension finishing above the height of adjacent buildings.

#### Amenity during construction

- 6.6.37 A draft Construction Management Plan has been submitted in order to propose indicative measures to mitigate the impacts of construction upon neighbouring occupiers. This document has been assessed and is considered acceptable to demonstrate that the temporary environmental impacts arising from the construction of the proposed development can be effectively mitigated. This is subject to a condition requiring the submission of a full Demolition and Construction Management Plan prior to the commencement of development. Regard has been had for the cumulative effects of another large scale construction site in the area, given the number of adjacent sites which have been redeveloped at scale in recent years. However, given the temporary nature of the impact and the long term benefits that would arise from the proposal, this impact is not considered to be reasonable ground to refuse the application.

#### Noise

- 6.6.38 London Plan policy D14 seeks to manage the amount of noise arising to and from a development, in line with surrounding environs.
- 6.6.39 The office accommodation proposed in this development is deemed to reflect the existing surrounding context. The Council's Pollution Noise team have reviewed the proposal and raise no objection, subject to a condition limiting plant noise. Further conditions are proposed in respect of construction management and Delivery/Service, which will limit noise and disturbance to surrounding occupiers. A

considerate contractor's clause is included within the legal agreement to further protect adjoining residents.

- 6.6.40 The proposal includes a terraced area at fourth floor level of the proposed new build. While this is only one metre deep it does run for the width of the building and would have some limited potential to create noise opposite the residential units of Leonard Street. As such, a condition is proposed that limits the use of the balcony to the hours between 08:00 and 21:00.

#### Amenity Conclusions

- 6.6.41 The proposed development is considered acceptable in terms of its impact on light provision, overlooking, noise and disturbance. It is considered to be of an overall massing, layout and positioning which would not give rise to an unacceptable detrimental impact in terms of sense of enclosure or overbearing impact. Where impacts arise these would be negated by the proposed conditions. Otherwise the proposed development is not considered to give rise to any issue which would have an unacceptable impact upon the amenity of adjoining occupiers or users of the area. As such the proposal is considered acceptable in terms of its amenity impact.

### **6.7 Energy and Sustainability**

- 6.7.1 London Plan policy SI 2 and LP33 policy LP55 state major development proposals should be net zero-carbon. Developments should minimise carbon emissions onsite and when evidence is made that it is not possible to reduce CO2 emissions on-site by the specified levels, carbon off-setting payments will be required and secured via legal agreement.
- 6.7.2 In accordance with LP55 Part H, Development including the re-use or extension of existing buildings should achieve the maximum feasible reductions in carbon emissions and support in achieving the strategic carbon reductions target in the London Plan, while protecting the heritage and character of the buildings. Development should consider synergies with new build elements on sites and developments should seek to achieve the zero-carbon target across the site. The applicant has submitted an energy statement which provides detail on the feasibility of carbon reductions.
- 6.7.3 Furthermore, LP55 requires reducing carbon emissions, non-domestic development should aim to achieve 15% through energy efficiency measures alone (i.e. the be lean state of the energy hierarchy). Non-domestic developments should aim to generate at least 10% of their energy needs from renewable sources onsite or in the local area. The proposed improvements to the energy savings at the 'be lean' and 'be green' stage of the energy hierarchy to the minimum targets include Air Source Heat Pumps and PV panels. The submitted energy report indicates the proposal of 72 PV panels with an area 113.6m<sup>2</sup>. The use of air source heat pumps is also proposed. Together, these would provide a 38% reduction in emissions from energy generating and renewable technologies. A condition confirming the installation of the PV recommended. In addition, a green roof is proposed to the roof extension and a condition is recommended to secure final details and its future maintenance.
- 6.7.4 The development provides in excess of 1000sqm of non-residential floorspace and as



such is required to meet BREEAM 'Excellent' rating in line with Local Plan policy LP55. The submitted BREEAM reports confirm that the building would be rated 'Outstanding', which complies with this policy. In order to ensure all reasonable measures have been taken to ensure the sustainability of the commercial uses within the development, a post-construction condition is recommended requiring the submitting of a BREEAM certificate to show that a minimum of 'Excellent' rating has been achieved.

- 6.7.5 In light of the above assessments, the applicant confirmed that they could not provide zero-carbon and an offsetting payment was proposed. The applicant's original energy statement proposed a carbon offsetting payment of £138,139.50 and the revised statement proposes a payment of £81,510.00. Officers are in discussion regarding the final offsetting figure, which relies on calculations that the applicant has not submitted. The final payment will be secured via a s106 legal agreement.
- 6.7.6 London Plan SI 4 and LP33 Policy LP54 requires development to regulate temperatures to avoid overheating and mitigate the Urban Heat Island (UHI) effect, and encourages biodiversity benefits. The applicant has submitted an overheating assessment, which confirms that both the existing and roof extension will fail to meet the criteria of the GLA's guidance. The mitigation explored is not detailed and how this is being mitigated and delivered is not clear. A condition is recommended to ensure the applicant provides a full assessment of overheating and provides suitable mitigation to comply with London Plan SI 4 and LP33 Policy LP54, prior to any works beginning on site.
- 6.7.7 Further conditions are recommended, in line with the findings of the submitted energy strategy, that will ensure the sustainability of the new building. These are in respect of Air Permeability Testing, Plant Noise, Air Source Heat Pump (VRF) unit location and Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP) Materials.

## **6.8 Flood Risk Impact**

- 6.8.1 The application site is shown to have an increased potential for elevated groundwater.
- 6.8.2 In line with the submitted Basement Impact Assessment and Drainage Strategy report, conditions are recommended to require a groundwater site investigation report and details of Sustainable Urban Drainage prior to the commencement of any development
- 6.8.3 Thames Water have also reviewed the proposal and have noted that the development is located within 15 metres of a strategic sewer. As such, a piling method statement is recommended by condition. Thames Water have also requested a number of additional informatives, which are also recommended.
- 6.8.4 Subject to the above conditions, the proposal is deemed to be in line with the requirements of local and regional policy with regard to the sustainability of the proposal.

## **6.9 Trees, Landscaping and Biodiversity**

- 6.9.1 Policy G1 of the London Plan (2021) and policy LP46 of LP33 (2020) require that all development should enhance the network of green infrastructure.
- 6.9.2 Policy LP47 of LP33 (2020) requires that all development should protect and where possible enhance biodiversity leading to a net gain and should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features.
- 6.9.3 The proposal is limited in the improvements it can make to biodiversity improvements given the rooftop location. The submitted Preliminary Ecological Appraisal and Bat Building Survey (PEA) has found the site to be of low ecological value. A number of mitigation measures and enhancements are suggested to improve biodiversity at the site, including a requirement to provide nesting/ roosting bricks for small birds (including swifts) and bats. It is recommended that a condition be imposed requiring the recommendations in the PEA to be implemented. Subject to such a condition, the proposed development is considered acceptable in terms of biodiversity.
- 6.9.4 A green roof is proposed across the whole of the new building. A condition has been added to ensure that this is a biodiverse living roof in the manner suggested by policy.
- 6.9.5 As such, there would be a net-gain in biodiversity at the site and it is considered that the proposal increases the Urban Greening Factor to the maximum extent possible within the constraints of the site and existing built form.
- 6.9.6 In light of the above, the proposed development is considered to be acceptable in terms of proposed landscaping, biodiversity and impact on trees.

## **6.10 Other Planning Matters**

### Fire Statement

- 6.10.1 In accordance with London Plan Policy D12, the applicants have submitted a fire statement in line with the requirements of the policy. The Borough's Building Control team have reviewed the submitted Fire Safety Strategy and raised no concerns at this stage. A final Fire Statement will be approved by an inspectorate at a later date as part of the building control process.

### Equalities Considerations

- 6.10.2 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.
- 6.10.3 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.

**6.11 Consideration of Consultee Responses**

- 6.11.1 The response to issues raised by consultees has been outlined in the main body of the report.

**6.12 Planning contributions and Community Infrastructure Levy (CIL)**

- 6.12.1 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, Office 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 £50 per square meter of office floorspace.

- 6.12.2 The proposal involves the erection of roof extension with a net additional floorspace of 2177m<sup>2</sup>. The development is liable for both Local CIL and Mayoral CIL2. The Hackney and Mayoral CIL liability for the development is calculated as follows:

6.12.3 LBH CIL

$$2177\text{m}^2 \times £50 = £108,850.00$$

6.12.4 Mayoral CIL2

$$2177\text{m}^2 \times £60 = £130,620.00$$

- 6.12.5 Further recommended heads of terms for the legal agreement covering Affordable Workspace, Employment and Skills Plan, Local Labour, Apprenticeship, Procurement Plan, Employment and Training (construction and operational), Open Space Contribution, Travel Plan, Contribution towards Highways Works, Provision of disabled car parking, Carbon Offset contribution, Considerate Contractors and Car Free are set out in recommendation B.

**7.0 CONCLUSION**

- 7.1 The proposed roof extension would provide additional office floorspace, and is considered acceptable in land use planning terms and in accordance with policy objectives within the Local Plan 2033, London Plan and National Planning Policy Framework. The development introduces high quality employment floorspace to a site within a Priority Office Area.
- 7.2 The proposed new building is considered of high architectural quality and sits comfortably within this dense urban area. The scale of the building is considered appropriate, relating well to the existing massing East Road both north and south.
- 7.4 The proposal is considered acceptable in planning terms in all other respects, including the impact on amenity of adjoining residents and its impact on the local highways network.
- 7.5 The proposal is, on balance, therefore deemed to comply with pertinent policies in the Local Plan 2033 (2020), the London Plan (2021) and the National Planning Policy

Framework (2019), and the granting of permission therefore is recommended subject to conditions and completion of the legal agreement.

## **8.0 RECOMMENDATIONS**

### **8.1 Recommendation A**

**That planning permission be GRANTED, subject to the following conditions:**

**1. Commencement within three years**

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

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

**2. 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.

**3. Design details to be approved**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- A. 1:20 detailed drawings of key junctions, including windows and their reveals, sections through the facade, the parapets and the plant enclosure.
- B. Construction details for the main structure details, it is recommended to use CLT for structure.
- C. Full details of proposed windows and doors, including a 1:20 scale elevation drawing of each window type showing the glazing pattern and 1:5 scale vertical and horizontal cross section drawings showing the upper and lower stiles, the meeting rails, the dimensions of the glazing, the profile and dimensions of the glazing bars and spacers (if any). Plan of elevations showing in red all windows to be removed.
- D. A detailed plan of the courtyard paving.
- E. Details of the proposed plant room on the roof, including dimensions, materials and elevations.

All approved details shall be carried out in accordance with the approved plans and shall be maintained and retained in situ.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the adjacent listed building and conservation area and to ensure an acceptable standard of accommodation for future occupants.

**4. Design samples to be approved**

Prior to commencement of works hereby approved, and notwithstanding the details shown on the documents hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- A. Two site mock-ups of the proposed elevations facade types, with red line drawing provided to show location in facade of mock-up;
- B. Material samples of all externally appearing features submitted for approval;
- C. Provision of a detailed materials sheet showing the location of materials, their manufacturer and product reference and precedent photographs.

All approved details shall be carried out in accordance with the approved plans and shall be maintained and retained in situ.

REASON: To ensure a high standard of design.

### **5. BREEAM**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority within 12 weeks of the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

1. A BREEAM post-construction assessment (or any assessment scheme that may replace it) confirming an 'Excellent' rating (or another scheme target of equivalent or better environmental performance) has been achieved.

REASON: To ensure the development meets the sustainability requirements of the London Plan.

### **6. Future Proofing Connections**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

1. Full detailed specification and layout of the main plant room confirming the location of the connection points to connect the development to a future district heating network

REASON: In the interests of the promotion of sustainable forms of development and construction.

### **7. Overheating**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

1. An assessment of the risk of overheating should be undertaken with dynamic simulation for a defined system capacity, and following methodology indicated in the Energy Assessment Guidance Greater London Authority guidance on preparing the energy assessments (2018), based on CIBSE TM52:2013 and adopting weather files as indicated in CIBSE TM49:2014, or any other methodology that may replace it. The assessment shall include strategies proposed to mitigate any overheating identified.

REASON: In the interests of the promotion of sustainable forms of development and construction.

#### **8. Details of Green Roof**

Prior to commencement of works hereby approved, and notwithstanding the details shown on the documents hereby approved, details of the green roof, including cross sectional drawings of the proposed green roof system confirming that the green roof is specified with a substrate base of at least 80mm ranging to 150mm, not including the proposed vegetative mat, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To enhance the biodiversity and ecology of the development and contribution to green infrastructure.

#### **9. Use as offices only**

The units shown as office units on the drawings hereby approved shall be used only as offices within the meaning of Class E subsection g(i) of the Town and Country Planning (Use Classes) Order 1987 (UCO) or of any relevant provision in amending or replacement legislation and the units shall be used for no other purpose which for the avoidance of doubt shall include no other purpose within Class E of the UCO or any relevant provisions in any amending or replacement legislation.

REASON: To protect against an unacceptable loss of office space from the site, in line with the aims of local and regional planning policy.

#### **10. Landscaping and Biodiversity**

Prior to commencement of the landscaping works, a detailed hard and soft landscaping scheme illustrated on detailed drawings, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: all trees and other planting showing location, species, type of stock, numbers of trees/plants, and areas to be seeded, turfed or left as a natural/biodiverse zone. All landscaping shall be carried out in accordance with the details thus approved, within a period of twelve months from the date on which the development of either phase of the development commences 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 enhance the character, appearance and ecology of the development and contribution to green infrastructure.

#### **11. Air Permeability Testing**



Prior to occupation of the new building hereby approved, a full air permeability test report confirming the development has achieved a maximum air permeability of 4 m<sup>3</sup>/hr/m<sup>2</sup> at 50pa shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

**12. VRF Unit Location**

Full details, including the location, of the condenser units from the Variable Refrigerant Flow (VRF) systems, air handling units (or any other fixed plant adopted), shall be submitted to and approved by the Local Planning Authority, in writing, before the commencement of the relevant part of the development. The expected performance thereby approved will be achieved throughout the lifetime of the development.

Reason: In the interest of addressing climate change and contributing towards local, regional and national commitments to a net-zero carbon emission future.

**13. Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP) Materials**

Prior to commencement of the relevant part of the work, the applicant shall submit, and have approved in writing by the Local Planning Authority, full details and/or specifications confirming that the insulation and refrigerant materials have a low or zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP).

Reason: In the interest of addressing climate change and minimising Greenhouse Gas Emissions.

**14. Use of Roof Terraces**

The use of the external roof terraces shall be limited to the hours between 08:00 and 21:00 Mon-Sun and Bank Holidays.

REASON: In order to safeguard residential amenity.

**15. No new pipes and plumbing**

No new plumbing, pipes, soil stacks, flues, vents grilles, security alarms or ductwork shall be fixed on the external faces of the buildings unless as otherwise shown on the drawings hereby 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.

**16. Delivery and Servicing Plan**

The development hereby approved shall not be occupied until a detailed Delivery Service Plan (DSP) specifying delivery and servicing arrangements shall be submitted and agreed by the Local Planning Authority. Delivery and Servicing to the site shall only be carried out in accordance with the details thus approved.



REASON: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety and amenity.

### **17. Cycle Parking**

Notwithstanding the details shown on the approved plans, full details of cycle parking for 50 basement spaces and 16 ground floor spaces, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. Details should include the layouts, foundations, stand-types and spacing. The approved details shall be maintained and retained in situ.

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

### **18. Obstruction of footways**

No doors or gates shall be erected in a way that enables them to be opened over or across the adjoining footways, carriageways and rights of way.

REASON: In the interests of public safety and to prevent obstruction of the public highway.

### **19. Roof plant**

No roof plant (including all external enclosures, machinery and other installations) other than any shown on the drawings hereby approved shall be placed upon or attached to the roof 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.

### **20. Plant Noise**

Noise arising from the use of the proposed plant units or any associated equipment shall at all times remain at least 5dB(A) below background levels when measured at any nearby noise sensitive location.

REASON: To ensure that occupiers of the neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from fixed plant and machinery.

### **21. PV Panels**

Prior to occupation of the new building hereby approved, a certification by an accredited PV installer confirming that the PV panels with capacity of 13.9 kWp, has been installed on the roof of the development shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development is adequately sustainable and contributing towards local, regional and national commitments to a net-zero carbon emission future.

### **22. Ecology Management Plan**

The enhancements recommended in the approved Ecology Report, including the provision of nesting boxes/bricks for small birds/bats, shall be implemented in full prior to the occupation of the development and retained at the development thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to improve the ecology and biodiversity of the site.

**23. Secured by Design**

Prior to occupation of the building hereby approved, details of measures to minimise the risk of crime to meet the specific security needs of the application site/development (as informed by the principles of Secured by Design), shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be carried out in accordance with the approved details and thereafter maintained as such.

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

**24. NOx Emissions**

The NOx emissions standards set out in the GLA's 'Sustainable Design and Construction SPG' will be maintained on-site.

REASON: To ensure the acceptability of the scheme with respect to NOx pollution.

**25. Demolition and Construction Management Plan**

No development shall take place until a detailed Demolition and Construction Management Plan covering the matters set out below has been submitted to and approved in writing by the Local Planning Authority. 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 covering all phases of the development to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- b) A Dust Management Plan to control dust emissions during demolition and construction;
- c) Details of compliance with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery' in relation to Only Non Road Mobile Machinery or used at the development site during the demolition and construction process along with details that all NRMM are 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.
- d) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to, details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete), the location of any mobile plant machinery, details of measures to be employed to mitigate against noise and

vibration arising out of the construction process demonstrating best practical means.

- e) Details of the location where deliveries will be undertaken; the size and number of lorries expected to access the site daily; the access arrangements (including turning provision if applicable); construction traffic routing; details of parking suspensions (if required) for the duration of construction.
- f) A liaison strategy between the applicant and the adjacent school in relation to the construction programme and means of mitigating the environmental impacts of construction.

REASON: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety and amenity.

## **26. Privacy Mitigation Strategy**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- Details of obscured glazing, privacy screens and/or planting to mitigate overlooking of nearby uses from the windows and roof terraces on the north elevation at ground to fourth floor level.

Once approved the development shall be carried out in accordance with the approved details and thereafter maintained as such.

REASON: To protect the amenity of neighbouring residents

## **27. Car Park Design and Management Plan**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

1. A Car Park Design and Management Plan which identifies potential spaces on Curtain Road that could be converted to blue badge spaces

REASON: In order to ensure that there is an adequate provision of disabled persons car parking spaces.

## **8.2 Recommendation B**

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 & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions 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)..

### Highways and Transportation

- Car Free Agreement – to restrict new business users of the development from obtaining parking permits to park in the surrounding CPZ bays.
- Provision of a Travel Plan and Travel Plan monitoring fee at £5,555.
- A contribution towards Highways Works
- A contribution of £8750 towards Construction Logistics and Community Safety (CLOCS) and Construction Logistics Plan (CLP) monitoring
- Submission and approval of a Car Park Design and Management Plan which identifies a space in the local area to be converted to a blue badge space prior to occupation;
- A payment in lieu of a blue badge which will provide highways with the means to provide a blue badge space within the vicinity of the site.
- £10,000 towards the provision of on-street Electric Vehicle Charge Point

### Hackney Works Contribution

- A Ways into Work contribution of £46,127.70 payable prior to the implementation of the development covering the construction (£9796.50) and end use (£36,331.20) phases of the development.

### Employment, Skills and Construction

- Employment and Skills Plan to be submitted and approved prior to implementation;
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council; Commitment to the Council's local labour and construction initiatives (30% on site employment and 25% local labour for first five years of operational phase) in compliance with an Employment and Skills Plan.
- Quarterly Labour returns through 5 year period
- A support fee of £1,500 per apprentice placement in order to cover; pre-employment, recruitment process, post-employment mentoring and support; and
- If the length of the build/project does not allow for an apprenticeship placement, and it can be demonstrated that all reasonable endeavours have been undertaken to deliver the apprenticeship, a £7,000 fee per apprentice will be payable to allow for the creation of alternative training opportunities elsewhere in the borough.
- Considerate Constructor Scheme – the applicant to carry out all works in keeping with the National Considerate Constructor Scheme.

### Affordable Workspace

- The Affordable Workspace shown on the approved plans to be provided with a discount of 40% in perpetuity.
- Submission and approval of Affordable Workspace Statement along with measures to monitor the provision of the workspace moving forward.

### Carbon Offset Payment

- A Carbon Offset Payment.

### Costs

- 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 Unilateral Undertaking, payable prior to completion of the deed.
- Monitoring costs payable on or prior to completion of the Legal Agreement.

## 9.0 INFORMATIVES

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 For the avoidance of doubt, the references in the conditions in respect of the 'new building' refer to the three storey roof extension (level 4, 5 and 6) (Use Class Eg(i)) on the corner of East Road and Silbury Street.

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

NSI With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

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 [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

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 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 In aiming to satisfy the secure by design condition, the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via [docomailbox.ne@met.police.uk](mailto:docomailbox.ne@met.police.uk) or 0208 217 3813.

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.

**Signed..... Date.....**

**ALED RICHARDS**

Director, **Strategic Director, Sustainability & Public Realm**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p>	Catherine Nichol x 2905	1 Hillman Street, London E8 1FB

	All documents that are material to the preparation of this report are referenced in the report		
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