

ADDRESS: 449 Kingsland Road, Hackney, London, E8 4AU	
WARD: De Beauvoir	REPORT AUTHOR: Alix Hauser
APPLICATION NUMBER: 2022/1765	VALID DATE: 31/08/2022
<p>DRAWING NUMBERS: MCA585--X-01LP-001-D; MCA585-X-04DE-001-C; -002-C; -003-C; -004-C; MCA585-X-02EX-001D; -005D; -010F; -020F; -050F; -060F; -070F; -090F; -100F; -110H; -120F; -130F; -140F; -150F; -160F; -170F; -200F; -210F; -220F; -230F; -240F; -260F; MCA585-X-06GA-001F; -002F; -003F; -004F; -005F; -010K; -020K; -030K; -050K; -060K; -070K; -080K; -085K; -090K; -100G; -110G; -120G; -130G; -140G; -150H; -160G; -170G; -200H; -210I; -211A; -220F; -230G; -240G; -260G; MCA585-A-24EE-001D; -002D; -005E; -006D; -007D; -010E; 015G; -016D; Design & Access Statement Rev D prepared by Mowat & Company dated 06/04/2023; Planning Statement Rev A prepared by CMA Planning dated April 2023; Heritage Statement prepared by Cogent Heritage dated March 2023; Internal Daylight & Sunlight Rel 5 prepared by Point 2 Surveyors Limited dated March 2023; Daylight & Sunlight Report Rel 5 prepared by Point 2 Surveyors Limited dated March 2023; Energy Statement Rev B prepared Ritchie & Daffin by dated 31/03/2023; BREEAM Assessment Rev B prepare by SHA Environmental Limited dated 31/03/2023; GLA Carbon Emission Reporting Spreadsheet dated March 2023; Sustainable Urban Drainage System Report Rev 3 prepared by MNE Building Services Limited dated 06/04/2023; Transport Statement prepared by TTP Consulting dated March 2023; Draft Construction Logistics Plan prepared by Mowat & Company dated 31/05/2022; Air Quality Assessment Rev 3 prepared by MNE Building Services Limited dated 31/03/2023; Acoustic Strategy prepared by Acoustic & Noise Limited dated 30/03/2023; Arboricultural Impact Assessment Report prepared by Sharon Hosegood Associates dated May 2022; Preliminary Ecological Appraisal prepared by Ecology Partnership dated March 2023; Desk Study / Preliminary Risk Assessment Report (Final) prepared by Jomas Associates Limited dated 10/05/2023; Fire Statement prepared by FCS Live dated 21/03/2023; Statement of Community Involvement Rev 1 prepared by Kor Communications dated May 2022; Statement of Community Involvement Addendum prepared by Kor Communications dated March 2023; Marketing Strategy Report prepared by Strettons dated June 2022.</p>	
APPLICANT: Clerkenwell Green Property Management Ltd and Englefield Estate Trust Corporation Ltd	AGENT: Adam Williams, CMA Planning The Timberyard 113 Drysdale Street, London, N1 6ND
PROPOSAL: Redevelopment of the site, including the change of use, refurbishment and extension of the existing warehouse building, to provide 1 dwellinghouse (Use Class C3), 150sqm of community space (Use Class F) and 1,169sqm of commercial space (Use Class E) together with associated cycle parking and refuse and recycling facilities.	

POST SUBMISSION REVISIONS: The enlargement of the mews (site) and 4 residential mews houses were removed from the application. A full period of consultation followed. Following this minor design changes to the elevation of the slot house were made.
RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and Section 106 legal agreement.
NOTE TO MEMBERS: None.

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:	
Major application	
Substantial level of objections received	Yes
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	H	
Conservation Area	Kingsland	
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Employment Area		X

LAND USE

	Use Class	Use Description	Floorspace Sqm
Existing	F1	Place of worship	1,153
Proposed	C3	Residential unit	93
	E (g)	Office	1,169
	F1	Place of worship	150

CASE OFFICER'S REPORT

1.0 SITE CONTEXT

- 1.1 The site comprises a backland irregular parcel of land located to the rear of numbers 419-455 Kingsland Road and 106-140 Hertford Road.
- 1.2 The site benefits from access points from both Kingsland Road to the east and Englefield Road to the south.
- 1.3 The site is occupied by a two storey former industrial warehouse with a long flat roof two-storey outrigger running along the back gardens of the residential properties on Hertford Road stepping down to one-storey (with rooftop terrace) towards Englefield Road. The main building has a triple pitched, gable ended roof with windows on all elevations and is constructed from brickwork with a corrugated metallic roof.
- 1.4 The site is currently occupied by a Pentecostal church which provides hall hire facilities (Use Class F1).
- 1.5 The site does not contain a listed building but is located in the Kingsland Conservation Area. The De Beauvoir Conservation Area directly abuts the site to the west. The adjoining properties to the west at numbers 110-164 Hertford Road and to the east at numbers 419-445 Kingsland Road are locally listed. Other buildings within the area are predominantly 2 – 3 storeys and of traditional appearance.
- 1.6 The site is located within the Crossrail Safeguarding area, a Controlled Parking Zone H and the Roman Road Ermine Street Archaeological Priority Area.
- 1.7 The site is a short walk from Dalston Junction Overground station and is well connected with a number of nearby bus links and an additional light rail and tube station. The nearest public park is Stonebridge Gardens, a 5 minute walk away. The site has a PTAL score of 5 to 6a.

2.0 RELEVANT HISTORY

449 Kingsland Road (site)

- 2.1 2006/2587 – Change of use to mixed use church and community facility providing traditional church services, school pupil revision classes, and children's playgroups. Granted 02/03/2007.
- 2.2 2010/2000 – Change of use to Mixed use Church and Community facility providing traditional church services, school pupil revision classes and children's playgroups. Granted 06/10/2010.

Land between 8 and 10 Englefield Road (site)

- 2.3 2017/1566 – Erection of a three-storey building to provide 2 self-contained dwellings (use class C3) comprising 2 x1 bedroom flats. Refused 06/06/2017.

- 2.4 2018/1023 – Partial demolition of existing warehouse building and erection of a part four/three/two/one storey building to provide a single family dwellinghouse with front and rear gardens, internal courtyard and associated roof terraces. Refused 07/06/2018.
- 2.5 2018/4217 – Partial demolition of existing warehouse building and erection of a part three/part two storey building to provide a single family dwellinghouse with front and rear gardens and internal courtyard. Granted 25/02/2019.
- 2.6 2019/2739 – Partial demolition of existing warehouse building and erection of a part two/part two storey building to provide a single family dwellinghouse with front and rear gardens. Granted 27/09/2019.

3.0 CONSULTATIONS

- 3.1 Date First Statutory Consultation Period Started: 02/09/2022
- 3.2 Date First Statutory Consultation Period Ended: 07/10/2022
- 3.3 Date Final Statutory Consultation Period Started: 11/05/2023
- 3.4 Date Final Statutory Consultation Period Ended: 12/06/2023
- 3.5 Site Notice: Yes
- 3.6 Press Advert: Yes

Neighbours

- 3.7 Letters of consultation were sent to 161 adjoining owners/occupiers.
- 3.8 Objections were received from 23 individuals as well as one letter with six signatories as a result of the original public consultation, prior to the design changes made to the scheme. These representations are summarised below:
- Letters were not received by neighbouring occupiers.
 - Principle of land grab and the impact that this would have on the urban grain.
 - Overdevelopment which will result in overcrowding.
 - Overbearing and out of scale with existing character.
 - The mews development does not enhance or preserve the character of the conservation area.
 - The proposed juliette balconies to the front of the slot house detract from the conservation area and would result in noise nuisance and overlooking.
 - Inappropriate materials and colours.
 - Loss of privacy due to overlooking and overhearing.
 - Obscure glazing is not sufficient to adequately protect children from bored or curious office workers.
 - Inadequate separation between mews houses and properties fronting Englefield Road
 - Loss of daylight/sunlight within rear gardens.
 - Light pollution from new windows.

- Mews gardens provide a poor quality of amenity space and would result in noise nuisance for neighbouring occupiers.
- Loss of green space and associated implications for biodiversity (bats, foxes, bees, swifts, squirrels, ecology, pollution, noise disturbance and sustainability).
- Lack of affordable housing.
- Loss of air quality.
- Impact to and loss of nearby trees.
- Reduction in permeable surfaces will impact flood risk.
- Increased footfall and parking congestion.
- Location of proposed entrance from Kingsland Road is inappropriate so close to residential occupiers.
- Location of commercial refuse store is a fire and security risk, damages visual amenity and will contribute to increased levels of anti-social behaviour.
- The communal nature of the proposed alleyway will result in fly-tipping and littering.
- Submitted CLP does not accord with guidance.
- Potential increase in crime and loss of security due to increased usage of the rear entrance.
- Ownership issues should not prevent improvements to proposed community and commercial entrances.
- Disruption during the period of construction, including from crane location.
- Fears over unsafe removal of asbestos.
- 1956 contract of conveyance imposes certain restrictions on owners of the site.
- Granting permission could lead to an incentive for the land owner to dispossess tenants which could result in planning officers breaking the law in regard to the Eviction Act 1997.
- Structural risk to sewers.
- Photographs taken by drone do not comply with The Drone Code (2019).

3.9 Following the initial period of consultation, revisions were made to the proposal which included the omission of the four mews houses and the encroachment into the rear gardens fronting Hertford Road along with other minor changes. A period of re-consultation on the revised plans, resulted in a further five objections being received. These are summarised below:

- Concerns the green roof above the outrigger will be used as a terrace.
- The second floor slot windows on the southern and northern elevations will result in additional overlooking.
- Concerns about the rear entrance being accessible 24/7.
- Concerns about the ventilation from ground floor services.
- No existing southern elevation is provided so the application cannot be adequately assessed.
- Proposed north elevation not complete.
- Covering the hall inappropriately in dark cladding would make it far more visually obtrusive than the current, lowlevel northern extension whose footprint it would largely occupy.
- The new roof should retain its present shape and no mechanical or other equipment should be installed or kept up there, where it would be painfully obtrusive and entirely visible from the neighbouring homes on both sides
- Air venting equipment should not be installed on the roof.
- The proposed office space is inefficient.
- Proposal would impact the resale value of neighbouring properties.

3 letters of support were received, including one from the Amazing Grace Worship Centre (the current tenant) citing the following benefits of the scheme.

- The existing site poses financial, operational and logistical challenges and the development will result in a facility which meets building and environmental standards
- Will help the existing tenant pursue charitable community objectives
- Proposal is sensitively designed whilst fulfilling employment and housing needs.

- 3.10 The matters of, disruption during the period of construction, crane locations, asbestos removal, dispossession, structural risk to sewers and drone photographs are covered by separate legislation and cannot be afforded significant weight as material planning considerations. Ownership, conveyancing caveats and resale value of properties are not material planning considerations.
- 3.11 The remaining above comments are addressed within the assessment section of this report.

Statutory Consultees

- 3.12 Crossrail Safeguarding: No comment on application.
- 3.13 Crossrail 2 Safeguarding: No objection subject to conditions.
- 3.14 TfL: TfL welcomes the replacement of the existing resident parking bay into a Blue Badge space on Englefield Road.
The development proposes to provide 2 long stay cycle spaces for the slot house which is in line with minimum standards as outlined in table 10.2 of the London Plan. 24 cycle spaces are proposed for the office development which exceeds minimum standards as set out in the London Plan which is welcomed. 4 short stay spaces are proposed to be installed at the entrance of the main building for visitors which is welcomed in line with policy T2 part A. 2 spaces are proposed for the community use which is welcomed.

Total additional trips generated by this development are 31 two way trips in the AM peak and 34 two way trips in the PM peak which we find would have minimal impact on the local highway and public transport networks.

TfL notes a bus stop on Kingsland Road approximately 65m north of the site (Bust stop C, routes for 149, 242, 243, 76, N242). There is also a Bus Lane operating at all times along Kingsland Road where the site will be accessed from. The footway and carriageway on the A10 must not be blocked at any time. Temporary obstructions during construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the Kingsland Road, A10. No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time.

TfL requests a Construction Logistics Plan is provided in line with policy T4 part B to explain details of proposed construction access arrangements and assess potential impacts on the TLRN and the surrounding transport network. Please note that any impact/changes to TfL Assets/Infrastructure will require approval from TfL.

TfL requests evidence that vehicles of a size which the access point was designed for can enter/exit the site onto/from the public highway safely in a forward gear. This will need to take the form of swept path drawings. If access points are too small then TfL requires evidence of a new loading area which is safe and does not obstruct pedestrians, cyclists or highway users.

In accordance with draft London Plan Policy T7, TfL requests that a Delivery and Servicing Plan (DSP) is submitted to and approved by London Borough of Hackney in consultation with TfL prior to occupation.

Overall, TfL have no principal objections to the proposed development however request that a CLP and DSP are secured by condition.

- 3.15 Thames Water: No objection subject to informatives.

Council Departments

- 3.16 Contaminated Land: Following a review of the Desk Study/Preliminary Risk Assessment Report dated March 2023, I agree with sections 5.4.8 and 5.4.9 recommending intrusive investigation is undertaken to clarify potential risks to the identified receptors and assess the extent of Made Ground soils present at the site and soil gas monitoring is undertaken due to previous site uses as a garage/tram shed, and the possible presence of underground tanks and/or hydrocarbon impacted soils associated with the suspected historic petrol station adjacent to the east.

Whilst the site is located in an area with a Radon potential of less than 1% (According to UK Radon), guidance BR211 mentions that all basements are at increased risk of elevated levels of radon regardless of geographic location. I therefore advise that this risk is adequately assessed.

If the development includes excavation, the latest Contaminated Land guidance, LCRM recommends UXO survey best practice. To find more information on unexploded ordnance see guidance on the risk of unexploded ordnance on the AGS website (C681: Unexploded ordnance. A guide for the construction industry on the CIRIA website). Before any excavation works start, it is best practice to carry out a UXO survey. It is therefore recommended that a preliminary UXO assessment is undertaken and results are provided to the main contractor responsible for Health & Safety matters on and off site under the CDM Regs 2015.

Based on the above, I have no objections subject to conditions.

- 3.17 Drainage: As there will be a change of flood risk vulnerability classification from 'less vulnerable' i.e. community use to 'more vulnerable' i.e. residential use in an area identified to have a high risk of surface water flooding, a flood risk assessment/statement should be carried out to assess the potential flood risk to ensure that there is no increased risk to the future occupants. The assessment/statement should consider and identify the potential flood risks at this site (existing and post-development) and provide appropriate flood mitigation measures where necessary to ensure that the future occupants/users of the site will be protected from the identified flood risks.

We have reviewed the Sustainable Urban Drainage System Report - Planning Stage (No. P220, dated 06/04/2023). It is noted that green roofs, water butts, and attenuation tanks have been proposed for this site. Based on the above, we have no objections subject to conditions.

- 3.18 Environmental Protection: No response received.
- 3.19 Landscape & Trees: No objection.
- 3.20 Pollution (Air): No objection. The submitted Air Quality Assessment is satisfactory.
- 3.21 Traffic & Transportation: A number of assumptions and adjustments have been made to the trip generation data. This may underestimate the overall trip generation and / or private vehicle use. These factors highlight the importance of implementing a well managed travel plan to reduce private vehicle use and dependency. A full Travel Plan will be required to be produced and implemented on occupation of the development. This will be secured through the s106 legal agreement inclusive of financial contribution towards the monitoring of the Travel Plan of £2,000.

A CPZ exclusion to restrict parking permits being issued is recommended for all users of the proposed site (except those with a blue badge).

A Parking Design and Management Plan should be submitted prior to occupation and approved by the Council indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design.

The Cycle Parking design should include consideration of the personal security of those accessing the compound, including lighting, CCTV and visibility in the compound. Additional security measures and deterrents should be considered including controlled access and CCTV provision. A policy compliant cycle parking plan is required which shows details of the number, layout, foundation, stand type and spacing. This is recommended to be secured through a condition to ensure timely provision, which is kept in good working condition in perpetuity.

To effectively monitor the final CLP a contribution of £8,750 is recommended to be secured via the s106 legal agreement

- 3.22 Waste: No response received.

Local Groups

- 3.23 Hackney Society Planning Group [received prior to revisions]: The proposal involves a re-distribution of the land (repositioning of the boundaries of the surrounding houses, all in the same freehold ownership) to allow for the development of the mews houses to take place: gardens are reduced and new paved areas created. The HSPG notes that this affects dramatically the green character of the block, and that the 'greening factor' of the overall development seems low; the roofs of the mews houses for instance could be planted to preserve or increase biodiversity.

The roofs of the mews houses are not clear- skylights indicated in plans seem to be missing for instance.

The access brings a conflict between the office requirements and the privacy of the mews houses: the main access for the office workers on bikes is through the mews, rather than the Kingsland Road main access, because the bike storage is at the back and only accessible by passing in front of the houses. Similar issues exist for rubbish collection; overall the development constrains the amenity space available for the houses. The proposal for the main office building to create an additional floor by raising the roof seems somewhat heavy and will impact on the light for the dwellings to the west.

- 3.24 Kingsland CAAC: We have no objection to this application. However we do have a concern about the potential noise from the commercial waste removal, which will be enhanced by the enclosed nature of the walkway, and its effect on the adjacent houses.

4.0 RELEVANT PLANNING POLICIES

4.1 Hackney Local Plan 2033 2020 (LP33)

- PP1 Public Realm
- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP4 Non-Designated Heritage Assets
- LP6 Archaeology
- LP8 Social and Community Infrastructure
- LP12 Meeting Housing Needs and Locations for New Homes
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- 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
- 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
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating and Adapting to Climate Change
- LP55 Mitigating Climate Change
- LP57 Waste
- LP58 Improving the Environment - Pollution

4.2 London Plan 2021

- GG1 Building Strong and Inclusive Communities
- GG2 Making the Best Use of Land
- GG4 Delivering the Homes Londoners Need
- GG5 Growing a Good Economy
- GG6 Increasing Efficiency and Resilience
- D1 London's Form, Character and Capacity for Growth
- D3 Optimising Site Capacity through the Design-led Approach
- D4 Delivering Good Design
- D5 Inclusive Design
- D6 Housing Quality and Standards
- D7 Accessible Housing
- D13 Agent of Change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small Sites
- H4 Delivering Affordable Housing
- H6 Affordable Housing Tenure
- H10 Housing Size Mix
- S1 Delivering London's Social Infrastructure
- E1 Offices
- E2 Providing Suitable Business Space
- E4 Land for Industry, Logistics and Services to Support London's Economic Function
- HC1 Heritage Conservation and Growth
- G5 Urban Greening
- G6 Biodiversity and Access to Nature
- G7 Trees and Woodlands
- SI 1 Improving Air Quality
- SI 2 Minimising Greenhouse Gas Emissions
- SI 4 Managing Heat Risk
- SI 12 Flood Risk Management
- SI 13 Sustainable Drainage
- T1 Strategic Approach to Transport
- T4 Assessing and Mitigating Transport Impacts
- T5 Cycling
- T6 Car Parking
- T7 Deliveries, Servicing and Construction
- T9 Funding Transport Infrastructure through Planning

4.3 SPD / SPG / Other

Mayor of London

Mayor's Housing SPG (2016)

London Borough of Hackney

De Beauvoir Conservation Area Appraisal (2008)

Kingsland Road Conservation Area Appraisal (1998)

Public Realm SPD (2012)

Residential Extensions and Alterations SPD (2009)
Sustainable Design & Construction SPD (2016)
S106 Planning Contributions SPD (2020)

4.4 National Planning Policies/Guidance

National Planning Policy Framework (NPPF)
Planning Practice Guidance (NPPG)

4.5 Legislation

Equality Act 2010
Planning Compulsory Purchase Act 2004
Town and Country Planning Act 1990

5.0 COMMENT

5.1 Background

- 5.1.1 The proposal seeks to redevelop the existing warehouse and vacant buildings at 449 Kingsland Road. The proposal will provide 1 new 93 sqm home, 1169 sqm of new commercial office space and 150 sqm. of new mixed use community space (a total of 1412 sqm GIA).
- 5.1.2 The existing warehouse will be retrofitted internally with the roof to be removed and replaced and raised by 1m. The new roof covering is proposed to be zinc and will feature roof lights and PV panels. The existing masonry walls are to be retained and propped, with new internal lining and infill walls where necessary. A new thermal envelope will provide additional insulation. The mezzanine and first floors are to be newly constructed within the void areas, with the steel supports and concrete slabs exposed to provide an industrial aesthetic in a media style.
- 5.1.3 The internal changes will result in a three-storey office space (use class E(g)) with access from Kingsland Road. Cycle storage, refuse storage and end-of-trip facilities are to be provided in the outrigger, accessed via Englefield Road. As part of the proposal original window openings are proposed to be reinstated on all elevations with Crittal style windows with acoustic glass. The existing outrigger roof will be replaced with a green roof and include roof lights and a fire exit/means of escape.
- 5.1.4 The existing northern extension to the original building will be demolished and replaced with a one-storey side extension to be used for community purposes. The building would be accessed from Kingsland Road. The front section would meet the height of the retained northern boundary wall whilst the section on the western boundary would have a pitched roof with a central flat roof light and extend slightly above the existing boundary wall. The building would be clad in zinc with a louvred accessway to Kingsland Road. A green roof is proposed on the flat part of the building.
- 5.1.5 The slot house is proposed to extend for half the width of the plot at ground floor level (to allow for a commercial entranceway) and would be four storeys in height. It would provide 3 bedrooms and 2 bathrooms over second and third floors, an

open plan living / kitchen / dining room at first floor level and a study and entrance hall at ground floor. Cycle and waste storage is proposed within the front garden. The building would be clad in London stock brick and zinco with triple glazed powder coated aluminium windows. Access to the rear courtyard would be for maintenance purposes only.

5.1.6 The main considerations relevant to this application are:

- Principle of Development/Land Use
- Housing Mix
- Affordable Housing
- Design & Conservation
- Standard of Accommodation
- Neighbouring Amenity
- Traffic & Transportation
- Energy & Sustainability
- Trees
- Biodiversity & Ecology
- Drainage
- Air Quality
- Waste

Each of these considerations is discussed in turn below.

5.2 Principle of Development / Land Use

Loss of Community Facility

- 5.2.1 Policy S1 (Development London's Social Infrastructure) of the London Plan requires that development proposals that would result in a loss of social infrastructure should only be permitted where there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community or the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.
- 5.2.2 Policy LP8 (Social and Community Infrastructure) of LP33 specifies that proposals involving the loss of existing social and community infrastructure will be permitted where a replacement facility of equivalent or better quality that meets the needs currently met by the existing facility is provided; or it has been demonstrated, as evidenced by at least a year of active marketing, that the facility is no longer required in its current use and it has been demonstrated that it is not suitable and viable for any other forms of social infrastructure for which there is a defined need in the locality, or for which there is a current or future need identified in the Infrastructure Needs Assessment and Delivery Plan (IDP).
- 5.2.3 The building is currently leased to the Amazing Grace Worship Centre (AGWC). The church only actively uses a small area of the total floorspace, primarily the main hall on the upper floor, for their maximum congregation of up to 60 people. It has been indicated that generally the number of attendees to their day to day services is considerably less than this. The AGWC operates only on Saturdays &

Sundays for a total of 12.5 hours. The AGWC can neither afford the space nor continue to look after the building due to rising costs of maintenance and upkeep.

- 5.2.4 Partitioned areas to the north of the hall are used as storage and a small office, kitchen and toilets. The hall is listed online on several sites as a hall for hire.
- 5.2.5 The ground floor hall is sublet to an Ethiopian Orthodox Tewahido Church, with a similar amount of seating space and a religious structure on the southern end. The congregation is drawn from across London and the needs have outgrown the existing building. Congregations regularly run into the hundreds with services running into the early hours of the morning. There have been numerous instances of complaints from neighbouring residents relating to noise disturbance. .
- 5.2.6 The outrigger contains toilet blocks in a small section on the ground floor, with the rest used as storage. The first floor section of the outrigger is used for storage.
- 5.2.7 The property is generally in poor condition and is in need of repair and refurbishment, with large areas under occupied by the current tenants, who have struggled to maintain the rent. Original features such as the Crittall windows have been boarded and blocked up as part of the current conversion, and poor quality partitions have been added.
- 5.2.8 The proposal, whilst resulting in a loss of existing community floorspace would provide the AGWC with a high-quality community space that meets both their needs and the needs of the community, whilst also providing flexibility in its design, layout and management so that the space can be used by a range of other community organisations and groups on the days / times when the AGWC does not operate.
- 5.2.9 It is anticipated that such community uses could include: education groups and language classes; local community groups; yoga and pilates classes for the local community; meeting space for local societies (such as the Hackney Swift Society, Tree Musketeers, Silicon Hackney etc.); art clubs, and; a space for acting, dance and performance classes. It is proposed that the use of the community space would be booked through The Benyon Estate.
- 5.2.10 Policy LP8 of LP33 also requires proposals for social and community infrastructure to meet current or future identified need, be of a high quality and inclusive design providing access for all, provide flexible, affordable and adaptable buildings, provide mixed used development, co-located with other social infrastructure uses and be located in places that are accessible by walking, cycling or public transport for its end users.
- 5.2.11 The existing community use, spread over two levels, is considered not to be of a high quality and inclusive design providing access for all, as cited above under policy LP8. Furthermore, given the existing condition of the site it is also considered not to provide a high quality space able to meet the needs of the local community.
- 5.2.12 Given that the existing users would be provided with high quality and flexible floor space that meets their needs and is accessible to all, on balance, officers consider

that the loss of the social and community floor space with significant accessibility and size constraints is acceptable.

Proposed Commercial Use

- 5.2.13 The proposal seeks to provide a total of 1,169 sqm of commercial floorspace. The site is not located within a designated employment area. As such LP26 of LP33 requires development for new employment floorspace to demonstrate that there is a reasonable prospect of it being occupied; the employment use is small-scale and would contribute towards place-making; or the employment space is being provided as part of a temporary use; and it does not have an unacceptable impact on residential amenity.
- 5.2.14 The commercial accommodation is arranged over ground, first and second floor levels, orientated around a central atrium which will serve as a communal reception and breakout area for the whole building. The atrium also provides stair access to the upper levels with the first and second floors accessed via walkways which run around the perimeter of the atrium. The service core provides shared WCs and shower facilities on the ground floor, secondary stair and passenger lift access to the upper levels, and additional breakout space on the first floor looking into the atrium.
- 5.2.15 The site lies in a highly sustainable, sought after and active office location with good access to a range of sustainable modes of transport and a PTAL of between 5 and 6a.
- 5.2.16 The regular, rectangular floor plates would allow for a multitude of different configurations and ease of subdivision. This flexibility allows the development to deliver smaller self contained office units as well as allow for a single occupier.
- 5.2.17 The new mezzanine structure proposed in steel and glass would contrast and complement the retained original features including exposed brick piers, roof beams and the building structure. It would also serve as a structure within which to incorporate the servicing required for the proposed office conversion and ensure a suitable specification can be delivered within the space for future occupiers.
- 5.2.18 The reinstatement of windows and inclusion of roof lights, in conjunction with the internal atrium, will ensure that all levels are well lit and would provide high quality accommodation.
- 5.2.19 Lastly, upgrades in sustainability, including the provision of PV panels on the roof will result in reduction to energy consumption, discussed further below, which would increase the desirability of the space
- 5.2.20 Given the proposed quality and flexibility of the office accommodation it is considered that the proposed quantum of floorspace is acceptable in this instance and complies with relevant policies.
- 5.2.21 LP27 requires the provision of a marketing strategy to demonstrate that the design and layout of the proposed floorspace is of a high quality, is flexible and meets the needs of likely end users and as such, there is a reasonable prospect of the space being occupied.

- 5.2.22 A Marketing Strategy Report prepared by Strettons was provided with the application that confirmed that the proposed design and quality of the office floorspace as well as the flexibility of the floorplates means that the office accommodation proposed is likely to generate good and sustainable demand.
- 5.2.23 The recommendations and strategy set out within the report are considered reasonable and sufficient to ensure a strong likelihood that the space would be occupied. As such, no further information would be required by condition.

Proposed Residential Use

- 5.2.24 The principle of providing new housing within the Borough is generally supported at a national, regional and local level subject to assessments of other material considerations. Policy LP12 of the Hackney Local Plan states that the development of small sites to meet housing needs will be supported and that infill housing development and innovative approaches to housing delivery on small sites will be supported, subject to meeting other development plan policies. Point D of the policy notes that self-contained residential units are the priority residential land use in the borough and the type of land use for which there is the greatest need.
- 5.2.25 Given the history of the site, with extant permission existing for the location of the proposed 'slot house' as well as the need for residential use within the Borough, the proposed use is supported in principle and would accord with the relevant policies of the Local Plan and London Plan.

5.3 Housing Mix

- 5.3.1 Policy H10 (Housing Size Mix) of the London Plan 2021 indicates that to determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision-makers should have regard to, amongst other things, the nature and location of the site and the aim to optimise housing potential on sites.
- 5.3.2 This policy is amplified by Hackney's LP33 policy LP14 (Dwelling Size Mix) which sets out that the preferred dwelling mix for a market housing development is at least 33% of 3 or more bed units and a higher proportion of 2-bed units than 1-bed units.
- 5.3.3 The property would be laid out as a 3 bed dwellinghouse. The provision of a family sized dwellinghouse in this location is considered acceptable and policy compliant.

5.4 Affordable Housing

- 5.4.1 Policy LP13 (Affordable Housing) of LP33 requires schemes which fall below the 10 unit threshold to provide on-site provision or payments in lieu, up to the equivalent of 50% of housing delivered as affordable housing subject to viability. Ideally the provision would be onsite however, the policy allows for payments in lieu to be secured via a legal agreement, rather than the provision on site. This payment is calculated based on the affordable housing requirements. The newly adopted S106 Planning Contributions SPD requires a payment of £50,000 per unit subject to viability. The applicant has agreed to a financial contribution of £50,000. This contribution is to be secured by S106 agreement.

5.5 Design and Conservation

- 5.5.1 Policies LP1 (Design Quality and Local Character) of the LP33 and D6 (Housing Quality and Standards) of the London Plan seek to adopt a rigorous design approach and ensure that all new development be of the highest architectural and urban design quality. They require development to respond in a positive manner to the existing context and local character, be compatible with the existing townscape including urban grain and plot division, and where possible enhance it.
- 5.5.2 Policy LP3 (Designated Heritage Assets) and London Plan policy HC1 (Heritage Conservation and Growth) requires development proposals affecting Conservation Areas or their settings to preserve or enhance the character and appearance of the area including, the established local character of individual buildings and groups of buildings (in terms of height, massing, scale, form, design, materials, detailing and use) and the rhythms and historical form of the area (in terms of the spaces between buildings, density, settings, building lines, siting, pattern of development, urban grain and plot coverage) as well as being sympathetic to the assets' significance and appreciation within their surroundings.

Demolition

- 5.5.3 The existing concrete floors and bolted and riveted frame in the main building will be retained to reduce the embodied carbon of the development. The scheme retains and refurbishes the existing outrigger building to minimise demolition and disruption, whilst keeping the brick boundary wall to maintain privacy with neighbouring rear gardens.
- 5.5.4 The submitted demolition plans show that most of the internal walls of the main building are being demolished, along with the roof and the internal trusses. Demolition of the internal walls is in line with pre-app advice and the loss of the non original roof covering is considered to be acceptable. The Council does not have control over structural and internal alterations to non-listed buildings and therefore, whilst it is regrettable that the original roof trusses are being removed, this allows for a highly efficient and sustainable roof form to be added to the building, which is considered to be a positive approach overall.

Main Building (Tramline Studios)

- 5.5.5 The main building is retained and upgraded with a new, one metre high, zinc clad roof addition, which provides a thermally efficient covering and will also include a number of PV panels. Existing Crittall windows will be replaced with new high performance triple glazed Crittall style windows with matt metal frames and opaque bottom panes. Existing features such as lintels will also be maintained. The proposed retrofit approach is supported and the roof build up is considered to be a modest addition that reads as clearly distinct from the host building.

Outrigger Building

- 5.5.6 The existing outrigger building is retained and refurbished with the building acting as a boundary with the neighbouring properties. The proposed retrofit approach conserves embodied carbon and maintains the subservient relationship of this block with the main building, which are both seen as positive. The minimal

approach of maintaining the brick wall with ivy and repairing and using frosted glass for windows to protect the privacy of the surrounding residential dwellings is supported.

North Building (Tramline Hall)

- 5.5.7 The proposed single storey building is an acceptable form and massing, with a zinc roof that slopes away from the neighbouring gardens to reduce its visual impact. The revised layout also ensures an acceptable root protection area for the adjacent retained tree.

Slot House

- 5.5.8 The Slot House is a contemporary 3 storey building with mansard roof, the principle of which has been approved under an earlier consent (Ref: 2019/2739). The proposed brick facing to the principal elevation and the proportions of the windows are in keeping with the neighbouring terraces and the design is considered acceptable.

Landscaping and Public Realm

- 5.5.9 The proposed landscaping and public realm improvements to the community building entrance are supported, as are the green roofs and terrace to the outrigger. Further details will be required via condition.

Impact on Heritage Assets

- 5.5.10 The property was formally identified as a Non-Designated Heritage Asset in 2019. The site is located within the Kingsland Conservation Area and adjoins the De Beauvoir Conservation Area to the west. There are a number of locally listed terraces surrounding the site.
- 5.5.11 Whilst being described as a tramshed, the main building was originally a purpose built car garage and workshop, built around the mid 1920s. The building is two storeys with a three pitch roof arrangement and retains some of its original Crittall style windows. There is an original clock feature on the east elevation, which will be fully restored under this proposal.
- 5.5.12 The building is a Non-Designated Heritage Asset and makes a positive contribution to the character and appearance of the conservation area. The proposals are generally seen to be positive, with the refurbishment restoration and sustainable upgrades to the building. However, some harm is identified through the loss of the original roof trusses.
- 5.5.13 Paragraph 203 of the NPPF is therefore relevant, which states that; ‘a balanced judgement will be required having regard to the scale of any harm or the loss and the significance of the heritage asset’.
- 5.5.14 In this case, whilst the loss of the trusses is regrettable, the Council does not have control over internal or structural alterations on non-listed buildings and it has been demonstrated that there is a deficit in terms of the roof’s thermal performance. The proposed replacement with a thermally efficient roof and PVs, along with the

overall refurbishment and upgrading of this run down building is therefore considered to be acceptable on balance.

- 5.5.15 110 to 164 Hertford Road is a locally listed long terrace of Victorian properties located immediately west of the site, approximately 13m at the closest point. The refurbishment, upgrading and extension of the building is considered to be sustainable and high quality design. There are no adverse setting impacts identified to this terrace.
- 5.5.16 419 to 445 and 457 to 477 Kingsland Road are two locally listed Victorian terraces which run north and south of the site and are located approximately 10m away at the closest point. The refurbishment, upgrading and extension of the building is considered to be sustainable and high quality design. There are no adverse setting impacts identified to this terrace.
- 5.5.17 478 & 489 Kingsland Road are locally listed Victorian buildings located approximately 55m east of the site. Due to the presence of intervening buildings, there is no setting impact to this terrace from the proposed development.
- 5.5.18 The proposals bring a rundown site back into use with refurbished facades, a restored clock feature and a thermally efficient, contemporary roof addition. The additional height and loss of the original roof, in particular the historic trusses, have been identified as causing a degree of harm to the non-designated heritage asset. This harm is considered to be less than substantial to the lower end of the scale and when considered against the benefits of the proposals, the scheme as a whole would preserve the character and appearance of the Kingsland Conservation Area.
- 5.5.19 The refurbishment, upgrading and extension of the building is considered to be sustainable and high quality design. There are no adverse setting impacts identified to the adjoining De Beauvoir Conservation Area.
- 5.5.20 The proposals bring a rundown, backland site back into full use with a refurbished, restored and thermally improved building. The roof addition to the main building is a distinct, contemporary feature and whilst the loss of the trusses is regrettable, it has been demonstrated that there is a deficit in terms of the roof's thermal performance and the proposed replacement with a thermally efficient roof and PVs, along with the overall refurbishment and upgrading of this run down building are considered to represent public benefits that outweigh the less than substantial harm identified. The proposals are therefore considered to be acceptable on balance in design and conservation terms.

5.6 Standard of Accommodation

Residential

- 5.6.1 The Greater London Authority Housing SPG, London Plan Policy D6 and Technical Housing Standards – Nationally Described Space Standard (NDSS) contain a number of requirements relating to reasonable and required standards of accommodation.
- 5.6.2 The property would be laid out as a 3 bed 4 person unit over four floors with a GIA of 93sqm. Whilst there are no floor areas for units set over four floors the GIA

proposed exceeds the GIA for a 3 bed 4 person unit set out over 3 floors. As such, the proposal is considered to be of an acceptable area.

- 5.6.3 All bedrooms are in accordance with specifications, all floors have acceptable floor to ceiling heights, and the units have adequate area to comply with the built-in storage requirements.
- 5.6.4 All rooms would be served with suitable sized windows to ensure receipt of good levels of light and outlook. An Internal Daylight & Sunlight Assessment confirmed that each room would receive adequate lux levels across 50% of the room for more than 50% of the day. Furthermore the unit would have a good level of privacy.
- 5.6.5 Standards 26 and 27 of the Housing SPG require private outdoor space to be provided for occupants. A small terrace is provided at the front of the third floor and a small front garden is provided. Whilst the front garden cannot be considered private amenity space and the terrace does not meet the minimum area requirements set out in the SPG, the provision is considered acceptable given the sites location within close proximity to a number of nearby open spaces including De Beauvoir Rose Garden, Stonebridge Gardens and London Fields.
- 5.6.6 In terms of accessibility, step-free access is not provided as the property is set over four levels. The development therefore is unable to provide a fully inclusive and accessible layout. However, it is considered that the size of the development would ensure that it could comply with the relevant building regulations. It is also noted that a lift is not a standard inclusion within a single dwellinghouse. As such, and as part of an otherwise acceptable scheme, the lack of a lift is on balance considered acceptable.
- 5.6.7 Given the above, the proposal is considered to provide an acceptable standard of accommodation.

Office

- 5.6.8 Policy LP27 of LP33 requires new office space be well designed, of high quality and suitable for occupation by small or independent commercial enterprises.
- 5.6.9 As outlined the above, the floor plates and internal layout of the proposed office accommodation makes it flexible and suitable for a range of unit sizes. The reinstatement of windows and inclusion of roof lights, in conjunction with the internal atrium, will ensure that all levels are well lit and would provide high quality accommodation.
- 5.6.10 The entrance and layout of the space is considered acceptable. The location of bike stores and end-of-trip facilities is appropriate to the function and useability of the accommodation.
- 5.6.11 Step free access is provided to all levels via two internal lifts.
- 5.6.12 A number of means of escape are provided, including at first floor level via the top of the outrigger.

5.6.13 As such, the proposed office space is considered to provide a high quality office environment that would be of a scale that would ensure that it could contribute to place-making in the area.

Community

5.6.14 The internal layout has been designed to an appropriate specification and standard for a community centre. Whilst no windows can be provided due to the location of the unit on the site boundaries, it is well served by natural light given the provision of large rooflights.

5.6.15 The entrance and layout of the space is considered acceptable. The proposal would provide step-free access to the ground floor community centre. Covered bike storage is proposed to the front of the centre.

5.6.16 As such, the proposed quality of accommodation proposed for the community centre is acceptable in this instance.

5.7 Neighbouring Amenity

5.7.1 Policy LP2 (Development and Amenity) of LP33 requires development proposals to be designed to ensure there are no significant adverse impacts on the amenity of occupiers and neighbours.

Daylight / Sunlight

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

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

5.7.4 The provided Daylight and Sunlight Report demonstrates that all but three windows tested at surrounding properties meet the Vertical Sky Component target value. Of the 3 rooms that fail VSC, only 1 also falls short of daylight distribution targets. These shortfalls result in generally no more than 30% reductions which are considered minor impacts. It is important to note that in measuring prospective VSC, BRE guidance also makes reference to adjoining windows with balconies/roofs above receiving less sunlight as the balcony/roof cuts out light available from the sky, thus even a modest obstruction opposite may result in a large relative impact on the VSC, and on the area receiving direct skylight. The three windows affected are positioned underneath balconies and have low levels of VSC in the existing position; these balconies will exacerbate any levels of light loss. Given the urban nature of the site and relatively minor failings of the development the overall daylight/sunlight impacts are deemed acceptable.

5.7.5 All windows within 90 degrees of due south will also meet the tests in regard to Annual Probable Sunlight Hours (APSH). The proposal is considered to have acceptable impacts in regard to daylight/sunlight for adjoining occupiers.

Overshadowing

5.7.6 BRE guidance also considers the overshadowing impacts of a development on surrounding gardens, parks, public squares and playgrounds. In order to prevent these spaces becoming damp, cold and uninviting, BRE guidance specifies that at least 50% of the space should receive more than 2 hours of sunlight on 21 March equinox, with the proposed impact being no more than 0.8 times its former value.

5.7.7 The overshadowing assessment has tested the impacts of the development on adjoining amenity spaces including the private back gardens of 106-144 Hertford Road and 429-461 Kingsland Road.

5.7.8 The Daylight and Sunlight Report demonstrates that all of the existing gardens which meet current standards will receive at least 2 hours of sunlight on the March equinox, in accordance with BRE guidance.

5.7.9 One garden, at Welbury Court, receives over 2 hours of sunlight on 21 March in only 10% of the courtyard currently, which is well below the BRE guidelines of 50%. The proposed development however would mean that only 7.3% of the courtyard would receive 2 hours of sunlight on 21 March which is a 2.7% absolute reduction, but proportionately is a 27% reduction. This is a minor derogation which is primarily as a result of low existing direct sunlight levels. It is noted that direct sunlight at the summer solstice is high at 71%.

5.7.10 The existing outrigger is not proposed to increase in height with boundary walls retained and the only areas where increased bulk is proposed on site include:

- The slot house, which will be infill the space between two flank walls and not extend beyond the front and rear elevations of these adjoining walls;
- The tramshed which has an increase in height of 1m due a raised, and set back, roofline and;
- The single-storey community centre which will replace an existing building and for the most part sits below the existing boundary walls.

As such, for the majority of the properties which adjoin the site, there will be no discernable impact on overshadowing as the existing bulk will be retained.

5.7.11 For similar reasoning, and given the separation of the proposed building bulk and in the context of the minor scale of the extensions and external alterations, it is considered that the proposal would will not result in an unacceptable detrimental impact upon neighbouring occupiers in terms of provision of outlook from the site, and would not result in unacceptable overbearing impact or sense of enclosure.

Privacy / Overlooking

5.7.12 The proposed development includes a number of new and reinstated windows on all elevations.

5.7.13 The proposed windows in the eastern elevation of the outrigger are all 2.25m above ground and are to be fixed shut and frosted. As such, these windows would not give rise to unacceptable impacts in regard to privacy or overlooking.

- 5.7.14 Ground floor windows in the tramshed are to be obscure glazed to a height of approximately 2.75m to ensure no overlooking opportunities are present.
- 5.7.15 It is unclear to what height the windows at first floor level are to be obscure glazed but a condition will require these be glazed to at least a height of 1.8m to ensure privacy values are maintained.
- 5.7.16 Given the low ceiling heights of the second floor level, the slot windows would allow for oblique views towards the sky only and as such do not give rise to amenity impacts in regard to overlooking.
- 5.7.17 Concerns were raised by adjoining occupiers that obscure glazing to a minimum height would not reduce the risk of overlooking as users could use chairs and desks to view out of the clear glazing to the top of windows. This is a scenario that cannot be controlled by planning legislation but is unlikely to occur due to health and safety and the professional requirements of an office environment.
- 5.7.18 Concerns were also raised in regard to Juliette balconies on the slot house and the potential they create for overlooking and noise pollution for adjoining properties. This aspect of the scheme has been removed. The proposed slot house would have acceptable and allowable impacts on the amenity adjoining properties by virtue of its use, scale, design and layout, all of which are considered appropriate within a residential area.
- 5.7.19 The roof of the outrigger is proposed to have a green roof and act as a secondary means of escape. A condition will ensure that this roof is not used as a terrace as its use would give rise to unacceptable impacts in regard to overlooking and privacy.

Noise

- 5.7.20 Subject to the provision of appropriate hours of operation proposed, it is considered that the office and community uses would not be so excessive as to result in unacceptable levels of noise and disturbance to neighbouring occupiers, over and above that would be afforded for residential purposes. The amount of floorspace of the community use is decreasing so the impact on amenity is considered to be lessened. In regard to the proposed office use, by virtue of the nature of the use and inclusion within Use Class E it can be carried out in a residential area without detriment to its amenity.
- 5.7.21 However, in order to ensure that the development would result in acceptable amenity impacts, a condition is proposed to remove the right for the office use to change to other uses within the expanded E use class that would not comprise office use.

Light Pollution

- 5.7.22 Concerns have been raised in regard to light spill and pollution from the proposed new windows and rooflights.
- 5.7.23 It is noted that the proposal does not include any external lighting. Whilst windows have been reinstated within the existing building in locations where there have

been none for a significant period of time, the separation between these windows and neighbouring buildings windows is sufficient to ensure that the majority of adjoining occupiers would not notice adverse impacts over and above what would be expected from nearby residential properties.

- 5.7.24 Welbury Court to the east of the site would face 6 reinstated windows at first floor level. Given the proposed office use and likely hours of use of the building, it is considered that light pollution would not result in unacceptable impacts on neighbouring occupiers. As outlined above, the hours of office (and community) use will be limited to ensure that the neighbouring properties are not unduly impacted by these uses operating at anti-social hours. This would also ensure that internal lighting would not be used during these hours to reduce the impact of light pollution.
- 5.7.25 Furthermore, all windows will be obscure glazed to a minimum of 1.7m above floor level which would further ensure less light spill for neighbouring buildings.
- 5.7.26 Given the above, and subject to conditions, the development is considered to be acceptable in relation to impacts on the amenity of surrounding properties.

Response to Objections

- 5.7.27 It is noted that a number of objections raised concerns about letters not having been sent. A review of the Council's records confirms that letters were sent to all properties directly adjoining the boundary of the site. This meets the requirements of relevant legislation set out by the government which only requires directly adjoining occupiers be served notices. Further information on the extent of consultation is included within section 3 of this report. The Council has undertaken its statutory duty in line with the requirements set out within The Town and Country Planning (Development Management Procedure) (England) Order 2015 in regard to consultation for this application.

5.8 Traffic & Transportation

- 5.8.1 The Public Transport Accessibility Level (PTAL) in the area is rated as 5 / 6a (on a scale of 1-6b, where 6b is the most accessible). The site is well connected to a number of bus routes and Dalston Junction and Dalston Kingsland Stations.
- 5.8.2 A Transport Statement (TS) in support of the application has been reviewed by the Council's transport planners.
- 5.8.3 The application estimates that there will be 303 two-way trips to and from the office per day. For the AM peak, 30 two-way trips are estimated. For the PM peak, 32 two-way trips are estimated. The majority of trips will be made via sustainable transport modes. There are an estimated 13 two-way trips for the residential aspect of the scheme per day. The majority of trips are predicted to be made via sustainable transport modes. The proposed community space is estimated to generate a reduced number of trips in comparison to the existing use. The TS outlines that the applicant considers the most intensive use of the building would be for a Sunday service, which currently occurs between 11am and 1pm. The TS outlines the trip generation estimates between 1pm and 2pm on a Sunday.

Between these times, the existing site is estimated to generate 606 two-way trips. The proposed site is estimated to generate 79 two-way trips.

- 5.8.4 Delivery and servicing movements will occur on-street. The delivery and servicing impacts for the office use are estimated to be 4 two-way trips for LGVs.
- 5.8.5 The trip generation assessment considers the net increase in trip generation across the whole development site. This estimates that during the peak hours there will be a maximum increase of 31 two-way trips across the site which occurs between 8am - 9am. The site is car free and the majority of trips are estimated to be made via active and sustainable modes of transport.
- 5.8.6 A full Travel Plan will be required to be produced and implemented on occupation of the development for the office use. This will be secured through the s106 legal agreement inclusive of financial contribution towards the monitoring of the Travel Plan.
- 5.8.7 LP42 requires all development to promote sustainable transport by prioritising walking and cycling within the Borough. The application proposes 2 cycle parking spaces within the front garden of the slot house, 2 spaces adjacent to the building entrance for the community uses and 24 spaces within the rear of the building, accessed from Englefield Road, for the commercial use.
- 5.8.8 The proposed cycle parking plans appear relatively constrained. Further clarification is requested in relation to spacing and ensuring that users are able to manoeuvre their cycles. Swept path drawings may help to illustrate this. A policy compliant cycle parking plan is required which shows details of the number, layout, foundation, stand type and spacing. This is recommended to be secured by condition.
- 5.8.9 The development is proposed to be car-free, so that future occupants will not be eligible for CPZ parking permits, ensuring that the development will not result in additional parking pressure on the surrounding highway network but will rely on more sustainable modes of transport. This is in line with LP45 (Parking and Car-Free Development) of LP33 and the London Plan. This will be secured via legal agreement.
- 5.8.10 The funded conversion of 2 Blue Badge parking spaces prior to occupation is supported by the Council. A Parking Design and Management Plan should be submitted prior to occupation and approved by the Council indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design. This will be secured via legal agreement.
- 5.8.11 Given the 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 highway network. These should be in line with TfL guidance. This will be secured by condition. To effectively monitor the final CLP the a monitoring fee is recommended to be secured via legal agreement

5.8.12 Given the above, and subject to conditions and a legal agreement, the development is considered to have an acceptable impact on parking pressure and highways infrastructure.

5.9 Energy & Sustainability

5.9.1 All new developments need to consider statutory requirements to reduce pollution, energy and carbon emissions, and should incorporate best practice design principles and guidance where appropriate.

5.9.2 Policy SI 4 of the London Plan and LP54 of LP33 require all development to regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, in response to the Urban Heat Island Effect and addressing climate change.

5.9.3 Policy LP55 of LP33 applies to all new developments and states they must actively seek to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability.

5.9.4 A development of this scale would be expected to comply with building regulations to ensure the statutory requirements to reduce pollution, energy and carbon emissions are met. The development would be required to demonstrate that it incorporates fabric efficiency measures.

5.9.5 The existing concrete floors and bolted and riveted frame will be retained to reduce the embodied carbon of the development. A replacement lightweight roof structure, also in steel, will be added to support the additional insulation and services, with a timber infill.

5.9.6 The heating, hot water and cooling (non-residential only) demands are to be provided using heat pumps and VRF units. In addition, solar photovoltaics (PV) panels are to be mounted on the roof of the former tram shed building. The PV will further reduce the on-site carbon emissions.

5.9.7 An energy statement submitted confirms that the proposed development would ensure compliance with Building Regulations Part L. A BREEAM Report outlines that the development is seeking a minimum of 70%, or excellent. To ensure this is achieved a condition requiring compliance will be included.

5.9.8 In the event that zero carbon emissions are not met, a payment to offset the shortfall is required. This is calculated based on the per tonne of carbon to be offset, with a value of £2,850 per tonne of carbon to be offset. An energy statement was provided that outlined that the development would not be carbon zero, with 7.52 tonnes of CO₂ needing to be offset. As such, a carbon offset would be secured via S106.

5.10 Biodiversity & Ecology

5.10.1 Policy G5 (Urban Greening) of the London Plan and LP46 (Protection and Enhancement of Green Infrastructure) of LP33 requires that all development should enhance the network of green infrastructure and seek to improve access to open space.

- 5.10.2 Policy G6 (Biodiversity and Access to Nature) of the London Plan states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. Policy LP47 (Biodiversity and Sites of Importance of Nature Conservation) of LP33 reinforces this policy, stating that all development should protect and, where possible, enhance biodiversity leading to a net gain.
- 5.10.3 A Preliminary Ecological Appraisal, prepared by the Ecology Partnership, was submitted with the application which confirms that the Site is not located within, or in close proximity to, any designated site. The Report also includes the results of a Phase 1 Habitat Survey that was undertaken on-site in February 2022, during which it was recorded that the site comprises a total of 5 building structures (B1 – B5) with associated areas of hardstanding.
- 5.10.4 The Report notes that no evidence of bats, such as droppings or staining were identified and that the buildings externally do not provide suitable roosting opportunities such as roof tiles, hanging tiles or weatherboard. As such, the existing buildings are considered to have ‘negligible’ potential for roosting bats. It was considered unlikely that roosting bats would utilise the existing hanging ivy.
- 5.10.5 Furthermore, it was considered that the areas of hardstanding support limited recolonising vegetation.
- 5.10.6 The survey concludes that the site does not support habitats that could support protected species.
- 5.10.7 The proposal was amended during the course of the application to remove the mews houses from the proposal. As such, the existing outrigger is proposed to be retained. Whilst some changes are proposed to the walls, including the reinstatement of windows, the retention of the outrigger allows for the retention of significant climber vegetation along the western and eastern walls of the outrigger. Furthermore, a green roof is proposed on the flat roof of the outrigger. This will result in positive benefits to the ecology of the site.
- 5.10.8 It is noted that all development schemes involving buildings with an eaves height or roof commencement height of 5 metres and above are required to provide nesting boxes for swifts, sparrows, starlings and/or bats as appropriate to help preserve endangered urban biodiversity in Hackney. A condition will require swift boxes be installed prior to occupation.
- 5.10.9 Subject to conditions, the proposal is considered acceptable in respect of biodiversity and ecology.

5.11 Landscape & Trees

- 5.11.1 Policy G7 (Trees and Woodlands) of the London Plan outlines that Development proposals should ensure that, wherever possible, existing trees of value are retained. Policy LP51 (Tree Management and Landscaping) of LP33 further amplifies this and requires all developments to retain trees of amenity value, especially veteran trees.
- 5.11.2 An Arboricultural Impact Assessment was provided that outlined that several trees would be affected by this development. However T9, a Horse Chestnut, has the

highest amenity value for this development. The proposed single storey building, to the north of the site would be located within the root protection area (RPA) of this tree.

- 5.11.3 The proposed building will be constructed on mini piles which will be located following a tree root investigation either by hand dug trial pits in desired locations under arboricultural supervision, or by TreeRadar. The principle of this is to ensure that tree roots with a diameter greater than 20mm will be retained.
- 5.11.4 The building will be on a precast suspended slab to allow gaseous exchange under the slab. Drain pipes will be directed under the building to ensure water infiltration and prior to piling being installed, the area, under the building and in the rear garden in which the tree is growing, will be spot treated with biochar to boost soil condition. There will be no services or drainage in the area marked yellow on the plan. This will be further detailed post planning in an Arboricultural Method Statement and works will be supervised and reported to Hackney Council.
- 5.11.5 The assessment and proposed methodology was reviewed by the Council's tree officer who raised no concerns. This proposal will ensure that the roots are not compacted and that water is accessible to the roots. It is considered that the tree can be appropriately protected and retained by using the construction methods stated in the Arboricultural Method Statement.
- 5.11.6 Other trees on and within the vicinity of the site are of minor quality and raised no concern.
- 5.11.7 As such, subject to compliance with the submitted Arboricultural Impact Assessment, the proposal is considered to have acceptable impacts on nearby trees.

5.12 Drainage

- 5.12.1 London Plan policy SI 12 states that development proposals must comply with the flood risk assessment and management requirements over the lifetime of the development and have regard to measures proposed in flood management plans. Policy SI 13 of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 5.12.2 Policy LP53 of LP33 requires all development to have regard to reducing flood risk, both to and from the site, over its expected lifetime. The policy further states that all development should decrease vulnerability to flooding through appropriate siting, design and on and off-site mitigation.
- 5.12.3 The site is shown to have a high risk of surface water flooding and has an increased potential for elevated groundwater. There will be a change of flood risk vulnerability classification from a less vulnerable to a more vulnerable use in an area identified to have a high risk of surface water flooding.
- 5.12.4 A Sustainable Urban Drainage System Report was submitted and reviewed by the Council's drainage engineers. No concerns were raised in response to the report; however, it was noted that green roofs, water butts, and attenuation tanks have

been proposed for this site. This was considered an acceptable response. Further details of each of these elements has been requested, including a drainage layout and a management & maintenance plan. These will be required by condition.

5.12.5 Furthermore, given the high risk of surface water flooding it is considered that a scheme for the provision and implementation of flood resilient and resistant construction details and measures for the buildings against surface water flood risk be submitted. This will be required by condition.

5.12.6 As such, subject to conditions, the proposal is acceptable on drainage grounds.

5.13 Air Quality

5.13.1 LP58 (Improving the Environment - Pollution) of the LP33 requires all new development not to exceed air quality neutral standards or contribute to a worsening of air quality at the construction or operation stage, over the lifetime of the development.

5.13.2 The proposed development is located in an area which is exceeding the NO₂ annual mean National Air Quality Objective (NAQO). An Air Quality Assessment was provided with the application that demonstrated that predicted pollutant levels were below the relevant criteria across the development. As such, the site is considered suitable for the proposed end use from an air quality perspective.

5.13.3 No concerns were raised by the Council's Environmental Pollution officers.

5.14 Waste

5.14.1 LP33 policy LP57 seeks to ensure new development in Hackney supports the objectives of sustainable waste management.

5.14.2 Refuse and recycling bins are set within the front garden of the residential property and would be collected by a vehicle stopping on Englefield Road in the same way as other residential properties on the street. Sufficient space exists for the capacity requirements of the proposed residential unit.

5.14.3 With regard to the office use, refuse would be stored to the rear of the building with access from Englefield Road. The storage area will accommodate four x 1,100 litre refuse bins, two for waste and two for recycling material. The building management will move bins from the storage area to a collection area close to the site access from Englefield Road on the day of collection. The quantum meets the minimum requirements for the proposed office use. The business occupiers will need to enter into a commercial waste contract for collection of refuse and recycling.

5.14.4 Finally, the refuse store for the community use is proposed adjacent to the entranceway of the northern building. Two 180L bins are provided, one for waste and one for recycling material. It is proposed that collection will be by a vehicle stopping on the street in the same way as for other properties on this part of Kingsland Road. Subject to an appropriate arrangement which involves the bins being dragged to the street by the occupiers, the arrangement and quantum is acceptable. This will be requested by condition.

5.14.5 The development is deemed to meet the requirements of policy LP57 of the LP33.

5.15 Community Infrastructure Levy

5.15.1 As the application proposes the addition of new units and more than 100sqm of new floorspace, it is liable for a Community Infrastructure Levy (CIL). The London Mayoral CIL 2 has a rate of £60.00 per sqm of floor space. The site is located in Zone A under the Hackney CIL, which has a rate of £190.00 per sqm of residential floor space and £0 per sqm of office and community floor space.

5.15.2 The amount of the CIL is calculated on the basis of net additional internal floorspace with the proposal being for 93 sqm of new residential floorspace and 150sqm of new community floor space. Based on the net internal floorspace, the London Mayoral CIL 2 is £14,580 and the Hackney CIL is £17,670 (combined CIL of £32,250).

5.15.3 Please note this is an estimate only and these amounts are subject to indexation. Any liability notice will reflect rates applicable at the time a planning decision is made.

6.0 EQUALITIES CONSIDERATIONS

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

6.2 Having regard to the duty set out in the S149 Equality Act 2010, the development proposals do not raise any equality issues.

7.0 CONCLUSION

7.1 The proposed redevelopment of the site, including the change of use, refurbishment and extension of the existing warehouse building, to provide 1 dwellinghouse (Use Class C3), 150sqm of community space (Use Class F) and 1,169sqm of commercial space (Use Class E) in a highly sustainable location is deemed acceptable.

7.2 The proposals would result in the provision of a high quality community space, a family sized residential unit and flexible and adaptable office space.

7.3 The proposals will not have a demonstrably adverse impact upon neighbouring amenity, nor on the character and appearance of the application site nor the wider surrounding context.

7.4 Section 38 (6) of the Planning Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is deemed to comply with the

relevant policies in the Hackney Local Plan 2033 (2020) and the London Plan (2021) and the granting of planning permission is recommended subject to conditions and the completion of a legal agreement.

8.0 RECOMMENDATIONS

Recommendation A

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

8.1.1 Commencement within three years

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

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

8.1.2 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.

8.1.3 Materials to be submitted

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

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

8.1.4 Details to be approved

Detailed drawings of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before the relevant parts of the works are commenced. The development shall not be carried out otherwise than in accordance with the details thus approved which shall be implemented in full prior to the first use/occupation of the development.

a) 1:20 elevations of the proposed windows showing the pane pattern and 1:5 sections showing the materials, glazing bars, frames and glazing units.

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

8.1.5 Construction Logistics Management Plan

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 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);
- 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 construction works, 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;
- A demolition and construction traffic management plan to include the following: the construction programme/timescales; the number/frequency and size of construction vehicles; construction traffic route and trip generation; location of deliveries; pedestrian and vehicular access arrangements; any temporary road/footway closures during the construction period; details of parking suspensions (if required) and the duration of construction;
- A dust management plan to include details of how dust from construction activity will be controlled / mitigated against following best practice guidance. This should include monitoring of particulate matter at the application site boundary in the direction of sensitive receptors following the SPG Mayor of London Control of Dust and Emissions Guidance.

REASON: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety and amenity. To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works.

8.1.6 Delivery and Service Plan

Prior to the occupation of the development, a Delivery and Servicing Plan shall be submitted to and approved by the Local Planning Authority, in consultation with Transport for London, setting out:

- Frequency of deliveries per day/week
- Size of vehicles
- How vehicles would be accommodated on the public highway
- identify measures to mitigate the impact of servicing and deliveries
- How sustainable freight will be encouraged and enabled, for example through the provision of on-site cargo cycle parking

Thereafter deliveries and servicing shall be carried out in accordance with the approved plan.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s).

8.1.7 Cycle Parking

Prior to the commencement of above ground construction, a policy compliant cycle parking plan is required, which shows details of layout, foundation, stand type and spacing, of the 28 cycle parking spaces throughout the development. A minimum of 5% of long stay spaces should be for adapted/larger bikes.

The storage spaces and stands must be kept in good working condition, in accordance with the above details, in perpetuity.

REASON: To ensure that adequate provision for the safe and secure storage of bicycles is made for future occupiers and in the interest of safeguarding highway safety.

8.1.8 Sustainable Drainage

Prior to superstructure works, detailed specification, a drainage layout and a management & maintenance plan (where applicable) of the water butt with overflow, living roof (substrate depth of 80-150mm excluding the vegetative mat), attenuation tank, non-return valve, and flow control device shall be submitted to, and approved by the LPA, in consultation with the LLFA. Surface water from the site shall be managed according to the proposal referred to in the Sustainable Urban Drainage System Report - Planning Stage (No. P220, dated 06/04/2023) and the overall site peak discharge rate is restricted to 2.0 l/s.

REASON: In the interest of sustainable drainage.

8.1.9 Flood Resilient and Resistant Construction Details

A scheme for the provision and implementation of flood resilient and resistant construction details and measures for the buildings against surface water flood risk shall be submitted to and agreed, in writing with the LPA in consultation with the LLFA prior to the construction of the measures. The scheme shall be carried out in its entirety before the buildings are occupied and constructed and completed in accordance with the approved plans in line with current best practices.

REASON: In the interest of flood resilience against surface water flood risk.

8.1.10 Refuse Strategy

Prior to occupation of the development hereby approved a waste management plan outlining collection arrangements shall be submitted to and approved in writing by the local planning authority.

REASON: In the interests of providing appropriate waste collection arrangements.

8.1.11 Contaminated Land (Pre-Commencement)

Development, except demolition to ground level, will not commence until additional physical site investigation work has been undertaken and fully reported on and a remedial action plan has been produced to the satisfaction of and approved in writing by the Planning Authority.

Where physical site investigation work has not been agreed at a pre-application stage further physical investigation work must be agreed with the contaminated land officer before being undertaken.

Development will not commence until all pre-development remedial actions, set out within the remedial action plan, are complete and a corresponding pre-development verification report has been produced to the satisfaction of and approved in writing by the Planning Authority.

Work shall be completed and reported by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance.

The Planning Authority and Contaminated Land Officer must receive verbal and written notification at least five days before investigation and remediation works commence.

Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases.

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

8.1.12 Contaminated Land (Pre-Occupation)

Before first occupation/use of the development a post-development verification report will be produced to the satisfaction of and approval in writing by the Planning Authority.

The verification report must fully set out any restrictions on the future use of a development and demonstrate that arrangements have been made to inform future site users of the restrictions.

Work shall be completed and reporting produced by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance.

The Contaminated Land Officer must receive verbal and written notification at least five days before development and remedial works commence.

Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases.

Any additional, or unforeseen contamination encountered during the course of development shall be immediately notified to the Planning Authority and Contaminated Land Officer. All development shall cease in the affected area.

Any additional or unforeseen contamination shall be dealt with as agreed with the Contaminated Land Officer. Where development has ceased in the affected area, it shall re-commence upon written notification of the Planning Authority or Contaminated Land Officer.

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

8.1.13 Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of the site investigation, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the approved remediation scheme. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable.

Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with the implementation of the remediation scheme.

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

8.1.14 Crossrail 2 Safeguarding

None of the development hereby permitted shall be commenced until detailed design and construction method statements for all the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:

- (i) Accommodate the proposed location of the Crossrail 2 structures including tunnels, shafts and temporary works;
- (ii) Accommodate ground movement arising from the construction thereof;
- (iii) Mitigate the effects of noise and vibration arising from the operation of the Crossrail 2 railway within the tunnels and other structures.

The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works within the development hereby permitted which are required by paragraphs C 1(i), (ii) and (iii) of this condition shall be completed, in their entirety, before any part of the buildings are occupied.

REASON: In the interest of protecting crossrail infrastructure.

8.1.15 BREEAM (Pre-commencement)

Prior to the commencement of the development hereby approved, the BREEAM Interim Design Certificate shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate at least the following standards have been met, as set out in the hereby approved BREEAM Report Statement (dated 31/03/2023, prepared by SHA Environmental Limited) - targeted credits must be presented in a tracker comparing credits targeted at BREEAM Pre Assessment stage:

Minimum BREEAM Rating of 78%

The development shall not be carried out otherwise than in accordance with the details thereby approved.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction

8.1.16 BREEAM (Post-occupation)

Within 12 weeks of occupation of the development, the BREEAM Final Design Certificate shall be submitted to and approved by the Local Planning Authority, providing full details confirming the final rating and credits have been achieved or improved upon the pre-commencement figures - achieved credits must be presented in a tracker comparing credits achieved at BREEAM Interim Certification stage.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction

8.1.17 Landscaping & Public Realm

Prior to the first occupation of the development hereby permitted, a landscape & urban realm plan shall be submitted to and approved in writing by the Local Planning Authority. The plan should show the soft and hard surfacing proposed and include reference to plant species types and densities, surface treatments and fences and walls. It shall also include details of maintenance arrangements.

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

REASON: In the interest of providing an acceptable level of planting for biodiversity and ecology benefits.

8.1.18 Swift Boxes

Prior to the first occupation of the development hereby approved a minimum of four Swift nesting bricks and/or boxes shall be provided at or close to eaves level of the development hereby approved. The bricks/boxes shall be retained thereafter in perpetuity.

REASON: In the interests of biodiversity.

8.1.19 Obscure Glazing

The windows in located within all elevations of the tramshed and outrigger shall be obscure glazed to a height of 1.8m and fixed shut

REASON: To safeguard the amenities of the adjoining premises and the area generally.

8.1.20 Restriction on use of flat roof

The roof of the outrigger hereby approved shall not be used for any purpose other than as a means of escape in emergency or for maintenance of the building. In particular the roof shall not be used as a roof terrace, balcony or any other amenity area.

REASON: To safeguard the amenities of the adjoining premises and the area generally.

8.1.21 Removal of PD Rights

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or any other Order modifying or revoking that Order whether in whole or in part, the ground floor of the development hereby permitted shall only be used for purposes within Use Class E parts (c) or (g) of that Order.

REASON: To ensure that an appropriate Town Centre use is provided at this location.

8.1.22 Hours of Operation

The office use hereby permitted may only be occupied/used between the hours of 0700-2200 Monday to Friday and the hours of 1000-2000 Saturdays, Sundays and Bank Holidays.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

8.1.23 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 building 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.

8.1.24 **No roof plant**

No roof plant, including all external enclosures, machinery and other installations shall be placed upon or attached to the roof or other external surfaces of the building.

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.

Recommendation B

8.2 That the above recommendation be subject to the landowners and their mortgagees entering into a Legal Agreement by means of a legal deed in order to secure the following matters to the satisfaction of the Corporate Director, Legal and Governance Services:

- 1) Affordable Housing Contribution of £50,000.
- 2) Employment and Skills Plan.
- 3) 25% Local Labour.
- 4) Apprenticeships.
- 5) Procurement Plan.
- 6) Employment and Training Contribution of £5260.
- 7) Car Free Development (Non-Blue Badge Holders).
- 8) Travel Plan with monitoring fee of £5,000.
- 9) Construction Logistics Plan monitoring fee of £8,750.
- 10) Funded conversion of two blue badge parking spaces.
- 11) Carbon Offset contribution of £21,432.
- 12) Considerate Constructors Scheme
- 13) Monitoring costs of £9,121 in accordance with the Planning Contributions SPD to be paid prior to completion of the proposed legal agreement.
- 14) 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 Legal Agreement.

Recommendation C

- 8.3 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).

9.0 INFORMATIVES

The following informatives should be added:

- SI.1 Building Control
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.11 Advertisements
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Removal of Asbestos
- SI.50 S106 Agreement
- SI.57 CIL
- NPPF Applicant/Agent Engagement

Groundwater Risk Management Permit (Thames Water)

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

Minimum Pressure (Thames Water)

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Crossrail 2 Tunnels (TfL)

Transport for London is prepared to provide to information about the proposed location of the Crossrail 2 tunnels and structures. It will supply guidelines about the design and location of third party structures in relation to the proposed tunnels,

ground movement arising from the construction of the tunnels and noise and vibration arising from the construction and use of the tunnels. Applicants are encouraged to discuss these guidelines with the Crossrail 2 engineer in the course of preparing detailed design and method Statements.

UXO Study

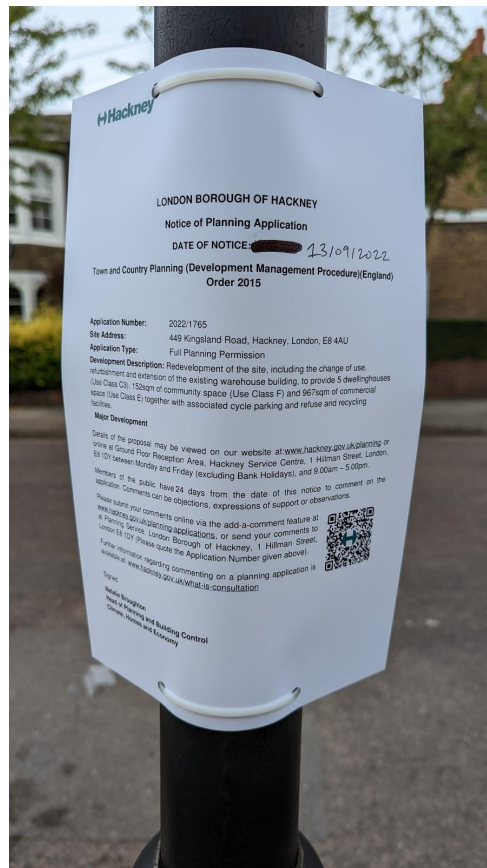
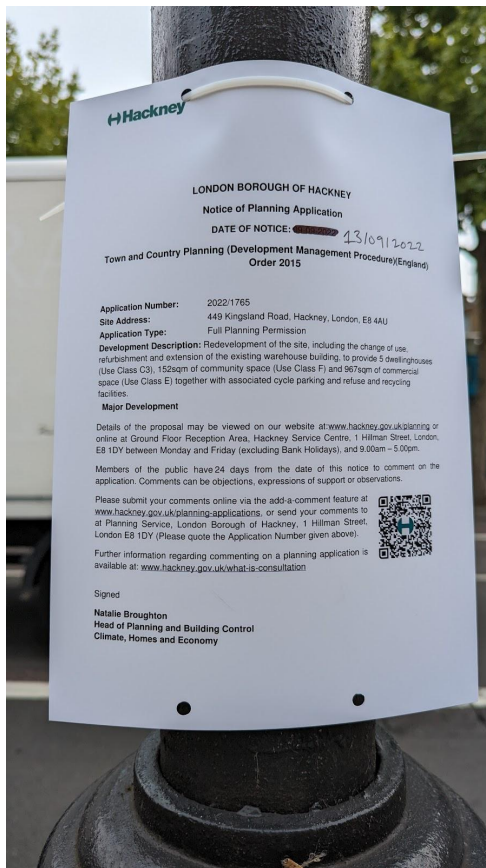
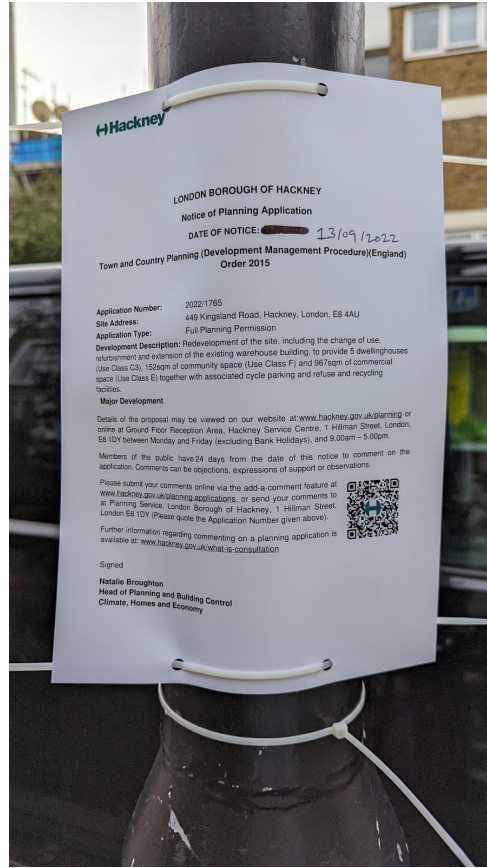
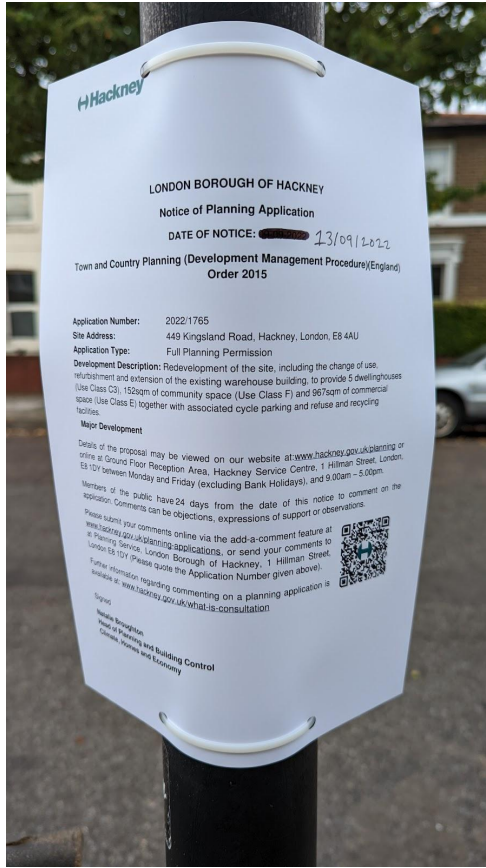
It is advised a UXO study is undertaken prior to the commencement of works on the site.

Signed..... Date.....

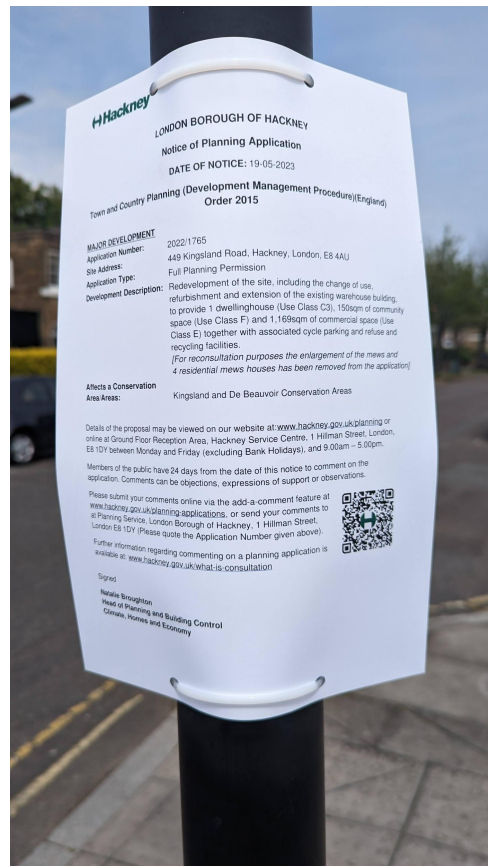
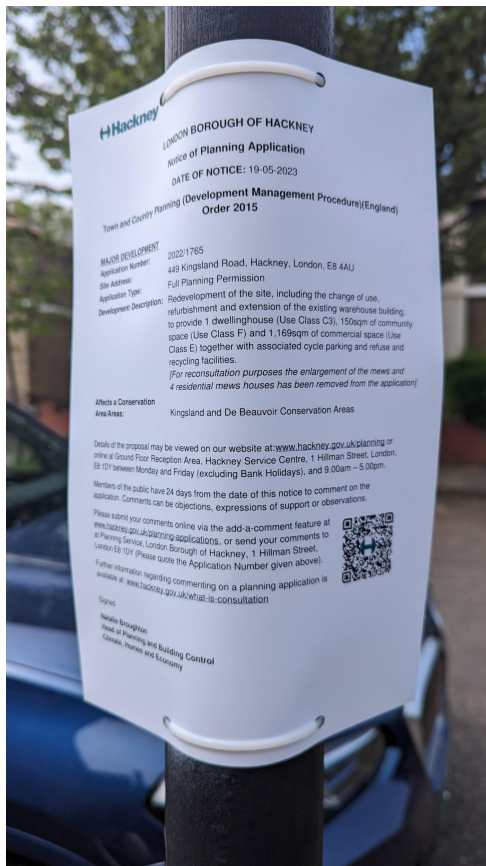
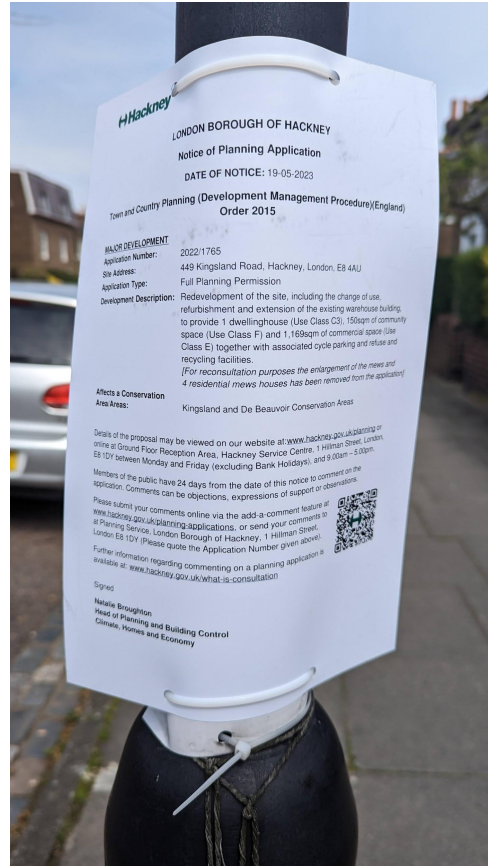
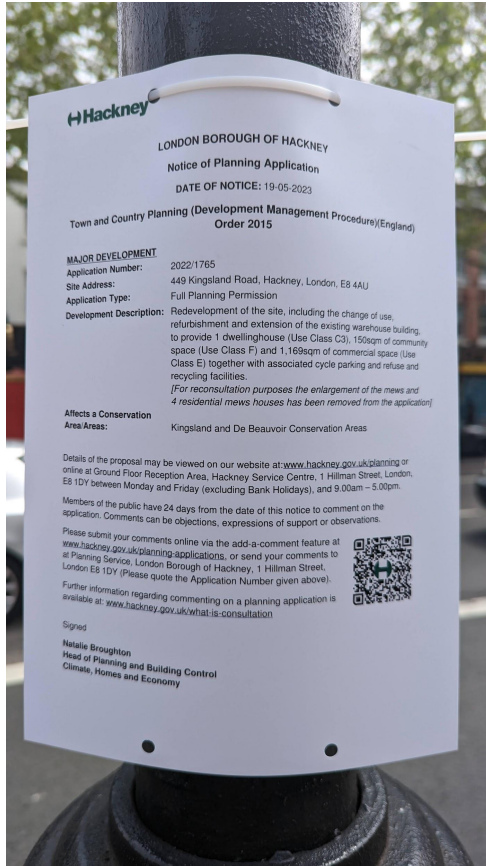
Natalie Broughton - Head of Planning & Building Control

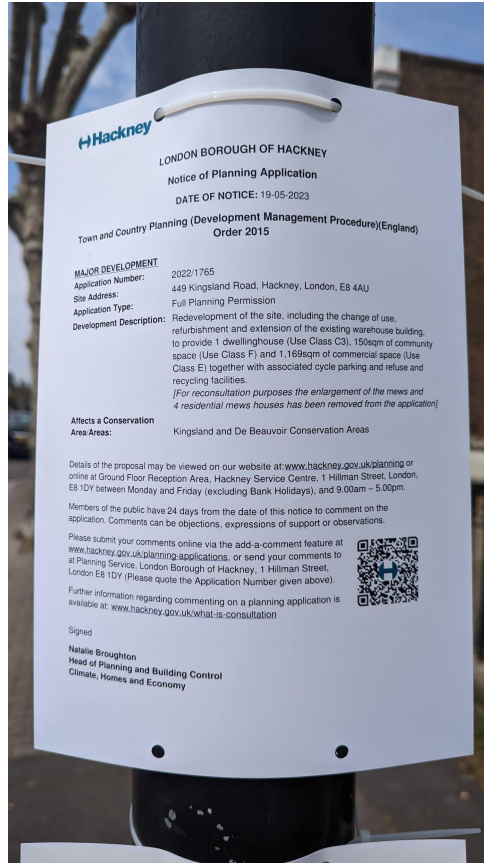
No.	Background Papers	Name, Designation & Telephone Extension of Original Copy	Location Contact Officer
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website</p> <p>Policy/guidance from other authorities/bodies referred 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> <p>All documents that are material to the preparation of this report are referenced in the report</p>	<p>Alix Hauser Planning Officer X 6377</p>	<p>1 Hillman Street London E8 1DY</p>

Site Notices (First Round)



Site Photos (Second Round)

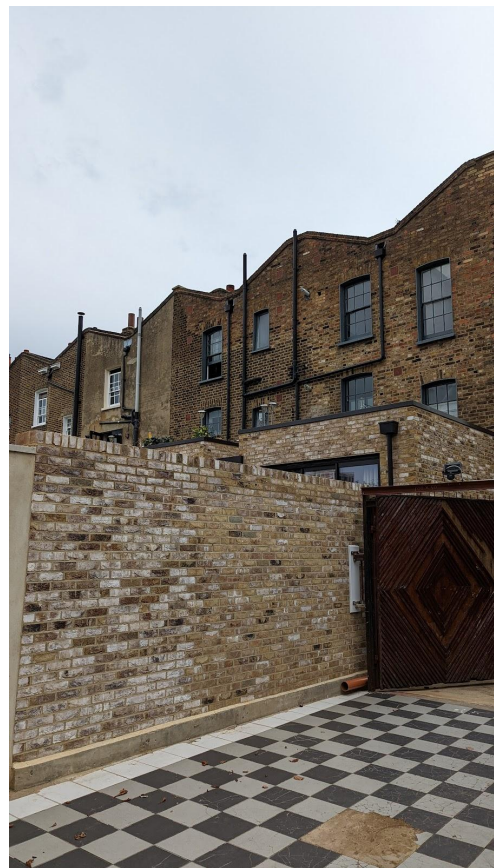
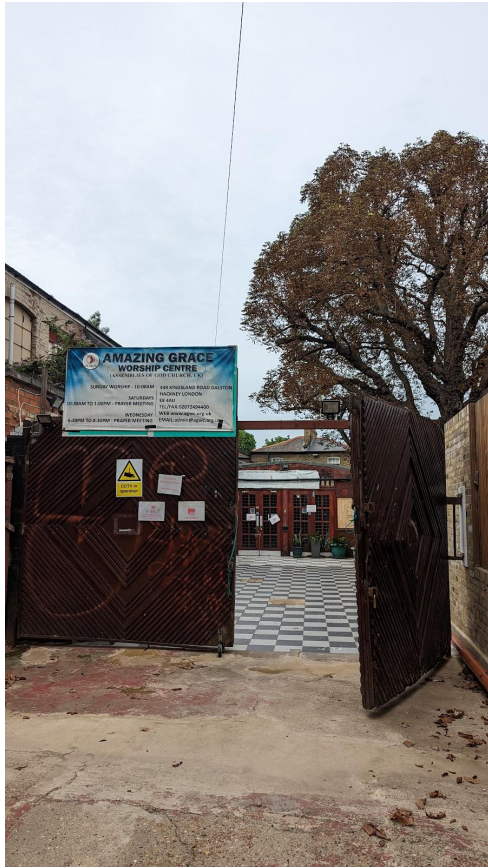




Tramshed



Location of community extension & adjoining properties



Outrigger & adjoining properties



South



West



East



East



West



West



West

Slot House & adjoining properties

