

ADDRESS: Beaumont Court Upper Clapton Road, Hackney, London, E5 8BG	
WARD: Lea Bridge Ward	REPORT AUTHOR: Erin Glancy
APPLICATION NUMBER: 2022/1423	VALID DATE: 08/06/2022
<p>DRAWING NUMBERS:</p> <p>Site Location Plan; 0600; 1000; 1001; 1002; 0300; 0301 (WEST ELEVATION (FRONT)); 0301 (NORTH ELEVATION (FRONT)); 0302; 0303; 0400; 1600A; 2001; 2002; 2003; 3000; 3001; 3002; 3003; 4000; Fire Safety Statement (dated November 2021); Planning Statement (dated May 2022); Energy and Sustainability Statement (dated September 2021); Construction Management Plan (dated August 2021); Environmental Noise Survey and Acoustic Design Statement Report (dated September 2021); Received 8 June 2022.</p> <p>1600B: Received 10 August 2022.</p> <p>Design and Access Statement Rev B (includes Proposed Landscaping Plan page 45); Energy and Sustainability Statement Rev 2.0; Fire Safety Statement; Daylight, Sunlight & Overshadowing Report Rev V2; Travel Plan Rev V2.0; Received 25 January 2023.</p>	
<p>APPLICANT:</p> <p>Faroncell Limited C/o Agent Old Church Court London SW8 1NZ</p>	<p>AGENT:</p> <p>Rolfe Judd Planning Old Church Court London SW8 1NZ</p>
<p>PROPOSAL: Erection of single-storey roof extension above the existing mixed-use building to create 5 residential units, a rear extension to create a new stairwell and lift core with associated works from ground floor up to the new 5th floor in association with new residential units, external alterations to the front facade, refuse and recycling provision as well as a new secure cycle enclosures.</p>	
<p>POST SUBMISSION REVISIONS:</p> <ul style="list-style-type: none"> - Submission of proposed landscaping plan - Revised access and servicing plan drawing which increased the recycling provision to the level required in line with guidance - Revised Travel Plan (V2.0) - Revised Daylight, Sunlight and Overshadowing Report - Revised Fire Safety Statement (version V2) - Revised Energy Sustainability Statement (version 2.0) 	

- Revised Design and Access Statement (revision B)

A re-consultation was undertaken on 24/01/2023 following the submission of revised documents.

RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and completion of a Legal Agreement.

NOTE TO MEMBERS: This application is presented to the Planning Sub-Committee as it has received a substantial number of objections.

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	Zone U	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Employment Area		X

LAND USE

	Use Class	Use Description	Floorspace (sqm)
Existing	C3	Existing roof	N/A
Proposed	C3	Residential (5 units)	384sqm
		Total Proposed	384sqm

RESIDENTIAL TENURE

	Studio	1 bed	2 bed	3 bed	Total
London Affordable Rent					
Intermediate (Shared Ownership)					
Total					
Market		1	1	3	5
Total		1	1	3	5

PARKING DETAILS

	Parking Spaces (General)	Parking Spaces (Blue Badge)	Bicycle Storage
Existing	0	0	30
Proposed	0	0	50

CASE OFFICER'S REPORT

1.0 SITE CONTEXT

- 1.1 This application relates to a 5 storey mixed use building comprising part commercial use (fronting Upper Clapton Road) at ground floor and residential on the remaining ground floor section and floors above. The site is situated on the eastern side of Upper Clapton Road which shares the junction with Cleveleys Road to the north of the site. The main residential access into the building is via the ground floor front entrance, facing Upper Clapton Road. There is also a secondary access via the existing pedestrian/vehicular access from Cleveleys Road.
- 1.2 The ground floor commercial units comprise a variety of uses including a convenience shop/mini market, hair salon and hot-food takeaway. There is a forecourt in front of the building, however this is not within the site boundary. The upper floors of the building consist of an approximate mix of 17No. 1 bed; 19No. 2B; and 5No. 3 bed units. The applicant states the current building is a mix of privately-owned and occupied homes, rented homes and investor landlord ownership.
- 1.3 The surrounding area to the north and north/east consists mainly of two storey terrace dwellings. The Tram Depot abuts the site to the south and is 1-3 storey in height.
- 1.4 The site has a PTAL of 5/6a indicating it has excellent access to public/ sustainable transport modes. Clapton Overground Station is approximately a 5 minute walk to the north of the site and there are numerous bus routes operating along Upper Clapton Road.
- 1.5 There are no existing allocated car parking spaces at the site, however the hard standing around the site is utilised for parking. There are currently 30 existing long-stay cycle parking spaces provided in two separate stores near the serving area. The existing refuse storage for the current residents is provided in the rear servicing area with an enclosed and secure communal store.
- 1.6 The site is not within a conservation area. The building is neither statutory nor locally listed.
- 1.7 The locally listed Clapton Tram Depot is directly adjacent to the south of the site.

2.0 CONSERVATION IMPLICATIONS

- 2.1 The site is not within a conservation area. The nearest conservation area to the east (Lea Bridge Conservation Area) is approximately 168m from the south-eastern edge of the site. The nearest conservation area to the west (Northwold and Cazenove Conservation Area) is approximately 185m from the western edge of the site.

2.2 There are no identified impacts on statutory listed buildings.

2.3 The site is near the locally listed Clapton Tram Depot which lies to the south.

3.0 RELEVANT HISTORY

3.1 2021/3489 – planning permission REFUSED on 30/03/2022 for the erection of two additional storeys on the existing mixed-use building to create 9 residential units, a rear extension to create a new stairwell and lift core from ground floor up to the new sixth floor in association with the new residential units, a communal terrace, external alterations to the front façade, refuse and recycling provision as well as a new secure cycle enclosure.

3.1.1 Refusal reason (1) The proposed two storey extension, by reason of its scale and additional massing, appears as a bulky, overbearing and discordant addition that fails to respond to the existing hierarchies of the local context and would adversely harm the local character and wider townscape. As such, the proposed development is contrary to policies D3 (Optimising site capacity through the design-led approach) and D4 (Delivering good design) of the London Plan (2021); policy LP1 (Design quality and local character) of Hackney's Local Plan 2033 (2020).

3.1.2 Refusal reason (2) The proposed development, by reason of its additional height, bulk, massing and in the absence of a daylight/sunlight report, fails to demonstrate the development would not give rise to adverse daylight, sunlight and overshadowing impacts to adjoining residential properties, to the detriment of the amenity of their living conditions. As such, the proposal is contrary to policy LP2 (Development and Amenity) of Hackney's Local Plan 2033 (2020).

3.1.3 Refusal reason (3) The proposed new residential units, by reason of sub-standard layout and floorspace provision and a failure to demonstrate all habitable accommodation has sufficient natural light, would result in the provision of housing which is sub-standard in terms of prospective living conditions, contrary to policies D6 (Housing quality and standards) and D7 (Accessible housing) of the London Plan (2021); and policies LP1 (Design Quality and Local Character) and LP17 (Housing Design) of the Hackney Local Plan (2020).

3.1.4 Refusal reason (4) The proposed development, by reason of the non-provision of a M4(3) wheelchair adaptable unit fails to provide fully inclusive and accessible residential accommodation, contrary to policies D5 (Inclusive design) and D7 (Accessible housing) of the London Plan (2021); and policies LP17 (Housing Design) and LP18 (Housing Older and Vulnerable People) of the Hackney Local Plan (2020).

3.1.5 Refusal reason (5) The proposed development by reason of a shortfall in family sized units, fails to deliver an adequate mix of dwelling types, thereby failing to meet the borough's local housing needs contrary to H10 (Housing size mix) of the London Plan (2021) and policy LP14 (Dwelling Size Mix) of the Hackney Local Plan 2033 (2020).

- 3.1.6 Refusal reasons (6) In the absence of any biodiversity enhancement the scheme fails to deliver on biodiversity net gain at the site and the proposal is therefore contrary to policies G1 (Green infrastructure) and G6 (Biodiversity and access to nature) of the London Plan (2021) and policies LP46 (Protection and Enhancement of Green Infrastructure) and LP47 (Biodiversity and Sites of Importance of Nature Conservation) of the Hackney Local Plan (2020).
- 3.2 2013/2726 – planning permission GRANTED on the 14/10/2023 for installation of electronic gates to front elevation. Replacement of existing gate to side elevation with electronic gates to match front elevation. Installation of mesh fence within site and pedestrian gate to secure side entrance.

4.0 CONSULTATIONS

- 4.0.1 Date first Statutory Consultation Period started: 15/06/2022
- 4.0.2 Date first Statutory Consultation Period ended: 15/07/2022
- 4.0.3 Date second Statutory Consultation Period started: 24/01/2023
- 4.0.4 Date second Statutory Consultation Period ended: 24/02/2023
- 4.0.5 Site Notices: Yes (1 on Upper Clapton Road and 1 on Cleveleys Road).
- 4.0.6 Press Advert: Yes. (Hackney Gazette 21/06/2022)

4.1 Neighbours

- 4.1.1 Letters of consultation were sent to 133 adjoining owners/occupiers. At the time of writing the report, 46 objections were received in the form of individual representations. These representations are summarised below:
- *The proposed design is not compatible with existing buildings, and negatively disrupts the unique 1930s Art Deco architecture;*
 - *The development is not cohesive with the existing building;*
 - *The existing building is in need of repair, and its state can be described as “shabby”. To install a brand new floor on top with no consideration of the original is bad urban design;*
 - *The development will seriously compromise the unique aesthetic of the building and the surrounding area;*
 - *Beaumont Court is already dishevelled and jumbled in appearance with a mix of old and new windows and poorly kept exteriors. The new design seems to be made up of a group of loosely connected units with exterior gangways. This will only create further visual confusion and ugliness;*
 - *Footprint of extension does not correspond with the footprint of the existing building (Officer note: The proposed layout is noted and forms part of the assessment);*
 - *The proposed outdoor walkways and corridors would never be seen on a 1930s / Art Deco design and therefore this structure will look ugly, unbalanced and out of place with the building;*
 - *The proposal will appear irregular and clunky against the building’s façade, which is uniform;*

- *The proposed extension is bulky and will be an eyesore on the streetscape.*
- *Inappropriate materials.*
- *Don't consider a modern addition will improve local character, unless extensive external remodelling is undertaken to the existing building.*
- *The extension will be visible from The Tram Depot, Cleveleys Rd, Upper Clapton Rd due to the extra massing and height the extra storey will give.*
- *Extension is oversized, bulky eyesore in an area surrounded by much smaller buildings.*
- *The overall height would have a detrimental townscape impact.*

Amenity

- *Give rise to overshadowing impacts;*
- *The works would remove skylights in the roof that provide natural light to the hallway on the top floor;*
- *Block sunlight to nearby courtyard spaces;*
- *Development will block/reduce light amenity to all windows at Beaumont Court due to the building's compact 'H' shape;*
- *A harmful effect on neighbouring amenities;*
- *Report fails to address the residential amenity impact in respect of loss of light to 50 residences within Beaumont Court itself;*
- *The report fails to assess the Tram Depot. The Tram Depot will lose a significant amount of light;*
- *Will overshadow garden space;*
- *Light survey does not address existing overshadowing to Beaumont Court;*
- *The proposed bike shed and lift shaft will also reduce light provisions into what is to remain of the southern garden and southern ground floor windows;*
- *The proposed bike shed will significantly reduce the size, character, functionality, and outlook to the southern courtyard;*
- *Loss of privacy and overlooking from new flats/ balcony space and external walkways;*
- *Use of Cleveleys Road as a main entrance will cause noise and safety issues;*
- *Increased noise and disturbance from more users of the site.*

Standard of accommodation

- *The proposed residential units meet floorspace standards for new dwellings but only just;*
- *No children's play space provision (Officer note: This is not required due to the scale of the development);*
- *The proposal does not demonstrate the proposed residential units will have sufficient natural light;*
- *The provision of only 1 lift from ground floor to 6th, would mean that the development is not aligned with London Plan D7 'Accessible Housing';*

- *If the new lift to the sixth floor was out of service this could present a health and safety risk in the event of a fire.*
- *No wheelchair accessible unit provided;*

Transportation and waste

- *Residents want private car parking available here - as per existing arrangement.*
- *Concerned to see the removal of existing permitted parking within Beaumont Court;*
- *Safety issues with existing parking arrangement at the front of the site fronting Upper Clapton Road;*
- *Have a parking permit for the site and do not want this removed;*
- *There are 15 car parking spaces at Beaumont Court onsite which has been in place for many decades;*
- *Disabled parking must be considered, particularly for residents of Beaumont Court.*
- *The existing cycle storage facility is not utilised to the full - consider better solutions to the existing building itself could be made instead of over provision of cycle parking.*
- *Existing recycling and rubbish provision is not sufficient - new flats will exacerbate this;*
- *Adequate facilities for the storage and collection of waste and recycling are insufficient and inaccurate;*
- *The application demonstrates an incorrect understanding of the current bin/waste provisions;*
- *Unclear how waste trucks will access this site.*

Sustainability

- *Proposal does not promote a high standard of sustainability.*

Biodiversity

- *The previous refused application noted the absence of any biodiversity. This scheme does not overcome that previous refusal.*

Other material comments

- *The application is replete with deficiencies and misinformation, as well as lacking key information, that the council cannot safely proceed to determine (Officer note: Some submitted documents have been revised to reflect the proposed development and re-consultation has been carried out);*
- *Scheme fails to respond to the constraints of the site;*
- *Fire risk;*
- *Pressure on existing amenities within increased users of the space (Officer note: The provision of 5 residential units is unlikely to exacerbate impacts on infrastructure);*
- *The proposal will have a detrimental impact on the businesses at the Tram Depot site.*

- *Not fair that the development will impact existing residents regarding the new bike stores impact on the existing southern communal garden but the new flats will benefit from private terraces;*

Comments not material

- *Segregated building, creating tension between 'old' and 'new';*
- *Scheme only stands to benefit the developer at the cost of the existing residents;*
- *Existing poor condition of Beaumont Court;*
- *Existing soundproofing issues within Beaumont Court;*
- *Structural stability/ integrity of the building;*
- *Existing asbestos in the building;*
- *Do not support an additional fobbed entrance (to the southern communal garden area);*
- *Disappointed the applicant has made no attempts to consult with residents regarding the new scheme;*
- *Noise and disruption from construction works.*

4.2 The above comments, where material, are addressed within the assessment section of this report.

4.3 Restoration or improvement works to the existing Beaumont Court do not form part of this application. Matters relating to construction impacts are primarily covered by environmental legislation outside the control of planning.

Statutory consultees

4.4 Thames Water: no objection subject to informative.

4.5 TFL: no objections subject to condition (cycle parking).

4.6 Health and Safety Executive: confirmed no objection (threshold not met for HSE to comment).

Council departments

4.7 Drainage: no objection subject to sustainable drainage system condition.

4.8 Environmental Protection Team (Noise): No objection, subject to sound insulation and plant noise conditions.

4.9 Pollution Air: No response received.

4.10 Transportation: No objection, subject to conditions requiring cycle parking details

and construction logistics plan, along with CPZ parking permit restriction and construction logistics plan monitoring contribution.

- 4.11 Waste Management: No objection. A revised access and servicing plan was reviewed by waste management who confirmed the provision in terms of bin capacities are adequate.

Local Groups

- 4.12 Hackney Society: no objection, stated:

The principle of extending this building upwards by one storey is not contested. There are concerns about the relationship of the fenestration of the roof extension and that of the original building. The proposed new windows are wider and taller than the existing windows and would potentially disrupt the balance of the building's front elevation which would be highly visible. To ensure consistency of the building's final appearance, restorative work should be made to the existing render and brick work so that it matches the appearance of the materials of the new extension. Ideally the original W20 windows should be restored across the entire property to unify the appearance as it appears many have been lost recently and replaced with low quality alternatives.

Officer note: As mentioned above, the restoration or improvement works to the existing building do not form part of the planning submission and securement of such works goes beyond what is either reasonable or necessary to make the proposed development acceptable in planning terms.

5.0 POLICIES

5.1 Hackney Local Plan 2033 (LP33) (2020)

- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP4 Non Designated Heritage Assets
- LP12 Housing Supply
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP49 Green Chains and Green Corridors

- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating
- LP55 Mitigating Climate Change
- LP56 Decentralised Energy Networks
- LP57 Waste
- LP58 Improving the Environment

5.2 The London Plan (2021)

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D12 Fire safety
- D14 Noise
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H10 Housing Size Mix
- HC1 Heritage conservation and growth
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodland
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI4 Managing heat risk
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Car Parking
- T7 Deliveries, Servicing and Construction

5.3 SPD / SPF / Other

S106 Planning Contributions SPD (2020)
Greater London Authority Housing SPG (2016)
Sustainable Design and Construction SPD (2016)
Residential Extensions and Alterations (REA) SPD (2009)
Refuse and Recycling Storage Guidance (2021)

5.4 National Planning Policies/Guidance

National Planning Policy Framework
Planning Practice Guidance

5.5 Legislation

Town and Country Planning Act (1990)
Planning (Listed Buildings and Conservation Areas) Act (1990)
Community Infrastructure Levy Regulations (2010)

6.0 COMMENT

6.1 Background

- 6.1.1 The proposal is for the erection of single storey roof extension above the existing mixed-use building to create 5 residential units, a rear extension to create a new stairwell and lift core from ground floor up to the new 5th floor in association with new residential units, external alterations to the front facade, refuse and recycling provision as well as a new secure cycle enclosures.
- 6.1.2 The scheme consists of a 'H' shaped roof extension to be situated on the existing roof space of Beaumont Court. The additional storey will accommodate 5 new flats, comprising 1x1, 1x2 and 3x3 bed units.
- 6.1.3 An associated new stairwell and lift core to serve the new fifth storey is proposed in the south-eastern corner of the site. This is proposed to be an isolated stairwell and lift core to serve the proposed new fifth floor only. This will be accessed via new timber gates from Cleveleys Road on the northern side of the site.
- 6.1.4 The proposed materials are red/brown brick in Flemish Bond and white Crittal style windows. The brickwork/render combination will continue on all sides of the new floors (excluding the stair/ lift core which will remain white render only with a texture tint).

- 6.1.5 The proposal includes a new cycle store which would be accessed via a new fobbed pedestrian gate and fence, which would also provide additional security to the communal garden area. The new bin store is adjacent to the new cycle store and is accessed via the existing servicing arrangements/ route. This new cycle/bin store would replace an existing (annotated as redundant) boiler storage room, two separate cycle stores and an existing general waste bin. The existing flue would be extended upwards.
- 6.1.6 The development is proposed to be car free.
- 6.1.7 The main considerations relevant to this application are:
- Land Use
 - Design
 - Conservation
 - Quality of Accommodation
 - Impact on Amenity
 - Transportation and Servicing
 - Biodiversity
 - Energy & Sustainability
 - Flood Risk

Each of these considerations is discussed in turn below.

6.2 Land Use

Residential Use

- 6.2.1 Policy at the local, regional and national level sets out a general presumption in favour of housing, particularly affordable housing. Policy LP12 of LP33 sets a housing supply target for Hackney of 1,330 dwellings per year through encouraging development on small sites and through allocating sites for residential use and increasing the supply of genuinely affordable homes.. Moreover, Policy LP14 of Hackney's LP33 confirms the need to deliver different housing types at varying levels of size and affordability to meet people's individual needs, as part of delivering this target.
- 6.2.2 The principle of additional residential accommodation in a sustainable, brownfield and highly accessible location is supported, subject to the scheme being acceptable in respect of all other material considerations outlined below.

Housing Mix

- 6.2.3 The London Plan policy H10 states that schemes should generally consist of a range of unit sizes and outlines that boroughs are encouraged to set out the

preferred housing size mix (for all tenures), in order to deliver mixed and inclusive communities and prevent an over-concentration of a particular size of unit.

- 6.2.4 Policy LP14 of LP33 sets out the Council's preferred dwelling size mix, seeking to ensure a mix of homes of different sizes are secured. For market housing, a target of 33% family sized accommodation (3 or more bed units) is sought and a greater percentage of two-bed units than one-bed units.
- 6.2.5 This proposal provides 3 x 3 bed; 1 x 2 bed; and 1 x 1 bed units.
- 6.2.6 The scheme provides a greater provision of 3 bed family sized units over 2 or 1 bed units, which aligns with the borough's housing need for market units.
- 6.2.7 This proposal does not strictly comply with LP14 as 60% of the units would be 3 bed, whereas the policy seeks 33% 3 bed. On balance, officers raise no objection to this as the unit mix is justified by rational layout and modest scale of development.

Affordable Housing

- 6.2.8 LP33 policy LP13 requires schemes of 1-9 units to provide on-site provision or payment in lieu up to the equivalent of 50% of housing delivered as affordable housing. Off-site payments in lieu can also be provided, in-line with the guidance set out in Hackney's S106 Planning Contributions SPD.
- 6.2.9 This application proposes 5 new units. The applicant has submitted a small site Unilateral Undertaking confirming to pay the offsite contribution of £250,000 (£50,000 per unit), in line with the Hackney S106 Planning Contributions SPD. This is expected to be secured via the legal Unilateral Undertaking attached to this application and subject to the Unilateral Undertaking being reviewed and approved by the Legal Department the proposal is consequently considered acceptable in this regard. This will include a monitoring fee of £12,500.
- 6.2.10 As such, the proposal accords with policy LP13 of LP33.

6.3 Design and conservation

- 6.3.1 The Council's LP33 policies LP1 and LP4, along with London Plan policies D3 and HC1 require all development to be of the highest architectural and urban design quality and that they should conserve or enhance and reveal the significance of non-designated heritage assets and their settings. Policy LP1 seeks to adopt a rigorous design approach and ensure a good and optimal arrangement of the site in terms of form, mass and scale. London Plan policy D3 seeks to ensure that buildings and structures should be of high quality, with architecture that pays attention to details.
- 6.3.2 There are no statutorily or locally listed buildings within the site and it does not lie within a conservation area. However, the site lies to the north of the locally listed

building 38-40 The Tram Depot, Upper Clapton Road. Therefore, policy LP4 of LP33 applies and seeks to assess the impact of proposals on the significance of non-designated heritage assets when considering applications. The Council must have regard to the scale of any harm or loss, and the significance of the non-designated heritage asset. The works are considered to be sufficiently set back as to not cause harm to the setting of this locally listed building in terms of scale, character and materiality.

6.3.3 Siting, scale and massing

6.3.4 The proposed single storey roof extension results in a sensitive scale and massing that complements the existing architectural character of the host building. The proposal has been purposefully set back from the existing facades on all sides by 1.5m to ensure an order of hierarchy is introduced. The massing is expressed symmetrically and has been incorporated into the front facade which is appropriate to and celebrates the existing Art Deco architectural style with the addition of a distinct roof section. The proposed massing follows negotiations with the Borough and is considered acceptable.

6.3.5 The proposed rear extension to create a new stairwell and lift core from ground floor up to the new 5th floor is carefully considered and sited to minimise its presence on the street scene along Upper Clapton Road. The existing arrangement is characterised by a blank flank wall in render and the introduction of architectural detailing and activation is considered a positive development.

6.3.6 The proposed refuse and recycling provision as well as a new secure cycle enclosures are carefully considered and sited to minimise its presence on the street scene along Upper Clapton Road.

6.3.7 Architecture and materials

6.3.8 Materials have been selected thoughtfully in a way as to create a legible visual relationship with the host building and surrounding context. For example, the brown/red brickwork and white render, which references the material palette of the stories below. It is considered that the choice of materials and detailing would create a welcoming addition to the streetscape, with a coherent architectural character and a strong sense of place.

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

6.3.10 Layout

6.3.11 All proposed dwellings are either dual or triple aspect, with a good degree of outlook and cross-ventilation. Due to the siting of the proposed units, all new units will benefit from private terraces.

6.3.12 Conservation

6.3.13 There are no conservation areas or statutory listed buildings nearby which would be impacted by the development. There are however locally listed buildings adjacent to the site: *38-40 THE TRAM DEPOT, UPPER CLAPTON ROAD. E5 8BQ.*

6.3.14 The former Lea Bridge Tramway Depot is one of the few remaining examples of a Victorian horse-drawn tram depot in London. Other examples include an Edwardian tramway office and depot in Walthamstow and the former electricity transformer station and tram depot in Islington (both statutorily listed). Opened on 12 July 1873 by the North Metropolitan Tramways Company this building retains many original features, including granite setts in the yard, tramlines running through the ground floor of the central tram shed building, cast iron colonnades, and stable flooring on the first floor where the horses were originally housed. The building also gives clues to why Clapton evolved into a busy Victorian suburb. Following its construction, Clapton benefited from a regular and cheap tram service. From 1872 to 1907 it took commuters to and from the City and West End. One of the horse-trams, which operated from here, is currently displayed in the London Transport Museum in Covent Garden. The site comprises of a U-shaped range of late 19th century gabled tram sheds and horse stables, and a two-storey extension of a similar period (presently used as a car showroom). The buildings are constructed of stock brick with some windows and doorways edged with blue engineering bricks.

6.3.15 The proposed design and materials, largely brick, are considered to be sympathetic to their setting. Detailed materials will be conditioned to ensure appropriate high quality materials. The proposals are considered to improve their setting, compared to the existing situation, and would not present harm.

6.3.16 The location of the proposed roof top extension offers a high degree of separation from the locally listed building.

6.3.17 No harm to heritage assets has been identified and the proposal is considered to satisfy paragraph 203 of the NPPF. The Council has concluded that requirements of London Plan Policy HC1 (Heritage conservation and growth) and LP33 Policies LP4 (Non Designated Heritage Assets) are met.

6.3.18 Design and Conservation conclusion

6.3.19 The proposal is considered acceptable in design and conservation terms, subject to the recommended condition regarding materials:

6.4 **Quality of Accommodation**

6.4.1 New residential developments are expected to provide a good standard of amenity for future occupiers and demonstrate compliance with the minimum floorspace

standards of London Plan policy D6 and the requirements of the Mayor’s Housing SPG. LP33 policy LP17 references these standards.

6.4.2 The following table illustrates the proposed floorspace of each residential unit.

Unit	Bed/ person	Proposed area (sqm)	Technical housing Standards (sqm)
1	3/5	86	86
2	1/2	52	50
3	2/4	73	70
4	3/4	85	74
5	3/5	88	86

6.4.3 As shown above, all residential units meet the minimum floorspace requirements. All units would be dual-aspect which underpins good design principles and allows for passive ventilation, which would also mitigate overheating. All units are well laid out, with good outlook, daylighting and acceptable headroom. As such the proposal is considered to provide acceptable internal living conditions for future residents.

6.4.4 London Plan policies D5 and D7 and LP33 policy LP1 seek to achieve the highest standards of accessible and inclusive design. To ensure a fully accessible environment, London Plan policy states that 10% of dwellings shall meet Building Regulation Requirement M4(3) ‘wheelchair user dwellings’. The policy goes further to state that all other dwellings which are created shall meet Building Regulations M4 (2) ‘accessible and adaptable dwellings’. A fire evacuation lift is provided which will enable step free access to the top floor, inline with the requirements of London Plan policy D5. The proposed layout demonstrates all residential units have been designed to comply with M4(2) ‘accessible and adaptable homes’ along with the provision of an M4(3) ‘wheelchair adaptable’ unit. A condition is recommended to ensure the provision of 1 M4(3) unit ensuring compliance with D7.

6.4.5 London Plan Policy D6 sets specific space requirements for all private outdoor space, stating ‘a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m’. The units would all have access to sufficient private amenity space that would meet the outdoor space requirements.

6.4.6 The submitted ‘Daylight, sunlight and overshadowing report’ outlines the quality of light within the proposed development. The report outlines that a total of 17 habitable rooms have been assessed, comprising 12 bedrooms and five kitchen/

living/ dining. The results show full compliance with the BRE guidance. This is considered acceptable.

- 6.4.7 In addition, to ensure fire and safety standards are met for mobility-impaired users, the proposed scheme will ensure that safe egress and evacuation measures are incorporated into the scheme. In order to meet these measures, the main lift which provides access from the ground floor to the top floor is to be fitted as a fire fighting lift. A Fire Strategy has been submitted with the application. The Health and Safety Executive have confirmed they do not have to be consulted on an application of this scale. Other aspects in relation to fire safety are covered within Building Regulations.
- 6.4.8 For the reasons set out, the proposed development is deemed to provide an acceptable level of residential accommodation for prospective future residents and is subsequently deemed to meet the requirements London Plan policies D5, D6, D7, H10, and the Mayor's Housing SPG, and LP33 policies LP1 and LP17.

6.5 Impact to Amenity

- 6.5.1 Proposals must have regard to LP33 policy LP2 which seeks all development to be appropriate to its location and should be designed to ensure there are no significant adverse impacts on the amenity of occupiers and neighbours. The amenity considerations include the impact of development on; visual privacy and overlooking; overshadowing and outlook; sunlight and daylight; and noise and vibration. The potential impact of works on the amenity of neighbouring properties are customarily considered to include daylight/sunlight, outlook (including bulk and dominance issues) and privacy/overlooking matters.
- 6.5.2 Neighbours have raised objections relating to the development impinging on natural light levels and overshadowing, particularly the existing units of Beaumont Court. Concerns have been raised over loss of privacy and overlooking. Other objections reference increased noise levels.
- 6.5.3 The proposal for the additional storey, being solely contained above the existing roof, set back from the building edge is not considered to have a significant impact on outlook (including bulk and dominance issues) as additional storey will be contained within the footprint of the existing building, set back from the parapet line of the existing roofspace.
- 6.5.4 Daylight / sunlight
- 6.5.5 The British Research Establishment (BRE) has produced guidance on assessing the impact of proposals on the daylight and sunlight as a means to judge the acceptability of a scheme. The applicant submitted a 'Daylight, sunlight and overshadowing report' (the report, henceforth) which refers to BRE guidance as a point of reference and this guidance has been used to assess the impacts of the proposal.

- 6.5.6 BRE guidance needs to be applied with regard to the site context. Sunlight and daylight target criteria as found in the BRE guidance has 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.
- 6.5.7 The BRE guidelines provide two main measures of daylight for assessing the impact on properties neighbouring the site, Vertical Sky Component (VSC) and No-Sky Line (NSL). The first, VSC, measures the amount of daylight available at the centre point to the external pane of a window. In assessing VSC the BRE guide states that if the VSC at the centre of a window is less than 27%, and it is less than 0.8 times its former value (i.e the reduction is greater than 20%), then the reduction in skylight will be noticeable, and the existing building may be adversely affected.
- 6.5.8 The second measure, NSL, is a measure of the distribution of daylight within a room. This method maps out the area within a room where light can penetrate directly from the sky, and therefore accounts for the size and number of windows. It may be used where the room layouts are known.
- 6.5.9 The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. North facing windows may receive sunlight on only a handful of occasions in a year and windows facing eastwards or westwards will only receive sunlight for some of the day. In order for rooms to achieve good sunlight the BRE target criteria is that rooms should receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter. Where rooms receive less than the recommended APSH then the BRE guidance states that a reduction of more than 20% would be noticeable.
- 6.5.10 For daylight, the report states that a total of 205 windows, across 8 buildings (below) were included within the scope of the assessment:
1. 29-35 Upper Clapton Road
 2. 1-12 Melford Court
 3. 44 Upper Clapton Road
 4. 44a Upper Clapton Road
 5. 1 Cleveleys Road
 6. 2 Cleveleys Road
 7. 3 Cleveleys Road
 8. Beaumont Court - existing lower levels
- 6.5.11 The submitted daylight study demonstrates all windows and rooms across the eight buildings were assessed to be compliant with the BRE recommendations for VSC and NSL daylight methodologies in the proposed situation. The proposed development has therefore been assessed to have no noticeable daylight impacts as a result of the development.

- 6.5.12 For sunlight, a total of 74 rooms have been assessed as they have windows which face within 90 degrees of due south. Of these, 69 (93% of total) rooms meet the recommendations for APSH. Five rooms did not meet the recommendations. One of these five rooms is a living room located at ground floor level of Beaumont Court. The remaining four rooms, located on the first, third and fourth floors respectively, are bedrooms.
- 6.5.13 Living room R7/1000 would receive an annual loss of 26.5%; bedroom R10/1001 would receive an annual loss of 27.3% and bedroom R8/1004 an annual loss of 34.5%. These three rooms would experience a reduction of more than 20% which the BRE guide states would be noticeable. Bedrooms R10/1003 and R9/1004 would receive an annual loss of 14.0% and 18.0%, respectively, which the BRE guide states is not noticeable (as the reduction would be less than 20%).
- 6.5.14 An objection was received stating rooflights in the existing roof of Beaumont Court will be removed to facilitate the roof development. Corridors are non-habitable rooms which do not have recommended standards in terms of light. The proposal is therefore deemed unobjectionable in this regard. The Tram Depot site appears to be in purely commercial use and will not be adversely impacted due to its orientation to the south and the location of the proposed rooftop development.
- 6.5.15 Given that there are no noticeable daylight impacts, and the sunlight (which the BRE guide recognises as less important) impacts are not far beyond the BRE test for noticeable impact, on balance, the overall daylight/ sunlight impacts are deemed acceptable, particularly within a dense urban location, such as the application site. On balance, the proposed development is deemed acceptable with regard to its sunlight and daylight impacts and is deemed to accord with the requirements of policy LP2 of LP33.
- 6.5.16 Overshadowing
- 6.5.17 Section 3.3 of the BRE guide describes the method of assessment of the availability of direct sunlight within gardens/ amenity spaces, in order to prevent these spaces becoming damp, cold and uninviting. This relates to the proportion of shadowing on 21st March. The BRE criteria for gardens or amenity areas states: "It is recommended that for it to appear adequate sunlight throughout the year, at least half of a garden or amenity space should receive at least two hours of sunlight on 21st March. If as a result of a new development an existing garden or amenity space does not meet the above, and the area which receives at least two hours of sunlight on 21st March is less than 0.8 times its former value, then the loss of amenity is likely to be noticeable".
- 6.5.18 The submitted overshadowing study assessed four amenity spaces; the front garden area to Melford Court; 37-39 Upper Clapton Road; the courtyard area in the southern portion of the site; and the rear garden of 2 Cleveleys Road.
- 6.5.19 The four amenity areas assessed all adhere to the BRE guidance.

6.5.20 The report states that with regard to the courtyard on the southern portion of the site, this area would retain 62% adequately sunlit areas on 21st March and therefore exceed the guidance recommendations.

6.5.21 The report also assessed the courtyard on the northern portion of the site. The report states that 21% of this area receives adequate sunlight in the existing situation, this would be reduced to 18% once the proposed development is built out, which represents a proportional change of 14.3%, which is within BRE Guidance.

6.5.22 The proposed development is deemed acceptable with regard to overshadowing impact.

6.5.23 Privacy and overlooking

6.5.24 With regards to overlooking/ loss of privacy, the objections raised in this respect are noted. The council has no specific policy guidance on acceptable separation distances for outlook. This is due to the differing established grain and density of the borough, the potential that such guidance would have to limit the variety of urban space and unnecessarily restrict density.

6.5.25 The new development would sit atop the existing building and would also feature private balconies. There is an existing level of overlooking at the site due to the 'H' shape of the building with some windows facing towards internal areas of various elevations. Although there would be new openings created, the proposal is not considered to result in exacerbated or additional levels of overlooking, unacceptably beyond the existing levels experienced.

6.5.26 Noise

6.5.27 This application is accompanied by an acoustic assessment, to assess the current background noise levels and the internal noise levels achievable within the new residential units. The report confirms appropriate target internal noise levels have been proposed. Mitigation advice, including the use of suitably specified glazing and acoustically attenuated ventilation, have been recommended to reduce to a minimum the adverse impact on health and quality life arising from environmental noise. The assessment shows the site, subject to appropriate mitigation measures, is suitable for residential development in terms of noise. Environmental Protection Team (Noise) have reviewed the proposal and recommend conditions requiring a scheme of sound insulation and plant noise restrictions. This will be added as a condition.

6.5.28 Objections were received relating to the existing Beaumont Court being a 'noisy' building, in which sound easily travels, causing harmful disturbance. Concerns were raised with an increase to this existing noise and disturbance with the introduction of 5 additional residential units. This point is noted by officers, however the provision of additional residential units in a residential building is not considered to be harmful with regard to exacerbating noise levels to unacceptable levels.

6.5.29 To ensure construction impacts are acceptable, a Construction Logistics Plan condition will be attached to mitigate impacts. A considerate contractor's clause is also included within the section 106 agreement, to further protect adjoining residents.

6.5.30 Summary

6.5.31 For the reasons outlined above the proposal is considered acceptable with regards to policies D14 of the London Plan and LP2 and LP58 of LP33.

6.6 Transportation and servicing

6.6.1 The site has a PTAL of 5/6a indicating it has excellent access to public/ sustainable transport modes. Clapton Overground Station is approximately a 5 minute walk to the north of the site and there are numerous bus routes operating along Upper Clapton Road. The site can also be easily accessed from the pavement. As such, the site is considered to be in a sustainable location.

6.6.2 LP33 policy LP45 requires all new developments in the borough to be car free. This application is proposed to be car-free. The applicant has agreed to car free development and this will be secured via legal agreement. This proposal subsequently accords with policy LP45.

6.6.3 Objections were received objecting to the loss of vehicle parking at this site, particularly to the side and rear. This proposal will not change the parking situation on site. The proposed new residential units will be secured as car free. There is a broadened area of hardstanding running parallel with Upper Clapton Road which has an informal parking arrangement. Whilst this arrangement is not supported, this land lies outside of the applicants ownership - as depicted on 'Existing Site Location Plan' (file name: 663-21 - Drawing 0500_Site Location Plan). The management of the existing parking spaces on the site is a private matter between residents and landowner.

6.6.4 Policies LP41, LP42 and LP43 of LP33 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Further, LP42 requires all proposed cycling parking to be secure, accessible, convenient and weatherproof. Two-tier cycle parking is generally not supported.

6.6.5 This scheme proposes to demolish the existing storage structures housing 20 and 10 cycle parking spaces, respectively, and the existing general waste room and redundant boiler storage room. These structures are in the southern portion of the site and are proposed to be replaced with a new cycle store (including separate bin store) for the existing and new residents. A total of 50 cycle parking spaces will be provided. The provision of 50 cycle parking spaces is considered acceptable as it

replaces the 30 existing spaces which will be lost to make way for the new cycle store along with sufficient provision for the 5 new units.

- 6.6.6 A draft Construction Logistics Plan has been submitted as part of the application and reviewed by Transport Officers. To ensure appropriate monitoring of highway construction a final Construction Logistics Plan will be secured by condition, along with, a £2,200 monitoring contribution will be secured via legal agreement.
- 6.6.7 Objections were received raising concern over existing waste provision and the impact 5 new residential units would have on existing provision. The existing refuse storage for all the current residents is provided in the rear servicing area within an enclosed and secured communal store. It comprises at least 3 x 1100L euro waste bins. The recycling bins are provided separately at the rear of the site, which includes 2 x 1100L euro bins. The communal refuse store is accessible to all residents via the existing door access located on the ground floor level of the middle block which has direct access out onto the servicing yard. Servicing and deliveries access the refuse store and the rear recycling bins via the side entrance route.
- 6.6.8 This application proposes a new bin/refuse enclosure for the new residents in the courtyard at ground floor level, in the south-east of the site. In total, this will accommodate 4x1100 bins for waste and 7 for recycling, and 2x240 food waste bins planned are sufficient and in line with guidance. This has been reviewed by the Council's Waste team and is considered acceptable.
- 6.6.9 The development is considered acceptable with respect to cycle parking, and waste and servicing arrangements. The proposal promotes the use of sustainable transport modes and will not give rise to any adverse impacts to the surrounding highway network. A condition requiring cycle parking details will be imposed and the CLP monitoring fee will be sought via legal agreement.
- 6.6.10 Given the above, the proposal complies with policies LP41, LP42, LP43, LP44, LP45 and LP57.

6.7 Biodiversity

- 6.7.1 Policies G6 of the London Plan and LP46 and LP47 of LP33 require that all development should enhance the network of green infrastructure and seek to improve access to open space.
- 6.7.2 The potential for urban greening is limited, however the council secured revisions to include an area of additional soft landscape to the entrance element at the east elevation. The development would not result in the loss of biodiversity as the extension would be constructed atop the existing building, and the new stairwell/ lift core, and cycle/ bin store would be constructed on existing hardstanding. The works would also include a green roof to the new cycle store which would also result in biodiversity net gain at this site, which accords with local policy and is supported.

- 6.7.3 Conditions have been recommended pursuant to details of the soft landscaping, management and maintenance of the cycle store green roof and details of bird and bat boxes on the northern elevation of the building at eaves level.
- 6.7.4 In light of the above, the proposed development is considered to be acceptable in terms of biodiversity and accords with policies G6, LP46 and LP47.

6.8 Energy and Sustainability

- 6.8.1 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.
- 6.8.2 Policies SI 1, SI 2, SI 3 and SI 4 of the London Plan and, policies LP54 and LP55 of LP33 require that the development to address overheating and consider sustainability measures.
- 6.8.3 The applicant has submitted a revised Energy and Sustainability Statement. This outlines the passive design measures that have been incorporated into the proposal; such as U values to exceed the minimum performance requirements of Part L1A of the Building Regulations; enhanced air tightness performance level proposed; enhanced thermal bridging details are proposed for the apartments in line with the performance of accredited details; and solar control glazing to reduce the risk of overheating.
- 6.8.4 Two forms of renewable technology are proposed for the scheme – air source heat pumps (ASHPs) and Photovoltaics (PV). A frame mounted PV installation is proposed on the roof to provide a renewable source of energy to serve the daytime electrical loads within the new homes. Individual hot water heat pumps are also proposed within each of the dwellings to serve the domestic hot water loads. Both the ASHP and the PV will be located in the area designated for plant on the top floor roof.
- 6.8.5 The Energy and Sustainability Statement outlines that the incorporation of passive design, energy efficiency and renewable energy technologies on the scheme in line with the energy hierarchy have been demonstrated to result in a reduction in the on-site regulated carbon emissions of approximately 47%.
- 6.8.6 The applicant provided an Energy and Sustainability Statement which demonstrated that this scheme could not achieve a zero-carbon target. In line with policy LP55 of LP33 and the S106 Planning Contributions SPD, developments which cannot achieve zero carbon emissions, will be required to make a payment to the carbon offset fund for the shortfall of the reduction in carbon emissions.
- 6.8.7 A financial contribution of £9,690 towards the Carbon Offset Fund will be secured by legal agreement. Details of the solar PV layout, overheating and air permeability will be secured via condition.

- 6.8.8 On the basis of the above, subject to carbon offsetting payment, the proposal is considered to be sustainable and acceptable, in accordance with Policies SI 1, SI 2, SI 3 and SI4 of the London Plan and policies LP54 and LP55 of LP33.

6.9 Flood Risk

- 6.9.1 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. LP53 of LP33 states that all developments must have regard to reducing floor risk, both to, and from the site, over its expected lifetime.

- 6.9.2 The site is shown to have a 'low' risk of surface water flooding as stated on the 'Long Term Flood Risk Map for England.

- 6.9.3 The Council's Drainage team have reviewed the proposal and state no objection, subject to conditions requiring the submission and approval of details and specifications of at least one sustainable urban drainage system (SuDS) at ground floor level.

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

6.10 CIL

- 6.10.1 The proposal is liable for both the Mayor of London's and the Hackney Community Infrastructure Levy (CIL). In this location, Zone B Hackney CIL is in force at a rate of £25 per square metre of residential floorspace.

The estimated London Borough of Hackney liable CIL amount is calculated to be £23,900.00.

- 6.10.2 Following adoption of LP33 minor applications containing new residential development the applicant is required to complete a form agreeing to pay the council's fees for reviewing and approving a unilateral undertaking covering the payment in lieu for affordable housing, the carbon offset of the scheme, the construction logistics plan monitoring fee and the car free agreement, as set out in recommendation B.

7.0 Equalities Considerations

- 7.1 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.

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

8.0 CONCLUSION

- 8.1 The development makes efficient use of a previously developed, sustainable site for high quality and accessible homes in the roofspace above the existing building.
- 8.2 The design of the extension incorporates high-quality brown/red brickwork and white render materials to match the existing building's materiality, and Crittal style windows to match the existing art-deco design. The development adopts inclusive design standards to ensure the new residential homes are accessible to all users.
- 8.3 The proposal provides a high standard of residential accommodation that is sustainable and the development adopts inclusive design standards to ensure the new residential homes are accessible to all users.
- 8.4 Whilst the objections of residents are noted, the development will not give rise to any significant design, amenity or transportation impacts, especially to a degree that would outweigh the public benefits delivered and warrant refusal.
- 8.5 The proposal is, on balance, 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 the legal agreement to secure the obligations identified within this report.

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 three years after the date of this permission.

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

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

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

a) 1:20 drawings and 1:5 sections of the proposed windows and doors

b) 1:50 drawings and 1:5 sections of the proposed principle elevation

a) Full details, with samples, of the materials to be used on the external surfaces of the buildings, including glazing

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 No extraneous pipework

No soil stacks, soil vent pipes, plumbing, pipes, flues, vents or ductwork shall be fixed on the external faces of the building other than those shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory.

8.1.5 External equipment

No new grilles, satellite dishes, aerials, metre boxes, security alarms, lighting, security or other cameras or other fixtures or plant shall be mounted on the external faces or roof of the building other than those shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory.

8.1.6 **Cycle parking**

Prior to the occupation of the residential units, a policy compliant cycle parking plan for the cycle parking spaces is required, which includes details of:

- Layout;
- Foundation;
- Stand type;
- Space; and
- Visit space numbers

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 improving highway conditions in general.

8.1.7 **Biodiversity**

Prior to the occupation of the development hereby approved, details of bird and bat box provision, including swift bricks, at or close to eaves level on the northern elevation shall be submitted to and approved in writing by the Local Planning Authority. The bricks/boxes shall be retained thereafter in perpetuity.

REASON: To provide potential habitat for local wildlife.

8.1.8 **Green roof details**

Prior to the occupation of the development hereby approved, a detailed layout, cross sections (scale 1:20), full specifications and a detailed management and maintenance plan of the cycle store green roof, with a minimum substrate depth of 80mm, not including the vegetative matt, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the development is first occupied. The green roof shall be maintained thereafter.

REASON: To enhance the character and biodiversity of the development, to provide undisturbed refuges for wildlife and to promote sustainable urban drainage.

8.1.9 **Landscaping**

A landscaping scheme illustrating on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, showing shrubs species and stock and including areas to be grass seeded and paved; all landscaping in accordance with the scheme shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season

following completion of the development, and shall be maintained thereafter, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: In the interests of the appearance of the site and area.

8.1.10 Sustainable Drainage Systems

Prior to superstructure works, detailed specification and a drainage layout of at least one suitable sustainable drainage systems (i.e. water butt with overflow, raingarden, bioretention planter box, living roof (substrate depth of 80-150mm excluding the vegetative mat), permeable paving, etc.) shall be submitted to, and approved by the LPA, in consultation with the LLFA. If soakaways i.e. plastic modules and soakaway rings are used, an infiltration test must be carried out to ensure that the capacity of the soil is suitable for infiltration. It must be demonstrated that there will be no increase in surface water flow being discharged offsite and an overall reduction in peak flow rate and volume.

REASON: To safeguard against groundwater and surface water flooding.

8.1.11 Sound insulation

The applicant shall provide a scheme of sound insulation that shall be submitted for approval to the Local Planning Authority before the commencement of works. All residential premises shall be designed in accordance with BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings'. Before the occupation of this development, a test shall be carried out prior to the discharge of this condition to show that the required noise levels have been met and the results submitted to the Local Planning Authority for approval.

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

8.1.12 Noise from plant and equipment

The rated aggregate noise level from the equipment hereby approved shall be 10 dB(A) or more below the measured LA90 level at the façade of the nearest residential premises. The method of assessment shall be carried in accordance with BS4142:2014 'Methods for rating industrial and commercial sound'

REASON: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise.

8.1.13 Building Regs M4(3) Wheelchair Unit

At least 10% of all dwellings (1 unit) within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter. The remaining 4 units should also be built and maintained to a minimum of M4 (2) standard.

REASON: To ensure that the development is adequately accessible for future occupiers.

8.1.14 **Overheating**

Prior to the commencement of construction of the development hereby approved an assessment of the risk of overheating should be undertaken with dynamic simulation as indicated in the Energy Assessment Guidance Greater London Authority guidance on preparing the energy assessments (2018), based on CIBSE TM59:2017 and adopting weather files as indicated in CIBSE TM49:2014, or any other methodology that may replace it. If overheating is present on the assessment, strategies proposed to mitigate the problem shall be submitted to and approved in writing by the Local Planning Authority.

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

8.1.15 **Air permeability testing**

Prior to occupation of the development hereby approved, a full air permeability test report confirming the new build domestic development has achieved an average air permeability of 4 m³/h/m² at 50pa, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

8.1.16 **Non CHP boilers**

Any non-CHP space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers must achieve dry NO_x emission levels equivalent to or less than 30 mg/kWh.

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

8.1.17 **Solar panel layout**

Prior to the commencement of the development hereby approved, details of the proposed Solar PV layout shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure satisfactory layout and provision of Solar PVs.

8.1.18 **Air source heat pumps**

Prior to the commencement of the development hereby approved full commissioning certificates carried out by an MCS registered installer of the installed ASHP system shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure satisfactory installation of air source heat pumps.

Recommendation B

8.2 That the above recommendation is subject to completion of a legal agreement that secures the following matters to the satisfaction of the Head of Planning and the Director of Legal Democratic and Electoral Services.

- Payment in lieu for affordable housing £250,000 (legal monitoring contribution £12,500)
- Carbon offset of the scheme £9,690 (legal monitoring contribution £555)
Construction Logistics Plan monitoring fee £2,200 (legal monitoring contribution £555)
- Car Free Agreement (legal monitoring contribution £555)
- Considerate Contractors (legal monitoring contribution £555)

Total legal monitoring (£14,720)
Payment of the Council's costs

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 and Enforcement Manager) to make any minor alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

9.0 INFORMATIVES

The following informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- SI.34 Landscaping
- SI.45 The Construction (Design & Management) Regulations 1994

SI.57 CIL
 NPPF Applicant/Agent Engagement

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

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

Natalie Broughton - Head of Planning and Building Control

No.	Background Papers	Name/ Designation and Telephone Extension of Original Copy	Location Contact Officer
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	<p>Erin Glancy erin.glancy@hackney.gov.uk 020 8356 4736</p>	<p>2 Hillman Street London E8 1FB</p>