

ADDRESS: Site known as Phase 4 — Land bounded by Seven Sisters Road, rear of St. Olave's Church, Woodberry Down and Woodberry Grove, N4	
WARD: Woodberry Down	CASE OFFICER: James Bellis
APPLICATION NUMBER: 2023/2371	VALID DATE: 23/10/2023
DRAWING NUMBERS: <ul style="list-style-type: none"> ● Phase 4 Existing Location Plan Dwg No. X001 Date 11/22 Rev - ● Phase 4 Application Site Plan Dwg No. PL0001 Date 10/11 Rev - ● GA Plans Phase 4 Ground Floor Plan Dwg No. PL0101 Date 09/23 Rev - ● GA Plans Phase 4 - 1st Floor Plan Dwg No. PL0102 Date 08/23 Rev A Dated 04/10/23 ● GA Plans Phase 4 - 2nd to 5th Floor Plan Dwg No. PL0103 Date 08/23 Rev A Dated 04/10/23 ● GA Plans Phase 4-6th and 7th Floor Plan Dwg No. PL0104 Date 06/23 Rev A Date 04/10/23 ● GA Plans Phase 4th - 8th Floor Plan Dwg No. PL0105 Date 09/23 Rev A Dated 04/10/23 ● GA Plans Phase 4 9th-10th Floor Plan Dwg No. PL0106 Date 09/23 Rev - ● GA Plans Phase 4 11th-12th Floor Plan Dwg No. PL0107 Date 09/23 Rev - ● GA Plans Phase 4 13th to 24th Floor Plan Dwg No. PL0108 Date 09/23 Rev - ● GA Plans Phase 4 25th Floor Plan Dwg No. PL0109 Date 09/23 Rev - ● GA Plans Phase 4 Roof Plan Dwg No. PL0110 Date 09/23 Rev - ● Phase 4 Section A-A Dwg No. PL0151 Date 09/22 Rev - ● Phase 4 Section B-B Dwg No. PL0152 Date 09/22 Rev - ● Phase 4 Seven Sisters Road North Elevation Dwg No. PL0161 Date 09/23 Rev - ● Phase 4 Woodberry Down South Elevation Dwg No. PL0162 Date 08/23 Rev - ● Phase 4 Woodberry Down East Elevation Dwg No. PL0163 Date 09/23 Rev - ● Phase 4 Mews Site West Elevation Dwg No. PL0164 Date 09/23 Rev - ● Phase 4 Podium Garden North Elevation Dwg No. PL0165 Date 09/23 Rev - ● Phase 4 Podium Garden South Elevation Dwg No. PL0166 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) Ground Floor Dwg No. PL0201 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) 1st Floor Dwg No. PL0202 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) 2nd-7th Floor Dwg No. PL0203 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) 8th Floor Dwg No. PL0204 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) 9th-10th Floor Dwg No. PL0205 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) Dwg No. PL0206 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) Ground Floor Dwg No. PL0211 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) 1st Floor Dwg No. PL0212 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) 2nd - 8th Floor Dwg No. PL0213 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) 9th -12th Floors Dwg No. PL0214 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) Roof Plans Dwg No. PL0215 Date 09/23 Rev - 	

- Phase 4 A Block Typology Plans Building A3 (Market) Ground Floor Dwg No. PL0221 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) Ground Floor Dwg No. PL0221 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) 1st Floor Dwg No. PL0222 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) 2nd-8th Floor Dwg No. PL0223 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) 9th-12th Floors Dwg No. PL0224 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) Roof Plan Dwg No. PL0225 Date 09/23 Rev -
- Phase 4 Block Typology Plans Building A4 (Market) Ground Floor Dwg No. PL0126 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) First Floor Dwg No. PL0232 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) 2nd-7th Floor Dwg No. PL0233 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) 8th Floor Dwg No. PL0234 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) 9th-10th Floor Dwg No. PL0235 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) Roof Plan Dwg No. PL0236 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B1 (Social Rent) Ground Floor Dwg No. PL0241 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B1 (Social Rent) 1st Floor Dwg No. PL0242 Date 09/23 REv A Dated 04/10/23
- Phase 4 B Block Typology Plans Building B1 (Social Rent) 2nd-5th Floors Dwg No. PL0243 Dated 09/23 Rev A Dated 04/10/23
- Phase 4 B Block Typology Plan Building B1 (Social Rent) 6th-7th Floors Dwg No. PL0244 Date 09/23 Rev A Dated 04/10/23
- Phase 4 B Block Typology Plans Building B1 (Social Rent) 8th Floors Dwg No. PL0245 Dated 09/23 Rev A 04/10/23
- Phase 4 B Block Typology Plans Building B1 (Social Rent) Roof Plan Dwg No. PL0246 Dated 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) Ground Floor Dwg No. PL0251 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) 1st Floor Dwg No. PL0252 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) 2nd - 5th Floors Dwg No. PL0253 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) 6th-7th Floors Dwg No. PL0254 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) 8th Floor Dwg No. PL0255 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) Roof Plan Dwg No. PL0256 Dated 09/23 Rev -
- Phase 4 C Block Typology Plans Building C (Market) Ground Floor Plan Dwg No. PL0261 Date 09/23 Rev -
- Phase 4 C Block Typology Plans Building C (Market) 1st Floor Plan Dwg No. PL0262 Date 09/23 Rev -
- Phase 4 C Block Typology Plans Building C (Market) 2nd-24th Floor Dwg No. PL0263 Date 09/23 Rev -

- Phase 4 C Block Typology Plans Building C (Market) 25th Floor Dwg No. PL0264 Date 09/23 Rev -
- Phase 4 Typology Plans Building C Roof Plan Dwg No. PL0265 Date 09/23 Rev -
- Phase 4 Typology Elevation Building A1 North Elevation Dwg No. PL0601 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A1 South Elevation Dwg No. PL0602 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A1 West Elevation Dwg No. PL0603 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A2 North Elevation Dwg No. PL0611 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A2 South Elevation Dwg No. PL0612 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A3 North Elevation Dwg No. PL0621 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A3 South Elevation Dwg No. PL0622 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A4 North Elevation Dwg No. PL0631 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A4 South Elevation Dwg No. PL0632 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A4 East Elevation Dwg No. PL0633 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B1 North Elevation Dwg No. PL0641 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B1 South Elevation Dwg No. PL0642 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B1 South Elevation Dwg No. PL0642 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B1 East Elevation Dwg No. PL0643 Date 06/09/23 Rev -
- Phase 4 Typology Elevation Building B1 West Elevation Dwg No. PL0644 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B2 North Elevation Dwg No. PL0561 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B2 South Elevation Dwg No. PL0652 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B2 East Elevation Dwg No. PL0653 Date 09/23 Rev -
- Phase 4 Typology Elevation Building B2 West Elevation Dwg No. PL0654 Date 09/23 Rev -
- Block C North Elevation Dwg No. PL0661 Date 09/23 Rev A Dated 23/08/23
- Block C South Elevation Dwg No. PL0662 Date 09/23 Rev -
- Block C East Elevation Dwg No. PL0663 Date 09/23 Rev -
- Block C West Elevation Dwg No. PL0664 Date 09/23 Rev -
- Phase 4 Market Flat Layouts Studio Types S1 & S2 Dwg No. PL1001 Date 06/23 Rev -
- Phase 4 Market Flats Layouts 1B2P Type P1 & P2 Dwg No. PL1002 Date 06/23 Rev -
- Phase 4 Market Flats Layouts 1B2P Type P3 & Type P3A Dwg No. PL1003 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 1B2P Type P10 Dwg No. PL1004 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 2B4P Type P4 & P12 Dwg No. PL1021 Date 06/23 Rev -

- Phase 4 Market Flat Layouts 2B4P Type P9 & P9A Dwg No. PL022 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 2B4P Type P13 & P13A WCH Dwg No. PL1023 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 3B6P Type P7 & P14 Dwg No. PL1041 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 3B6P Type P14 Dwg No. PL1042 Date 6/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 1B2P Type 1 & Type 2 Dwg No. PL1101 Date 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 1B2P Type 3 Dwg No. PL1102 Date 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 2B4P Type 4 & Type 5 Dwg No. PL1121 Date 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 2B3P Type 6 WCH & Type 8 WCH Dwg No. PL1122 Dated 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 2B4P Type 9 & Type 9A Dwg No. 1123 Date 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 2B3P Type 10 Dwg No. PL1124 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 1B2P Type SR1 & SR1A WCH Dwg No. PL1201 Dated 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 1B2P Type SR2 & SR3 WCH Dwg No. PL1202 Date 06/23 Rev A Dated 04/10/23
- Phase 4 Social Rent Flat Layouts 2B3P Phase 4 Social Rent Flat Layouts 2B3P Type SR4 & SR4A Dwg No. PL1221 Date 06/23 Rev A 04/10/23
- Phase 4 Social Rent Flat Layouts 2B4P Type SR5&SR5A Dwg No. PL1222 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 2B4P SR6 WCH Dwg No. PL1223 Dated 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 2B4P Type SR7 & SR7A Dwg No. 1224 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 2B4P Type SR8A & SR8B Dwg No. PL1225 Date 06/23 Rev A Dated 04/10/23
- Phase 4 Social Rent Flat Layouts 3B6P Type SR9 Dwg No. PL1241 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 3B6P Type SR9 Dwg No. PL1241 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 3B5P Type SR10 & SR10A Dwg No. PL1242 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 4B6P Type SR111 Dwg No. PL1261 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 5B8P Duplex Type SR12 Dwg No. PL1281 Date 06/23 Rev - Phase 4 Social Rent Layouts 5B9P Duplex Type SR13 Dwg No. PL1282 Date 06/23 Rev -
- Phase 4 Social Rent Layouts 5B7P Duplex Type SR14 Dwg No. PL1283 Date 06/23 Rev -
- Phase 4 Social Rent Layouts 4B7P Duplex Type SR15 Dwg No. PL1284 Date 06/23 Rev A Dated 04/10/23

Also:

- Environmental Statement by LDS, Berkeley Homes & Temple V4 dated 27/9/23 (plus appendices)
- Design and Access Statement by LDS & Berkeley Homes Oct 2023
- Planning Statement by LDS, Berkeley Homes & Rolfe Judd ref EC/ST/P7621

- Landscape Design Statement by Fabrik & Berkeley Homes Oct 2023 V2
- Circular Economy Statement Oct 2023 by LDS, Berkeley Homes & Hodkinson Rev V4 Dated 6/9/23
- Heritage, Townscape and Visual Impact Assessment Oct 2023 by LDS, Berkeley Homes & Smith Jenkins dated Sept 2023
- Transport Assessment Oct 2023 by LDS, Berkeley Homes and Arup ref. 282836-00-TA
- Waste Management Strategy Oct 2023 by LDS, Berkeley Homes and WSP ref. 70084603 Rev 02
- Air Quality Positive Statement Oct 2023 by LDS, Berkeley Homes and Temple V1
- Trees: Demolition Phase Oct 2023 by Berkeley Homes & The Mayhew Consultancy Ltd ref. AR/69518/4
- Site Specific Financial Viability Assessment Oct 2023 by Gerald Eve
- Health Impact Assessment Oct 2023 by LDS, Berkeley Homes & Temple V3 dated 6/9/2023
- Whole Life Carbon Emissions Assessment Oct 2023 by LDS, Berkeley Homes & Hodkinson V4 dated 4/9/23
- Heritage Statement Oct 2023 by LDS, Berkeley Homes and Smith Jenkins dated Sept 2023
- Energy Report 'Be Seen' Entry by LDS, Berkeley Homes & Hodkinson V2 dated 6/9/23
- Demolition Environmental Management Plan Oct 2023 by LDS and Berkeley Homes
- Biodiversity Net Gain Assessment Oct 2023 by LDS, Berkeley Homes & Temple V2
- Affordable Housing Statement Oct 2023 by LDS & Berkeley Homes
- Internal Daylight and Sunlight Report Oct 2023 by LDS, Berkeley Homes and Avison Young dated Sept 2023
- Demolition Management and Logistics Plan Oct 2023 by LDS & Berkeley Homes
- Construction Environmental Management Plan Oct 2023 by LDS and Berkeley Homes
- Digital Connectivity Statement Oct 2023 by LDS and Berkeley Homes
- Sustainability Statement Oct 2023 by LDS, Berkeley Homes & Hodkinson V5 dated 6/9/23
- Fire Statement Form
- Existing Buildings Policy H8 Report Oct 2023 by LDS, Berkeley Homes & Rolfe Judd ref. OC/ST/P7621 dated Sept 2023
- Retail Planning Statement Oct 2023 by LDS, Berkeley Homes & Alder King ref JT/RR/TH/97515
- Trees: Removal Plan Oct 2023 by Berkeley Homes & The Mayhew Consultancy Ltd ref. AR/69518/4
- Trees: Construction Phase Oct 2023 by Berkeley Homes & The Mayhew Consultancy Ltd ref. AR/69518/4
- Trees Landscaping Phase Oct 2023 by Berkeley Homes & The Mayhew Consultancy Ltd ref. AR69518/4
- Utilities Statement Oct 2023 by Berkeley Homes & Hoare Lee Rev 01
- CIL Additional Information Requirement Form by QUOD date 11/9/23
- Planning Application Form PP-12428548
- Flood Risk Assessment (inc SUDS Strat and Proforma, Foul Sewage and Utilities Assessment) Oct 2023 by LDS, Berkeley Homes & Fairhurst ref. 135305-FAH-ZZ-XX-RP-C-01-06
- Bat Survey Report by Temple V01 dated 16/6/22
- Overheating Report Oct 2023 by LDS, Berkeley Homes & Hodkinson V4 dated 6/9/23

- Pre-demolition Waste Audit Oct 2023 by Berkeley Homes dated Nov 2022
- Statement of Community Involvement Oct 2023 by Berkeley Homes

APPLICANT:

Berkeley Homes (North East London) Ltd
Woodberry Down Regeneration Office
Units A and B
Riverside Apartments
Goodchild Road
LONDON
N4 2BA

AGENT:

Oliver Coleman
Rolfe Judd Ltd
Old Church Court
Claylands Road
The Oval
LONDON
SW8 1NZ

PROPOSAL: The proposal to which this application relates is for a mixed use development that is predominantly residential, this includes the redevelopment of the 200 dwellings on site, and replacement with 511 new dwellings, with associated non residential uses, which are detailed below.

The application proposes 1,215 sqm (GIA) of non-residential uses. This is sought on a flexible/alternative basis as permitted under Schedule 2, Part 3, Class V of the General Permitted Development Order. The two uses sought are either Use Class E (a, b, c) or Use Class F1 or a mix of those uses. The applicant does not seek the full range of uses permissible under Use Class E, just those under parts a), b) and c), namely:

E(a) Display or retail sale of goods, other than hot food

E(b) Sale of food and drink for consumption (mostly) on the premises

E(c) Provision of:

E(c)(i) Financial services,

E(c)(ii) Professional services (other than health or medical services), or

E(c)(iii) Other appropriate services in a commercial, business or service locality

The Use Class F1 is sought for the purposes of providing a public library, although limitation within the use class is not proposed / deemed necessary.

(THIS APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT).

Claritative Notes:

The reason for seeking these two uses (E class uses and F1) is that the London Borough of Hackney has expressed a potential interest in providing a library service at the site; but that this would be subject to a feasibility study. Should the Council as a service provider not be able to pursue the library service, then the floorspace would be utilised for commercial operations, as described, under Use Class E or other F1 use. The Use Class E operations could be provided on a singular or multiple store basis.

The development comprises 7 blocks, labelled A1, A2, A3, A4, B1, B2 and C. Blocks B1 and B2 house the social rented accommodation. Blocks A1 and A2 house the intermediate (Shared Ownership) accommodation. Blocks A3, A4 and C house the market accommodation.

Build heights range from 1-26 storeys. There are four typologies to the application scheme: Fronting Seven Sisters is a terraced mansion block design with shoulder heights and peaks. From west-to-east the heights comprise 8, 11, 9, 13, 9, 13, 9, 11, 8 storeys. Fronting Woodberry Down, will be two detached mansion blocks of 6 and 9 storeys of accommodation. On the corner of Woodberry Down and Central Square will be a tall building of 26 storeys of accommodation. On the mews to the west of the site are a limited number of single storey mews homes fronting an attractive green space.

All blocks are centrally linked by a single storey podium, which below houses plant equipment, waste and cycle storage, car parking and servicing and above houses the Resident's Podium. The non-residential floorspace faces eastwards towards Woodberry Grove and is housed over a single storey. 67% of the residential frontages will be active (meaning the extent of façade where passive observation is possible), and 100% of the non-residential frontage will be active.

The proposed social rented units are a re-provision of secured social housing present in Phase 6 and 7. The uplift in affordable housing provided for in this proposal is the intermediate housing (132 homes). The application is part of an estate regeneration scheme.

POST SUBMISSION REVISIONS:

Additional and amended information has been submitted by the applicants to demonstrate compliance with relevant planning policy.

- Quality Design Review - Introba (Version 01 – 5th December 23)
- Stage 2 Fire Strategy - Introba (Version 01 – 5th December 23)
- Revised Air Quality Neutral ES Chapter 8 and Appendices
- Updated Flood Risk Assessment - 135305-FAH-ZZ-XX-RP-C-01-07
- Environmental Statement Review Response
- GLA WLC Memo
- Revised CIL Form and CIL Covering Letter
- Stage 1 Road Safety Audit
- Applicant response on the crown and base detail of Block C - P7621
- FVA Addendum - U0020545
- Highways and Transport Additional Information - 15th February 24
- Sustainability and Climate Change Additional Information - 21st February 24
- Amended Circular Economy Statement - Version 6 (20th March 2024)
- GLA Circular Economy Memo - Latest Versions 28th February 24
- GLA Carbon Emission Reporting Spreadsheet - Latest Versions 28th February 24
- Additional FVA Clarifications - 8th March 24 & 15th March 24

RECOMMENDATION SUMMARY:

Grant conditional planning permission subject to completion of a Legal Agreement and referral to the Mayor of London.

NOTE TO MEMBERS: None.

ANALYSIS INFORMATION
ZONING DESIGNATION:
(Yes)
(No)

CPZ	Zone G This restricts parking by non-permit holders between 08:30 and 18:30 Monday to Friday and during events at the Emirates Stadium. The event restrictions operate between 18:30 and 20:30 Monday to Friday and 12:00 to 16:30 Saturday, Sunday and Bank Holidays.	
Conservation Area		X
Statutory Listed Building		X
Locally Listed Building		X

Priority Employment Area (PEA)		X
City Fringe Opportunity Area		X
Central Activities Zone		X

EXISTING LAND USE DETAILS

USE CLASS	DESCRIPTION	GIA (SQM)
C3	Residential	12,660
TOTAL		

PROPOSED LAND USE DETAILS

USE CLASS	USE DESCRIPTION	GIA (SQM)
C3	Residential	50,214
E and/or F1	Flexible commercial and community, and retail and community floorspace	1,215
TOTAL		

PROPOSED RESIDENTIAL MIX

PROPOSED RESIDENTIAL MIX BY TENURE	NO OF UNITS	TENURE SPLIT	RESIDENTIAL MIX WITHIN TENURE GROUP (%)
Private			
1	158	57%	55%
2	106		37%
3	25		9%
4	0		0%
Total:	289		-
Social Rented			
1	23	18%	26%
2	40		44%
3	18		20%
4	7		8%
5	2		2%
Total:	90	-	
Intermediate/ Shared Ownership			
1	81	26%	61%
2	51		39%
3	0		0%
4	0		0%
Total:	132	-	
Overall Total:	511		-

PARKING DETAILS:

	PARKING SPACES (OFF STREET)	PARKING SPACES (ON STREET)	PARKING SPACES (DISABLED)	BICYCLE STORAGE
Proposed	48	0	16	890

1. SITE CONTEXT

- 1.1 The site to which this application relates is known as phase 4 of Woodberry Down. The Woodberry Down Estate itself is entirely covered by Local Plan (LP33) strategic site allocation MH1 which supports comprehensive regeneration of the existing housing stock. The site being dealt with as Phase 4 is bound by Woodberry Grove, Seven Sisters Road, Woodberry Down (road) and St Olave's Church, Vicarage and Gardens.
- 1.2 The site itself is currently occupied by an estate formed by 200 flats, constructed as social housing. The estate is formed by 6 linear brick clad buildings, running from Woodberry Down to Seven Sisters Road, interspersed with service areas and communal gardens. The site has a number of existing mature trees, including a green border on Seven Sisters Road and a number of high quality trees in the open space adjacent to Woodberry Grove.
- 1.3 The site is not within a conservation area but the wider estate is visible in long views from Lordship Park Conservation Area, Clissold Park Conservation Area and St Ann's Conservation Area (in Haringey). The site is immediately adjacent to St Olave's Church (Grade II listed).

1. CONSERVATION IMPLICATIONS

- 2.1 The proposal has the potential to impact on the following heritage assets.

Asset. Church of St Olave, Woodberry Down. Grade II listed. English Heritage listing entry: Built 1893 to designs of Ewan Christian.

MATERIALS: Red brick exterior and interior. Bath stone dressings. Slate roof.

PLAN: Wide, high nave with lower passage aisles; low transepts and prominent chancel with apse; tower with small spire; south porch.

SUMMARY OF IMPORTANCE: Attractive red brick church of 1894 in C13 style by notable church architect Ewan Christian, that was built with the proceeds of a demolished City Church of the same name, and that possesses a strikingly spacious interior with a number of furnishings brought from there.

3. RELEVANT HISTORY

- 3.1 The redevelopment of Woodberry Down has a long and complex planning history.

Extent	Applications	Notes
Entirety of site	2008/1050 - To demolish all existing buildings on the Woodberry Down Estate, with the exception of St. Olaves Church, the Beis Chinuch Lebonos Girls School, Reservoir Centre, Primary school and Health Centre. Redevelop the site with 4,684 homes (including 41% affordable), comprising 1-bed, 2-bed, 3-bed, 4-bed flats, and 5-bed flats, 5-bed and 6-bed houses with associated car parking at an overall site provision rate of 50%; approximately 38,500m2 of non-residential buildings and associated car parking, including 5194m2 of retail buildings within classes A1-A5,	

	3144m2 of class B1 Business use, 30,000m2 of class C1, D1 and D2 use including education, health centre, childrens centre, community centres, youth centre; provision of new civic space, public parks, open space, landscaping of the edges of the New River and the East and West Reservoirs, construction of bridges across the New river; reduce width of Seven Sisters Road from 6 to 4 lanes and related improvements to the public realm; formation of new access points to the new Woodberry Down Neighbourhood, the creation of new and improvement of existing cycle and pedestrian routes to and within the estate (Outline Application matters for determination siting, design and means of access). Revisions include increase in education floor space; repositioning of cycle/pedestrian bridge between west reservoir and Haringey; re configuration of Woodberry Circus; relocation of two bridges over New River; increase in footprints and heights of various buildings; provision of a new Health Centre and increase in residential units from 4664 to 4684.	
KSS1	2010/2500 - Section 73 application to vary condition 2 (Development implemented in accordance with approved plans) of planning permission reference 2009/0488 to provide a mixed use scheme comprising 498 residential units (Class C3), 730 sqm for a community hall and related facilities (Class D1), 1240 sqm retail, restaurant, business and other uses (Class A1, A2, A3, A4, B1, D1, D2), ground and basement car parking (169 spaces). The development comprises seven blocks of four to twenty seven storeys in height, a new access road running between Woodberry Grove and Towncourt Path, a re-aligned junction at Woodberry Grove/Woodberry Down, a new linear public open space and new Doorstep Play Space.	S73 application to vary standalone full planning permission 2009/0488
KSS2	2009/2754 - Redevelopment to provide 220 affordable (social rented and intermediate) dwellings and associated amenity space, car parking and cycle parking, and creation of new park to the east of the site (known as Rowley Gardens within the Master Plan). The scheme comprises the erection of three blocks ranging in height from 7 storeys to 10 storeys. (Conditions 5, 6, 14, 25, 38, 40, 43 and 45 refer).	Reserved matters pertaining to 2008/1050
KSS3	2013/1987 - Variation of Condition 1 (Development in accordance with approved plans) of planning permission reference No. 2012/3693 dated 10 May 2013 to provide a revised mix of accommodation (16 X studio, 156 X 1-bed, 142 X 2-bed and 87 X 3-bed) and revisions to unit sizes and layouts, reductions and increases in private amenity spaces to flats, increase in height and massing of the 31-storey tower (Block 1A), extension to 8th storey of Block 1A, additions and extensions to 5th, 6th, 7th, 8th, 9th & 10th storey of Block 2, redesign of elevations to Blocks 1A, 1B & 2 including altered entrances and materials, and a reduction in the size of the basement.	S73 application to vary standalone full planning permission 2011/2930 (which had previously been subject to S73 application 2012/3693)
KSS4 and MP Block 21	2010/2427 - (A) Approval of Reserved Matters in respect of site at 7 Newnton Close (KSS4) to provide 170 residential units comprising a mix of affordable intermediate) and private units and associated amenity space, car parking and cycle parking as well as the retention and enhancement of the Metropolitan Open land (MOL) to the south of the site. The scheme comprises the erection of a block ranging in height from 4 storeys to 18 storeys. (B) Partial Approval of Reserved Matters in respect of Block 21 relating to condition 5 (part): namely the redevelopment of the site with the erection of a new building ranging in height from 5 to 6 storeys comprising 95 social rented residential flats with associated car parking and amenity space and enhancement of the Metropolitan Open Land (MOL) to the south of the site.	Reserved matters pertaining to 2008/1050; MP Block 21 not delivered (falls within Phase 5)
KSS5	2011/3014 - Section 73 application to vary the wording of Conditions 3 (Detailed Drawings), 4 (Materials), 5 (Landscaping Scheme), 6 (Ground Surface Treatment), 7 (Parking and Access details), 8 (Car Parking Spaces), 11 (Parking Facilities), 16 (Construction Management Plan), 20 (Landscape Management Plan), 21 (Noise and Vibration), 22 (Sound Insulation), 25 (Kitchen Extract System), 30 (Tree Survey), 31 (Tree Protection Measures), 32 (Lighting Strategy) and 33 (Lighting Details) of planning permission reference No. 2010/2460 dated 12 May 2011 to allow for the phasing of the redevelopment of the site to provide 176 affordable (social rented and intermediate) and private units and 835sqm of commercial floorspace (comprising Class A1, A2, A3, A4, A5, B1 and D1) with associated amenity space, car parking and cycle parking; the scheme comprises the erection of three blocks ranging in height from 2 storeys to 9 storeys.	S73 application to vary standalone full planning permission 2010/2460; Block 1 (of 3) not delivered

Phase 2 Block E	<p>2010/2982 - The redevelopment of the site to provide a mix of 724 affordable and private residential units, a 2,250sqm health facility, 980sqm commercial floorspace, associated amenity space including a new park, underground car parking and cycle parking. The scheme comprises the erection of six blocks ranging in height from 3 storeys to 9 storeys.</p>	<p>Reserved matters pertaining to 2008/1050; Blocks B, D and F granted full planning permission under 2013/3223, Blocks A and C omitted from development through redesign</p>
Phase 2 Blocks B, D and F (full); Phases 3-8 (outline)	<p>2013/3223 - Outline planning permission (all matters reserved) for demolition of existing buildings and structures at Woodberry Down Estate to provide up to 275,604sqm floorspace GEA (excluding car parking); comprising up to 3,242 residential units and a maximum of 10,921sqm non-residential floorspace within Classes A1 (Retail), A2 (Financial Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), Class B1 (Offices), Class D1(Non Residential Institutions), and D2 use and Energy Centres; along with provision of new open space and public realm and associated car parking and highway improvement works to Seven Sisters Road including a narrowing from six carriageways to four carriageways. Full details submitted for the redevelopment of the land bounded by Towncourt Path, Kayani Avenue, Green Lanes, West Reservoir/Springpark Drive and Woodberry Down (Phase 2) for the erection of four buildings between 3 and 20 storeys to provide 670 new homes (comprising 30 studios, 310 one bed, 271 two bed and 59 three bed units), 550sqm of non residential floorspace GEA within Classes A1-A4, Class B1, Class D1 and D2 use and new open space and public realm with 241 car parking spaces and 740 cycle spaces at ground and basement level.</p>	<p>Supersedes 2008/1050</p>
Phase 2 Block B	<p>2018/2681 - Variation of Condition 1 of the hybrid planning permission reference 2013/3223 (dated 20 August 2014) and subsequently updated by application 2017/5001 dated 01 November 2018 to allow the substitution of drawings for the Phase 2 detailed component of the Woodberry Down Masterplan, namely to facilitate alterations to Block B within Phase 2 comprising amendments to the facades, omission of the car park at podium level, removal of the podium, an increase of 34 units from 241 (consented) to 275 (proposed) and minor layout alterations.</p>	<p>S73 application to vary 2013/3223</p>
Phase 2 Block D	<p>2017/5001 - Application under S73 of the Town Country Planning Act 1990, to vary condition 1 (Approved Plans) and removal of condition 42 (Art Strategy) of planning permission 2013/3223 (Outline planning permission (all matters reserved) for demolition of existing buildings and structures at Woodberry Down Estate to provide up to 275,604sqm floorspace GEA (excluding car parking); comprising up to 3,242 residential units and a maximum of 10,921sqm non-residential floorspace within Classes A1 (Retail), A2 (Financial Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), Class B1 (Offices), Class D1(Non Residential Institutions), and D2 use and Energy Centres; along with provision of new open space and public realm and associated car parking and highway improvement works to Seven Sisters Road including a narrowing from six carriageways to four carriageways. Full details submitted for the redevelopment of the land bounded by Towncourt Path, Kayani Avenue, Green Lanes, West Reservoir/Springpark Drive and Woodberry Down (Phase 2) for the erection of four buildings between 3 and 20 storeys to provide 670 new homes (comprising 30 studios, 310 one bed, 271 two bed and 59 three bed units), 550sqm of non residential floorspace GEA within Classes A1-A4, Class B1, Class D1 and D2 use and new open space and public realm with 241 car parking spaces and 740 cycle spaces at ground and basement level) dated 20/08/2014 for amendments to the ancillary accommodation to provide an additional 769sqm of floorspace, amendments to standardise the residential layouts and amendments to the facade reflecting layout changes and reduction in parking spaces from 77 to 64 in Block D Phase 2.</p>	<p>S73 application to vary 2013/3223</p>
Phase 3	<p>2019/2514 - Demolition of the existing buildings, and construction of 4 residential blocks, ranging in height from 6 to 20 storeys, to provide 584 residential units and 1,045 sqm (GEA) of flexible floorspace (Use Class A1, A2, A3, D1, D2), a new energy centre (sui generis) and a new public park; together with ancillary hard and soft landscaping, public realm, cycle and associated car parking, highway works including access road and all other works associated with the development.</p>	<p>Supersedes reserved matters planning permission 2015/2967 pertaining to 2013/3223</p>

4. CONSULTATION AND PUBLICITY PROCEDURE

4.1 Notices, Notifications and Consultations

- Date Statutory Consultation Period Started: 27th October 2023
- Date Statutory Consultation Period Ended: 26th November 2023
- Site Notices: Yes
- Press Advertisement: Yes

NEIGHBOURS AND INTERESTED GROUPS

4.2 In addition to site notices and press advertisements, 5,171 letters were sent to the occupiers of nearby properties notifying them of the application.

4.3 3 individual representations have been received in relation to this application from nearby occupiers. Of these 3 were objections. To summarise, these raise the following issues

- Increased Densification
- Quantum of Affordable Housing
- Lack of Planning Policy Compliance
- Impact of Carbon Emissions from scheme
- Reliance on Fossil Fuels for Power Generation
- Loss of Trees
- Excessive Height of the Blocks
- Poor Housing Mix
- Impact of the Podiums
- Lack of Public Realm within site
- Privatisation of Public Space
- Overlooking and Loss of Privacy
- Single Aspect Flats within the scheme
- Lack of Sunlight to North Facing Flats
- Potential for Overheating
- Landscape Design
- Loss of 'Town Square'
- Future plans for Seven Sisters Road
- Format of Central Square
- The requirement/need for onsite parking

4.4 The Stoke Newington Conservation Area Advisory Committee (CAAC) have commented with the following

“The Stoke Newington Conservation Areas Advisory Committee (C-CAAC) makes the following observations:

Excessive height of blocks - The developer has added significantly to the heights of a number of the blocks. This is a departure from earlier successful schemes where blocks were staggered and efforts were made to connect with surrounding landscape and urban realm. In this scheme the landscape is on a privatised podium, which is a device for adding extra height to the already high blocks.

Poor Mix of Unit sizes - does not meet local need There is a poor mix of dwellings, driven in part by market for investment from international capital rather than local need. Only 8.6% of the private housing for sale is family size (over 3 bed) . This is not in line with Hackney's Local Plan LP33.

Podium - a lost opportunity to add to the public realm .The podium is presented as a garden. It is 5.5 m above ground level and is a shared space that also functions as a large light well. It will have a large area of paving that will act as a heat island in the middle of the blocks. The landscape will be a poorly maintained, echo chamber if it follows previous schemes such as Phase 2.

Overlooking and lack of Privacy - There will be a complete lack of privacy, flats will overlook each other across the Podium. It is 25m at its widest and 8m at its narrowest. It breaks Hackney's own guidance in the Local Plan for permitted distance between dwellings of 18-22m

Single aspect flats - The developer admits that there are over 76 flats with single aspect 15%. (Many other flats may be dual aspect no a technicality but don't allow a flow through of air). Single aspect flats are considered unacceptable by most current design criteria. This includes the London housing design guide 2023.

Sunlight and North Facing Flats - The daylight and sunlight survey has no executive summary, however a large number of the flats are north facing so unlikely to meet the minimum standard of receiving 25% sunlight in winter months.

Overheating due to climate change - The elevations have no provision for shading. There already are claims in previous phases of residents suffering from overheating. The scheme is designed to meet overheating problems by providing an enhanced ventilation system through a mechanical ventilation and heat recovery system MVHR, however many on previous phases have broken and been switched off. There will be no protection for the vulnerable and elderly it times of extreme heat.

Landscape Design and Loss of the Town Square – now called the 'High St' and domineering 88.6 m high tower The 88.6 me high 27 storey tower block is located at the south of the development a departure from the 2014 Masterplan. It will overshadow and dominate the shared space on the podium . The ambition for a well landscaped urban centre is lost . It will be a dark overshadowed windy space.

Furthermore, the departure from permeability of the landscape through the scheme, a characteristic of the Woodberry Down estate is driving poor design in particular the use of podiums on this scheme and also on proposed future phases set out in

the 2023 Masterplan. This approach will affect the setting of the Stoke Newington Reservoirs and New River Conservation Area

In conclusion, the scheme does not stand up to it's stated ambitions, it is too tall, too dense , adds nothing to the public realm and does not deliver the promised social housing or affordable shared housing and lacks vision to meet the challenge of Climate Change. We have seen the comments of architect Barbara McFarlane, a member of this group, though her comments were made in a personal capacity we support them."

4.4 The Hackney Society Planning Group have also commented and have stated

"We have seen the comments of the Stoke Newington CAAC, and those written in the personal capacity by its Chair, Barbara McFarlane. We support both submissions.

Furthermore and by way of conveying our own emphasis:

We have concerns about the effectiveness of the podium both in principle and execution. The delivery of public space is now off the podium, which apparently

recognises the difficulty of providing public realm on a raised podium where no permeability is provided.

The podium planting is unlikely to be deep enough to provide satisfactory landscaping opportunities.

We're unclear how active the frontage along Seven Sisters Road is going to be. The materials and architecture on this elevation are, in the words of one member, "both weird and boring".

The provision of genuine dual-aspect flats is disappointing. A number may be dual aspect on a technicality but don't offer the benefits dual aspect units are supposed to provide of varying light and through-flow of air. The plan is awkward and is driving poor design. The facade to plan ratio is high which will be costly but seems to be necessary to deliver technical dual-aspect conformity. Overall the plans (flat layouts) need reconfiguring and the facade simplifying.

Overall the application feels like a technical response to a difficult brief."

4.5 The Hackney Swifts Group have also commented with the following

In summary, the development should install swift bricks in accordance with best-practice guidance, to meet Hackney Council requirements (Local Plan LP47 (D), and Local Nature Recovery Plan). Photographic evidence of installation should be provided prior to completion.

This is especially important here because swifts are a species recorded in regionally significant numbers at Woodberry Wetlands nature reserve which is adjacent to the site, which does not seem to be clearly acknowledged by the submission.

In more detail, the Environmental Statement Ecology section (Volume 2, Chapter 13) makes numerous reference to "swifts" in local guidance but only mentions that "bat & bird boxes" will be installed with no further detail (paragraphs 13.8.1, and 13.8.4). The Preliminary Ecological Appraisal assessment in Environmental Statement Volume 4, Appendix F1, only requires "sparrow boxes" for bird nesting opportunities (no number of boxes stated)(paragraph 4.50, page 40), which is an unusually minimal requirement for a large development of 511 dwellings.

Swift bricks are a universal nest brick suitable for sparrows and other small bird species in addition to swifts, as advised by CIEEM, NHBC Foundation and others.

We therefore request that a significant number of integrated swift nestbox bricks, reflecting the large size of the development, are installed near roof level in accordance with best-practice guidance, which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and ensure a gain for local biodiversity, in line with Hackney Council's requirements for this issue (Local Plan LP47 (D), and Local Nature Recovery Plan).

CIEEM provide best-practice guidance on numbers of swift bricks (<https://cieem.net/resource/the-swift-a-bird-you-need-to-help/>).

An ecologist can provide guidance on the best locations for these measures.

Photographic evidence of installation should be provided prior to completion, to confirm suitable locations and numbers."

CONSULTATION RESPONSES - STATUTORY, LOCAL AND OTHER

4.5 The following comments have been received in response to the current application

Transport for London

4.6 Included as part of the Stage 1 response from GLA.

Metropolitan Police

4.7 We can confirm that our office has been in discussion with the applicants appointed representatives, prior to this planning application. We have been able to give initial local crime prevention advice and have discussed how incorporating the principles of secured by design, within the design, layout and build can help reduce opportunities for crime and Anti-Social Behaviour (ASB) within the proposed development.

4.8 Having reviewed the information listed on the planning portal we have no objections regarding the general placement of the residential or commercial units taking into context the original hybrid design proposal for the area. We would recommend that oversized single door sets on communal accessible areas be used to assist with usability, reduce closure failures and increase sustainability.

4.9 We would like it noted that residential cores with shared communal spaces designed to facilitate a high number of residents with nearby large open public spaces are often linked to generating Anti-social behaviour (ASB) and promoting criminal activity. Physical security elements and active management within residential developments are proven to reduce unwanted criminal activities and reduce the fear of crime promoting sustainable diverse and integrated communities. The Secured by Design (SBD) police endorsed scheme works to reduce the likelihood of ASB/criminal behaviour and promotes a sustainable safe and inclusive environment for residents and visitors to the area. Creating a sense of place where residents and legitimate users are able to go about their daily routine without unduly fearing crime or insecurity is a key element of the Secured by Design initiative, as is long term sustainability.

4.10 Secured by Design condition suggested.

Health and Safety Executive

4.11 No objection, subject to compliance at later regulatory stages e.g. Building Regulations.

Environment Agency

4.12 No objection. Advice given to LPA and Applicant.

Historic England (GLAAS - Archaeology)

4.13 Recommend - No Archaeological Requirement

4.14 The planning application is not within an Archaeological Priority Area, and lies within an area impacted by successive episodes of construction and clearance during the 19th and 20th centuries. No further assessment or conditions are therefore necessary.

Historic England

4.15 Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as a comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

Thames Water

4.16 No objection, subject to condition.

Woodberry Down Community Organisation

4.17 *The proposal on Phase 4 of the regeneration cannot be supported as it stands. We call upon the Planning Committee to put conditions on or refer back the proposals on the following basis.*

1. *The loss of social homes in the phase: there are 144 social homes planned for demolition and only 90 social homes to be built. The percentage of social homes has now dropped to a new low of 17.58 percent. The recently produced masterplan for later phases contains no evidence that the loss of social homes in both Phase 4 and a similar loss Phase 3 will be made up.*
2. *The privatisation of previous public space in the private podium garden. This will now be open to surrounding residents only. Previous suggestions that part of this may have public access have not materialised.*
3. *The erection of the podium “as big as a football pitch”, which will have a significant impact on service charges for residents.*
4. *The lack of clarity over what will be in the central square. The aspiration that a new library here has not been firmed up. At the moment, residents are being asked to accept a central hub, with no confirmed details relating to what will be in there.*
5. *The proposal to increase the height of the main tower. This breaks a previous promise not to build above nine stories in this phase, contained in the second masterplan.*

For avoidance of doubt, Matters of continuous importance are:

- i) the numbers of social homes. This will need to be clarified in the Masterplan for the later phases if not addressed now, or at least firm and binding undertakings to do so given.*
- ii) the use or possibly over-use of podium gardens and lack of public access thereto, especially when taken together with the number intended to be introduced in Phase 5 as well.*
- iii) Loss of amenity – especially affordable amenity: the aspiration to have a new library. There is a lack of affordable public meeting space in the development as a whole. This was previously provided by the local library at the corner of Woodberry Grove and Seven Sisters Road. The Redmond Centre is not an affordable facility for many.*
- iv) Heights: the proposal to increase the height of the main tower. If granted, this and the existence of 22 storey towers, makes nonsense of the claims in the new Masterplan to have no towers over 21 stories.*
- v) Overbearing walls of development along Seven Sisters Road and the New River path: taken together the density of development along Seven Sisters Road resulting from Phase 3 and planned for Phase 4 plus the podium gardens planned for Phase 4 and Phase 5 and in particular the 14-storey tower opposite the swan's nest, gives the impression that overbearing development could result. This makes it imperative for Phase 4 and Phase 5 and the later phases to be looked at together.”*

Natural England

4.18 No objection, based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

National Planning Casework Unit

4.19 No comments received to date

LBH Environmental Protection - Land, Noise, Air

4.20 No Objection, Subject to Conditions and Informatives

LBH Drainage

4.21 The site exhibits varying flood risks, particularly in the north-eastern corner along Severn Sisters and Woodberry Grove roads, and the south-eastern border adjoining Woodberry Down, where a 'high' risk of surface water flooding is identified. Additionally, Knaresborough House within the site is a focal point for a 'high' risk of surface water ponding. This assessment is derived from the Environment Agency's Risk of Flooding from Surface Water mapping. LBH Drainage have reviewed the Woodberry Down – Phase 4 Flood Risk Assessment 135305-FAH-ZZ-XX-RP-C-01-07 (ref.: 135305, dated January 2024) and Construction Environmental Management Plan (CEMP) (ref.: WDP4CEMP, dated October 2023).

4.22 LBH Drainage have no objection, subject to conditions.

LBH Housing Regeneration (Woodberry Down)

4.23 The application is supported by the Woodberry Down Regeneration Team. Berkeley Homes has consulted with the Design Committee whose members are drawn from the Woodberry Down Community Organisation which represents residents, the Woodberry Down Regeneration Service and Notting Hill Genesis Housing Association, and the design has been shaped through their comments. The Woodberry Down Team welcomes the delivery of further affordable homes in Phase 4 which allows potentially for Secure Tenants in both Phases 6 and 7 to be rehoused in Phase 4. The Regeneration Team also welcomes the delivery of a Cultural Strategy that will help embed the central square as the 'heart' of Woodberry Down.

LBH Transport, Highways and Streetscene

4.24 No objection, subject to conditions and legal agreement including the following contributions.

- Travel Plan Monitoring - £25,000
- Construction Management - £17,500
- Delivery and Servicing - £2,000
- Car Club Residential - £60 per resident
- Car Club EV - £20,000
- Seven Sisters Road scheme - £125,714
- Crossings - TBC with TfL
- Bus contribution - £7,304
- P4 Smarter travel on Estates initiative - £50,000
- Wayfinding - £10,000
- Essential Highways - £581,781
- S38 agreement and works - £TBC

LBH Waste Management

4.25 No objection in principle, concerns raised regarding the 'drag' distances from the 4 mews houses to the waste collection areas, and from the waste collection areas to the loading bays for the mews houses and central waste presentation area. Some of the waste carrying distances to the bin stores for the social rented properties are considered lengthy.

Design Review Panel

4.26 The Design Review Panel reviewed the application prior to the submission of the application. In terms of massing and layout, the Panel expressed concerns about the generally deep blocks and the resulting amount of single aspect flats. The Panel considered the layouts aiming to achieve dual aspect tokenistic and was concerned that they would not meet the London Plan definition of dual aspect. These would result in various issues, including poor cross-ventilation and overheating.

4.28 Along Seven Sisters Road (SSR), the recommendation to keep windows closed due to noise and

air pollution could further add to a lack of passive ventilation. Further cross-ventilation is needed. The Panel suggested duplex units for the ground floor, with a dual aspect at first floor to the podium.

- 4.29 The Panel identified that sustainability targets need to influence the design and layout and that the buildings and form do not show the sustainability principles.
- 4.30 The Panel felt that the tower along SSR was less successful and would blur the line between the avenue and the central cluster. It felt that it should be a continuation of the lower 'avenue' buildings. The relationship with the corner building on the opposite side of Woodbury Grove in Phase 3 should also be considered as together they form an important gateway from SSR.
- 4.31 In terms of Architecture and Facade Design, The Panel expressed concern about using a standard layout and facade design, and recommended that orientation should heavily influence their design and look (glass or solid), in order to address daylight and overheating. Some of the SSR facing units are considered problematic and passive design is not reflected in the façade design. Overshadowing by balconies is a concern along SSR.
- 4.32 The Panel considered elevations have improved generally but found the block facing SSR relentless and homogenic. While the reference images show typical 5-storey buildings, the ones proposed are much more than double the height, very long and have much less detailing. The Panel thought the SSR facades need more character, contrast, and subtle differentiation to reduce the sameness. It recommended adding a next level or layer of detailing, including brick bonding, brick types, etc.
- 4.33 The Panel considered that the incorporation of curved elements would be beneficial to the design and would reference the existing buildings on the site.
- 4.34 In terms of Landscape and Public Realm, the Panel questioned the triangular design of the podium and whether there is an under-provision of play space. The Panel felt that the podium layout needed further detailed explanation. The Panel highlighted the lack of visibility and public accessibility of the play space provided on the podium. It also highlighted that the wind levels are too high for the play area to be comfortable and well-used.
- 4.35 The Panel highlighted the importance of soil volume in order to facilitate meaningful trees on the podium. This would require further detail at the earliest opportunity to show how this would work. The Panel suggested connecting the tree pits to the ground level by using large soil columns.
- 4.36 The Panel questioned the level of hard surfacing on the square and whether it was permeable. The current proposals were not considered to result in a successful green urban plaza and further greening is recommended. The Panel was not convinced by the proposed long benches, in relation to the natural planting and desire lines.
- 4.37 The pocket park was felt to be disconnected from the development and the inactive frontages around it are considered problematic and likely to invite anti-social behaviour.
- 4.38 In terms of Sustainable Development, the Panel considered that in many aspects the sustainability elements appeared to be an afterthought. It identified that the argument for demolishing to rebuild instead of retention has still not been made. The Panel considered it difficult to meet net zero in terms of embodied carbon. The whole-life circular economy needs to be investigated further, including the potential to re-use materials of demolished buildings.
- 4.39 The Panel questioned whether other renewables apart from ASHPs can be used. It also queried the green roofs and competing uses for ASHP, PV cells, heat pumps, biodiversity and amenity space and the way this space would be represented in the Urban Greening Factor calculations.

- 4.40 The Panel highlighted risks of overheating for various blocks and orientation and stressed the need to focus more on sustainability early to inform the design and layout.
- 4.41 In summary, the Panel welcomed the opportunity to see the design development for phase 4. It was noted that designs have moved on in a positive way, but some fundamental concerns remain with some areas.
- 4.42 A wide range of concerns were raised, including in relation to height and massing, building layouts, open space design and sustainability. The Panel encouraged the development team to make the necessary changes and progress detailed design as discussed. The Panel would like to see the scheme come back again for a further design review before submission.

Officers response: These comments are addressed as part of the relevant sections of the report.

5. POLICIES

5.1 LBH Local Plan 2033 (2020)

- PP1 - Public Realm
- PP9 - Manor House
- LP1 - Design Quality and Local Character
- LP2 - Development and Amenity
- LP3 - Designated heritage assets
- LP6 Archaeology
- LP8 Social and Community Infrastructure
- LP9 - Health and Wellbeing
- LP11 - Utilities and Digital Connectivity
- LP12 - Meeting Housing Needs and Locations for New Homes
- L13 - Affordable Housing
- LP14 - Dwelling Size Mix
- LP17 - Housing Design
- PL18 - Housing Older and Vulnerable People
- LP24 - Preventing the loss of housing
- LP26 - Employment Land and Floor Space
- LP27 - Protecting and Promoting Office Floor Space in the Borough
- LP31 - Local Jobs, Skills and Training
- LP36 - Shops Outside Designated Centres
- LP37 - Small and Independent Shops
- LP41 - Liveable Neighbourhoods
- LP42 - Walking and Cycling
- LP43 - Transport and Development
- LP44 - Public Transport and Infrastructure
- LP46 - Protection and Enhancement of Green Infrastructure
- LP47 - Biodiversity and Sites of Nature Conservation
- LP48 - New Open Space
- LP49 - Green Chains and Green Corridors
- LP50 - Play Space
- LP51 - Tree Management and Landscaping
- LP53 - Water and Flooding
- LP54 - Overheating and Adapting to Climate Change

- LP55 - Water and Flooding
- LP56 - Decentralised Energy Network (DEN)
- LP57 - Waste
- LP58 - Improving the Environment - Pollution
- MH1 - Woodberry Down

5.2 London Plan (2016)

- GG1 - Building Strong and Inclusive Communities
- GG2 - Making the best use of land
- GG3 - Creating a healthy city
- GG4 - Delivering the homes Londoners Need
- GG5 - Growing a good economy
- SD10 - Strategic and Local Regeneration
- D2 - Infrastructure requirements for sustainable densities
- 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
- D9 Tall Buildings
- D11 - Safety, Security and Resilience to Emergency
- D12 - Fire Safety
- D13 Agent of Change
- D14 - Noise
- H1 - Increasing Housing
- H4 - Delivering Affordable Housing
- H5 - Threshold approach to applications
- H6 - Affordable Housing
- H8 Loss of Existing Housing and Estate Redevelopment
- H9 - Ensuring the best use of stock
- H10 - Housing Size, Mix
- S1 - Developing London's Social Infrastructure
- S2 - Health and Social Care Facilities
- S3 - Education and Childcare Facilities
- S4 - Play and Informal Recreation
- E1 - Offices
- E2 - Providing Suitable Business Space
- E3 - Affordable Workspace
- E9 - Retail, Markets and Hot Food Takeaways
- E11 - Skills and Opportunities for all
- HC1 - Heritage Conservation and Growth
- HC3 - Strategic and Local Views
- HC4 - London View Management Framework
- G1 - Green Infrastructure
- G4 - Open Space
- G5 - Urban Greening
- G6 - Biodiversity and Access to Nature

- G7 - Trees and Woodlands
- G9 - Geodiversity
- SI 1 - Improving Air Quality
- SI 2 - Minimising Greenhouse Gas Emissions
- SI 3 - Energy Infrastructure
- SI 4 Managing Heat Risk
- SI 5 - Water Infrastructure
- SI 6 - Digital Connectivity Infrastructure
- SI 7 Reducing Waste and Supporting the Circular Economy
- SI 12 - Flood Risk Management
- SI 13 - Sustainable Drainage
- T1 - Strategic Approach to Transport
- T2 - Healthy Streets
- T3 - Transport Capacity, Connectivity and Safeguarding
- T4 - Assessing and Mitigating Transport Impacts
- T5 - Cycling
- T6 - Car Parking
- T6.1 Residential Parking
- T6.2 Office Parking
- T6.5 - Non-residential disabled person Parking
- T7 - Deliveries, Servicing and Construction
- T9 - Funding Transport Infrastructure Through Planning
- DF1 - Delivery of the plan and planning obligations

5.3

SPD/SPG/Other

- London Borough Of Hackney Community Infrastructure Levy Charging Schedule (2015)
- London Borough Of Hackney Planning Contributions SPD (2020)
- London Borough Of Hackney Sustainable Design and Construction SPD (2016)
- Mayor of London's Accessible London - Achieving an Inclusive Environment SPG (2014)
- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's All London Green Grid SPG (2012)
- Mayor of London's Character and Context SPG (2014)
- Mayor of London's Community Infrastructure Levy Charging Schedule 2
- Mayor of London's Control of Dust and Emissions During Construction and Demolition SPG (2014)
- Mayor of London's Crossrail Funding SPG (2016)
- Mayor of London's Good Practice Guidance for Estate Regeneration (2018)
- Mayor of London's Housing SPG (2016)
- Mayor of London's Planning for Equality and Diversity in London SPG (2012)
- Mayor of London's Play and Informal Recreation SPG (2012)
- Mayor of London's Social Infrastructure SPG (2015)
- Mayor of London's Air Quality Positive SPG
- Mayor of London's Air Quality Neutral SPG
- Mayor of London's Be Seen Monitoring SPG
- Mayor of London's Circular Economy Statement SPG
- Mayor of London's Energy Planning SPG
- Mayor of London's Sustainable Transport, Walking and Cycling SPG
- Mayor of London's Characterisation and Growth SPG

5.4 National Planning Policies

National Planning Policy Framework (2023), Planning Practice Guidance and National Design Guide (2019)

6. COMMENT

6.1 Introduction

6.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the London Plan (2021) Hackney Local Plan 2020 known as 'LP33', and the North London Waste Plan.

6.1.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.

6.1.3 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-

- Environmental Statement;
- The Principle of the Development (land use);
- Housing Mix (including Affordable Housing (Reprovision and Additional)
- Non-Residential Uses;
- Quality of Accommodation;
- Amenity Impacts;
- Heritage
- Design;
- Public Realm, Open Space and Play;
- Sustainability, Climate Change and Energy;
- Highway Safety and Transportation;
- Flood Risk and Drainage;
- Ecology and Biodiversity Matters (on and off site);
- Arboricultural Matters (trees);
- Waste Management;
- Contamination;
- Planning Obligations.

6.2 Environmental Statement

6.2.1 The Environmental Impact Assessment Regulations 2017 ("the EIA Regulations") set out in Schedule 4 the general requirements for the content of Environmental Statements. These comprise information on the nature of the development; consideration of alternatives; relevant aspects of the environment; likely environmental impacts arising; proposed mitigation measures; and an indication of any difficulties in compiling the information needed. A non-technical summary of the contents of the Environmental Statement is also required.

- 6.2.2 The submitted Environmental Statement (“ES”), subject to the satisfactory receipt of additional information, satisfies these requirements and can be used as a basis for determination of the application.
- 6.2.3 Regulation 18(5) of the EIA Regulations requires an applicant to ensure that the (“ES”) is prepared by competent experts and provide a statement from the developer outlining the relevant expertise or qualifications of such experts. A statement of expertise has been submitted. The qualifications of each assessor have been included at the start of each technical chapter of the (“ES”). Following receipt of additional information and clarification, it was confirmed that the Environmental Statement (including the additional details/information and clarification) adequately identified all of the potential environmental effects of the proposed scheme and that the proposed mitigation measures are appropriate, subject to the imposition of appropriate planning conditions.

6.3 Principle of Development (land use)

6.3.1 Chapter 2 of the NPPF identifies sustainable development as the key objective of the planning system and clearly sets out the presumption in favour of sustainable development, in alignment with the need to determine planning applications in accordance with the Development Plan.

6.3.2 In specific regard to proposals for estate regeneration, such as that currently under construction elsewhere at Woodberry Down, paragraph 98 of the NPPF states *“that planning policies and decision should consider the social, economic and environmental benefits of estate regeneration, and requires Local Planning Authorities to use their planning powers to help deliver estate regeneration to a high standard.”*

6.3.3 The principle of regenerating the post war Woodberry Down Estate was established through the granting of outline planning permission for a masterplan for the redevelopment of the estate, and had subsequently been reconfirmed through the granting of successive outline, hybrid and full planning permissions, as well as an allocation in the local plan.

6.3.4 The regeneration of Woodberry Down has been a corporate and political objective of the Council for a number of years, and it is recognised that the overall process is partially underway, as is recognised in LP33 place making policy PP9 (Manor House) and site allocation policy MH1 (Woodberry Down). The principle of a high quality, residential led redevelopment of the site is therefore acceptable and in accordance with long established principles of adopted Development Plan policy as well as more general local, regional and national planning objectives of delivering sustainable development. Therefore the principle of development in land use terms is acceptable.

6.4 Housing Matters

Housing Delivery

6.4.1 The proposed development seeks full planning permission for the redevelopment of 200 dwellings which are at the end of their functional and operational life. The 6 residential blocks currently standing on the Phase 4 site have been previously assessed through structural evaluation surveys to be beyond reasonable economic repair and, by virtue of the previous planning permissions, their redevelopment has been previously considered and confirmed as being acceptable in principle.

6.4.2 The current application proposes their replacement with 511 new homes of a range of unit sizes and tenures. A summary of the housing mix proposed is shown in table 1 below.

Overall Total	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	Total	%
Social Rent	23	40	18	7	2	90	18%
Intermediate	81	51	0	0	0	132	26%
Open Market	158	106	25	0	0	289	57%
Total	262	197	43	7	2	511	
%	51%	39%	8%	1%	0.4%		

Table 1: Proposed Tenure and Mix

6.4.3 The delivery of high quality affordable housing is recognised as an important planning objective in the adopted Development Plan and the National Planning Policy Framework. The proposed development would make a significant contribution to that delivery within Hackney.

6.4.4 The current London Plan sets a minimum target of 1,328 net homes per annum for Hackney (13,280 over ten years). Woodberry Down is a site that is considered to come forward during the gestation period of the current London Plan.. PP9, which sets the strategic direction for this area of the borough, references 2,000 additional homes within this area, with LP12 requiring around 3,000 dwellings in the Woodberry Down/Stamford Hill area. Policy MH1 provides the site allocation for Woodberry Down and sets a gross target of 4,045 dwellings and 2,915 dwellings (net).

6.4.5 It is recognised that the quantum of housing proposed under the scope of the current application (and therefore density of the scheme) exceeds that previously approved under the revised masterplan. However, in national and current Development Plan policy there is a general presumption in favour of sustainable development, including (and in particular) affordable housing (both social/affordable rented and intermediate housing), and a requirement to make efficient use of land, particularly in highly sustainable locations, such as the proposal site. Concerns relating to the increased density are noted, however an increase in density in this location is deemed to be acceptable in principle.

Housing Mix

6.4.6 London Plan Policy H10 seeks to promote housing choice and a balanced mix of unit sizes in new development. Local Plan policy LP14 seeks that for: Social Rent/London Affordable Rent properties 30-34% should be 1 bed, 30-34% should be 2 bed, 33-36% should be 3+ beds; 1 bed Intermediate properties should be a lower proportion than the 2 bed proportion of dwellings, 2 bed intermediate properties should be a higher proportion than the 1 bed properties, and 15-25% of the intermediate dwellings in a scheme, 3+ bed dwellings should form 15-25%; The proportion of 1 bed market properties

should be a lower proportion than 2 bed market properties, with 2 bed market properties forming a higher proportion than 1 bed properties, and 3+ bed properties should make up 33% of the market properties within a scheme.

6.4.7 The proposed housing mix as shown in table 1 diverges from the Council's evidenced policy requirement in terms of housing mix. The applicant states that the proposed mix of homes responds to some predetermined factors for the site. There is a defined requirement for a specific mix of affordable housing units, in terms of size and tenure, which is determined by the needs of households who will be rehomed in Phase 4 to allow the progression of phases 5-8 in due course, the intermediate homes being available under two tenure types: shared equity for existing residents who own their current home; and shared ownership for residents new to Woodberry Down.

6.4.8 Secondly, with regard to the intermediate tenure provision, the mix has been determined by the Registered Provider (RP) and development partner (Notting Hill Genesis). Finally, the open market housing mix has been determined by Berkeley Homes, in line with the substantial volume of sales data available from previous phases in the wider Woodberry Down Estate Redevelopment. This gives rise to the proposed mix, set out in the following table comparing it to the target housing mix set out in the Development Specification approved under 2013/2332, which confirms compliance with the previously established principles for the development.

	Private		Intermediate		Social Rented	
	Target %	Actual %	Target %	Actual %	Target %	Actual %
1 Bed	40-50%	42%	35-45%	61%	22-28%	26%
2 Bed	40-50%	43%	35-45%	39%	33-42%	44%
3+ Bed	10-20%	14%	10-20%	0%	20-22%(3B) 16-18%(4B) 0-5%(5H)	30%

Table 2 Compliance of housing mix with previously approved (2013/3223) Development Specification

6.4.9 It is recognised that the current application is a standalone application for full planning permission which cannot rely on historic permissions, however the Financial Viability Assessment (FVA) that forms part of the application documents includes information on residential sales values that indicated that 1 bed private sales flats have a higher value by floor area than the larger private sales flats. The provision of more private flats with more than 1 bed would both reduce the number of flats with more than 1 bed would reduce the number of flats and reduce the overall value by floor area. It is understood that the scheme is difficult from a viability standpoint, so that provision of a greater proportion of 1 bed private flats than is preferred in this case and is considered acceptable.

6.4.10 For these reasons, on balance, the adoption of a more flexible approach in the application of the Local Planning Authority's preferred housing mix is considered acceptable in the circumstances of this case, particularly given that, due to the status of the application site as one single phase of a larger regeneration project with a further four phases to be delivered, it is not unreasonable to expect that a more policy compliant mix can potentially be achieved overall in the delivery of subsequent phases in the redevelopment of Woodberry Down.

Affordable Housing Provision

6.4.11 Development Plan policy (both regional and local) requires major residential proposals to provide a minimum of 50% affordable housing. The London Plan specifies the following in terms of tenure split: 30% should be Social Rented/London Affordable Rent; 30% should be intermediate tenure; and, the remainder (40%) to be low-cost rented homes or intermediate products subject to local need and viability. Local Plan Policy LP13 requires: 60% to be Social Rent/London Affordable Rent; and, 40% to be intermediate housing products.

6.4.12 The application, as submitted, proposes 43% affordable housing by unit numbers, and 47% by habitable room. Within this, the tenure split is 18% Social Rent by unit number (or 25% by habitable room), with 26% intermediate products by unit number (or 23% by habitable room). The remainder 57% by unit number are made up with market dwellings (53% by habitable room). To summarise, the proposal seeks to provide 222 affordable dwellings, 90 of which are social rent and 132 are to be made available as intermediate products. Therefore the overall affordable housing provision is 7% below the target level.

6.4.13 In terms of distribution through the development the A blocks comprise 275 dwellings set within a Mansion Block Typology, these range from 8 to 13 storeys in height. Of the 275 dwellings, there are 143 market homes within buildings A3 & A4, and 132 shared ownership homes within A1 & A2. The two B blocks comprise 90 homes within building B1 (6 to 9 storeys) and B2 (6 to 9 storeys). Both blocks accommodate social rented dwellings, this includes four duplex dwellings at ground floor level by the Mews Garden. Building C1 is 26 storeys and consists of solely market dwellings (146 dwellings). All shared ownership homes and social rented homes have been designed to meet Parker Morris Standards plus 10% (housing space standard - non mandatory), which exceed the GLA standards. Communal amenity space in phase 4 is provided at podium level and all dwellings have either a private terrace at ground floor level or a balcony, and thirty five car parking spaces have been allocated for use by the social rented residents, who benefit from a car parking permit, these are located at ground level within the podium.

6.4.14 The proposal will also enable the decant of existing social rented tenants within Phases 6 and 7, taking into account the needs of these households. The proposed development will form a mixed tenure scheme, with a range of dwelling sizes, which will contribute to the ongoing regeneration of Woodberry Down and Hackney. It is understood that rental levels for Social Rented Homes will be set between Notting Hill Genesis and the Council. The rental level, in accordance with the requirements for Social Rent, will be inclusive of all service charges.

6.4.15 It is understood that upon completion of the affordable dwellings Notting Hill Genesis will purchase the homes from Berkeley at an agreed price set out in the Principal Development Agreement (PDA). A leasehold of 299 years will be transferred to Notting Hill Genesis. This will be secured by way of a Build Legal Agreement as set out in the PDA, to be completed before the implementation on site. This application whilst falling 7% short of the affordable housing target, although not a planning consideration, should be viewed in the context of the PDA agreed between the developer and the Council's regeneration team secures at least 40% affordable housing within the Woodberry Down Estate itself, as well as viability evidence submitted.

6.4.16 As less than 50% affordable housing is proposed the application is required to be viability tested, and to that end the application is accompanied by a Financial Viability Assessment (FVA), which has been the subject of independent review.

6.4.17 The application is a standalone application independent of the masterplan, but the development still forms part of the wider estate redevelopment, which means there are components of the development that would not normally be included if it were a standalone, freestanding application. Also the wider PDA between the applicant and the council's regeneration team has implications for some of the inputs of the FVA submitted.

6.4.18 The development agreement for the site (includes an overage agreement which means that any additional profit above the developer's return of 20% is held to ensure the viability of future phases and to maximise the delivery of affordable housing. Elsewhere at Woodberry Down it is understood that Phase 2 is cross subsidising Phases 3 and 4, which reflect the variation in market conditions between the phases and the infrastructure delivered in them. It is therefore considered that should members approve this application the overage mechanism should feature in the S106 agreement for this phase, as it has in previous phases.

6.4.19 There are a number of reasons why a standard FVA does not work well with the individual phases of the Woodberry Down regeneration project. Some of the FVA inputs are very different for Woodberry Down than they would be for a standard commercial development. For example the Benchmark Land Value (BLV) for Woodberry Down is essentially zero as the land is not sold to the applicant for its market value. Instead the Compulsory Purchase Order (CPO) and associated costs are used in the FVA in place of the BLV. This is a reasonable alternative to using the BLV but is also a deviation from standard FVA practice.

6.4.20 Some FVA inputs are affected by the PDA between the applicant and the Council as Landowner, which are sometimes considered reasonable in planning terms and sometimes not. One reasonable instance would be the inclusion of additional costs associated with the extensive community liaison required by the PDA that goes beyond the applicants legal requirements but which is considered to be a good thing by both the Council as Landowner and the Council as Local Planning Authority (LPA). One unreasonable instance would be the inclusion of a blanket profit rate for the applicant of 20% which is included in the PDA but is in excess of profit rates accepted by the LPA in other FVA's.

6.4.21 Despite the difficulties in using the standard FVA method negotiations, with the input of BNP Paribas as the LPA's viability consultant (employed to appraise the viability assessment on our behalf), have resulted in an FVA that better reflects accepted market standards for the FVA inputs, as summarised below:

Sales values - Residential sales values originally put in as £965/ft² but increased to £978/ft² to reflect values achieved in phase 3. Commercial values originally put in at £17.50/ft² but increased to £22.50/ft² to reflect values achieved elsewhere in Woodberry Down.

Marketing costs - Costs for residential sales agents and for residential marketing is put in at 5.5% whereas a figure of 3% would be more typical, however, the applicants have made the point that the higher sales values in phase 3 were achieved with the same level of marketing and so a reduction in marketing costs would also result in a reduction in sales values. The higher marketing cost would be around £2m leading to a £3m increase in values, and so the additional marketing cost makes sense.

Construction costs - Originally put in at £262.84/ft² and now decreased to £259.56/ft² with the assistance of our costs consultant CDM Project Services.

Profit rates - Originally put in at 20% for all categories but now reduced to 17.5% for market housing, 6% for affordable housing and 15% for commercial, which is in line with market evidence. It is noted that the applicants consider that a 20% rate is appropriate for private market housing and so have also submitted an FVA with that rate included which raises overall profits from £39m to £44m. Officers remain of the view that 17.5% is a more accurate figure.

Disputed costs - There were some costs included that are not normally included such as for an Independent Tenant and Leasehold Advisor (ITLA), or for Build Warranties. Some of these, like the ITLA, have been moved to the professional fees section where they are more sensibly placed, and the professional fees have been increased from 10%, which is a typical figure, to 12%, the higher rate being justified by the additional liaison and consultation required of the applicants by the Council through the PDA. Some costs, like the Build Warranties, have been removed altogether but the FVA adjusted to include an allowance for contractors overheads and profit, as would be the case with an open market FVA.

6.4.22 As originally submitted the FVA indicated that the scheme would result in an overall deficit of £27m, and as revised the FVA indicates a £1.2m deficit. The applicants have said that a deficit would be countered by an overage payment from phase 2 towards phase 4. The same overage mechanism applies to phase 3 and would also apply to phase 4, if approved. It means that any profit for any phase achieved over that allowed in the PDA (ie 20%) is put towards future phases. It is this forward paying mechanism that has helped the regeneration programme to continue. A more conventional review mechanism would seek to plough excess profit back into the same phase to increase the affordable housing provision within that phase. This approach would have increased the affordable housing delivered in phases 2 and 3 but would have left phase 4 unviable.

6.4.23 The FVA process is a simple one in general terms but rapidly becomes complex when the different inputs play against each other. This is doubly so for a multi-phase estate regeneration scheme stretching over more than 30 years in which the Council as Landowner is a partner. We should not lose sight of the fact that the purpose of an FVA is to decide whether the amount of affordable housing in the scheme is acceptable. For phase 4 the offer is 43% by unit, or 47% by habitable room (which is the GLA's preferred measure). For phase 3 the offer was 42% by unit and for phase 2 it was 36%, so in comparison the offer of 43% for phase 4 seems a good one, however, it is not considered to be the maximum amount of affordable housing that phase 4 could deliver. Further negotiations could take place and it is possible that the current overall small FVA deficit could become a modest profit which could be used to increase the affordable housing offer in phase 4, but the size of the increase in affordable housing provision would be likely to be modest and it would prevent phase 4 from helping with the viability of future phases.

6.4.24 It is an important principle of the consideration of FVA's that it is a matter for the decision maker to decide how much weight to give to viability matters in the overall planning balance. In this instance the affordable housing offer is 43% which compares well to other developments, with the exception of the Council's own regeneration schemes which deliver a minimum 50% affordable, although those schemes are smaller in scale than Woodberry Down. The offer of 43% is considered to be acceptable and the FVA is now much closer to one reflecting a notional developer and landowner using more standardised inputs that reflect market evidence. There are some remaining drawbacks with the FVA but these are considered to be outweighed by the wider benefits of the overall regeneration programme including environmental improvements and delivery of increased numbers of new energy efficient homes.

6.4.25 The principle of current phases contributing towards future phases and thereby keeping the regeneration scheme going is a good one, though of course phase 8 will be the final phase and at the point of delivery of phase 8 there will be no future phases to contribute towards, which will need to be accounted for somehow to ensure the maximisation of affordable housing throughout the whole programme. Also, in dealing with phases 3 and 4 it has become clear that the standard FVA method is becoming less useful in helping to decide what levels of affordable housing are acceptable as the standard method does not take into account any issues associated with a complex multi-phase redevelopment where the delivery of the redevelopment overall is more important than that of any individual phase. It is possible that a more bespoke approach would be better, and a planning application for a new master plan is likely to be submitted soon which presents an opportunity to look again at how viability should be dealt with for phases 5 to 8.

6.4.26 The delivery of affordable housing will be secured via a legal agreement should planning permission be granted. The planning obligation should also include review mechanisms in line with those of previous phases in order to meet current GLA guidance.

6.5 Non-Residential Uses

6.5.1 The application proposes 1,215m² Gross Internal Area (GIA) of non-residential uses, with this space shown on the layout plans submitted with the application. This includes 1115m² (GIA) front of house/retail floor space, 41m² (GIA) of Bin Store and 59m² (GIA) of corridor, with plant located in the plant room serving the residential element of the development. This is sought on a flexible/alternative basis, with the uses sought as either Use Class E (a, b or c) or use Class F1 or a mix of these. The use Class F1 is sought for the purposes of providing a public library, although limitation within that use class is not considered necessary, with the library use will be secured via the S106 agreement. Should the Council not require the library use, the floorspace could be used for commercial operations under use Class E.

6.5.2 The application site is not located within a town or district centre, with the closest centre being Manor House (local shopping centre designation), however supporting uses including retail, employment education are other community/leisure facilities have been envisaged through the site allocation for Woodberry Down in the local plan. However, in accordance with policy LP32 a Sequential Impact Assessment has been undertaken which demonstrates that no harm to the vitality and viability of the centre at Manor House will occur. The final layout of the non-residential floorspace has not yet been established, and may be used as a single large unit or multiple smaller units. Policy LP37 seeks that smaller units are incorporated into major developments where there is no accessible provision within 400m, however there are already a number of smaller shops in the locality, and it is therefore considered that a singular commercial unit can be justified in policy terms. In reference to the potential Library use, Part E of LP8 supports the inclusion of community facilities in mixed use residential schemes where it meets an identified need, but should the library use not be feasible, an alternative use for the space can be sought under Use Class E.

6.5.3 It is therefore considered that the non-residential development elements of the proposal, subject to conditions, are compliant with the relevant policies in the Development Plan, relevant sections of the NPPF; and other material considerations, where these can be given weight.

6.6 Quality of Accommodation

6.6.1 All new residential developments are expected to provide a good standard of amenity for future occupiers, and to comply with policy requirements in both the London Plan and Local Plan.

6.6.2 The residential units proposed will all meet the requirements of the Nationally Described Space Standards, whilst all of the affordable housing has been designed to comply with Parker Morris Standards +10% above the statutory requirements. All units have access to either private external amenity space in the form of private terraces at ground floor and podium level, with balconies provided at upper levels. In addition to this 3,576m² of private shared amenity space is provided by way of communal gardens on the podium between the buildings. The Mews Gardens, Pocket Park and Central Square (4,273.5m²) are accessible to the general public.

6.6.3 In terms of internal layouts, The majority of flats are either dual aspect (91%) and a number are south facing single aspect which is positive.

6.6.4 Access to sunlight and daylight is important when assessing schemes such as this, and an internal daylight and sunlight assessment has been undertaken and submitted with this application. The report concluded that 84% of habitable rooms would achieve the guideline values for daylight, and 16% fall below the suggested criteria. Many of the rooms below the minimum target lux criteria relate to windows located beneath overhanging balconies, which inevitably reduce the ingress of light to the spaces below. Therefore there is a trade off between achieving good levels of internal daylight to all areas of proposed rooms, and the provision of external private amenity spaces in this form, which provide access to high levels of external daylight and in most cases sunlight amenity on the balconies themselves. This is usual in multi-storey developments of this nature.

6.6.5 A significant number of rooms below the standard for the whole space will nonetheless achieve higher levels of daylight to the living room portion of their area nearest the window at the front of the room. Residents will also have access to the balconies which will provide good levels of external daylight amenity. The proposed development represents a good level of daylight performance against the relevant criteria, considering the context of the site and proposal, in an urban context.

6.6.6 In terms of internal sunlight amenity, 75% of the habitable rooms within the scheme will meet the minimum recommended sunlight criteria. A closer inspection of the results also indicates that the minority of rooms falling below the criteria are either located on the northern elevations or positioned behind deep projecting/recessed balconies which restrict access to available sunlight hours as acknowledged by the BRE Guidelines. Those rooms which are affected by the provision of a balcony, will be able to enjoy sunlight on the balcony itself. This represents a reasonable level of internal sunlight overall within the context of the proposal. In terms of overshadowing, the analysis also demonstrates that all of the proposed amenity areas tested will comfortably exceed the criteria in the BRE Guidelines.

6.6.7 In terms of internal daylight, sunlight and overshadowing technical assessments, and given the constraints of the site, it is considered that levels of daylight and sunlight amenity within the proposed development area acceptable.

6.6.8 Concerns have been raised regarding the level of sunlight available to some of the properties within the scheme, particularly those facing north, however it is considered that the levels present are acceptable given the context in which they are located.

Noise Impacts

6.6.9 Seven Sisters Road represents a significant environmental challenge particularly regarding traffic-borne noise. Whilst TfL have plans to alter the road, potentially reducing the number of lanes, (and in which Phase 3 contributed funding for measures such as additional crossings) these plans have potentially been delayed due to funding constraints and it was advised at pre-application stage with TfL to assume a scenario where these works are not undertaken. Regardless of the works, it is still envisioned that the road serves as a major arterial road and the environmental considerations that therefore need to be accounted for.

6.6.10 All existing homes are exposed to noise levels registered as unacceptable, as detailed in the submitted Environmental Impact Assessment and Overheating Assessment. The fact that all existing homes are exposed to this unacceptable noise demonstrates a need to reconsider the orientation of the built form of the site; recreation of continued north-south linear blocks would not solve this issue. The opportunity to address this is an important benefit of the proposal.

6.6.11 The mansion block design fronting Seven Sisters Road acts as a noise barrier so that the noise conditions to all other facades, apart from a small corner of Block B1 which is also caught by the noise from Seven Sisters Road, are not exposed to high noise levels. It should be noted that the facades to Seven Sisters Road and the corner of Block B1 will be sufficiently insulated so that they are also not impacted by the noise; it is only if the windows are opened that the noise level would exceed limits.

6.6.12 There is the potential for conflict between neighbouring land uses, particularly with regards to noise. To avoid such situations arising, conditions restricting hours of operation, use of outside areas and uses within the permitted use Classes are proposed, as well as conditions requested by the Council's Environmental Protection Team, which will serve to mitigate potential disruption.

Overlooking and Privacy

6.6.13 The buildings within the development are in some cases quite tightly arranged, however in general the separation distances between are considered to be adequate to allow satisfactory actual and perceived spacing. However, there are a small number of cases where there are facing balconies at relatively short distances. In these circumstances, where there is direct overlooking at shorter separation distances, obscure and fixed glazing, as appropriate, will be required by condition to balconies to avoid mutual overlooking of future occupiers. Concerns regarding overlooking and privacy are noted, however as mentioned above, it is considered that the proposal is acceptable, subject to conditions suggested.

Accessible and Adaptable Homes

6.6.14 Of the 511 residential homes, 90% (460) of the homes will comply with Part M4(2) standards, meaning that these are accessible and adaptable, and the other 10% of the scheme will meet the more onerous requirements of M4(3) which are suitable for occupation by wheelchair users. This provision will be secured by way of condition.

Overheating and Ventilation Matters

6.6.15 Overheating and achieving suitable ventilation to reduce the impact of the

urban heat island effect is an important consideration, the London Plan encourages the design of places and spaces to avoid overheating and excessive heat generation, and to reduce overheating due to the impacts of climate change and the urban heat island effect. Major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy: 1 minimise internal heat generation through energy efficient design; 2 reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls; 3 manage the heat within the building through exposed internal thermal mass and high ceilings; 4 passive ventilation; 5 mechanical ventilation; 6 active cooling systems (ensuring they are the lowest carbon options). Major development proposals should demonstrate how the design, materials, construction and operation of the development would minimise overheating and also meet its cooling needs. New development in London should also be designed to avoid the need for energy intensive air conditioning systems as much as possible.

6.6.16 The need to orientate the Seven Sisters Road mansion block (Blocks A1-A4) means some homes will have a frontage only on Seven Sisters Road; but which in terms of noise exposure is a reduction from the existing situation. All of these homes are 1bed units. They are dual aspect (as defined by Standard 29 of the Housing SPG) via a 3 metre return in the façade, but both aspects are exposed to Seven Sisters Road.

6.6.17 Due to the potential for noise exposure, the application scheme allows an occupier facing Seven Sisters Road the choice to either use mechanical ventilation or to open the window to naturally ventilate the home to prevent overheating. It should be noted that had the noise source of Seven Sisters Road not existed, then natural ventilation of these homes via opening the windows would have been possible, as being predominantly north facing units there is no solar gain, typically a cause of overheating. As detailed also in the Overheating Assessment, provision of acoustic louvres would have had a significant impact on the façade appearance thus rendering this option unavailable on architectural grounds. The noise impact from Seven Sisters Road is therefore a site-specific material consideration that supports the approach to the orientation of the proposed buildings as well as multiple environmental strategies

Microclimate Matters

6.6.18 The local wind microclimate has been carefully studied in informing the proposals by RWDI. The wind conditions along Woodberry Grove are presently detrimental for sitting and sometimes standing and strolling conditions. This has an impact on the existing open space on the eastern side of the site (where Central Square is proposed to be located). The proposed massing and layout will materially reduce this microclimate impact with the landscaping seeking to further reduce this effect to facilitate a greater sitting environment.

6.6.19 The quality of accommodation provided for both residential and other occupiers of the development as proposed is therefore considered to be acceptable subject to conditions.

6.7 Neighbour Amenity Matters

6.7.1 NPPF Paragraph 135 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Chapter 12 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all

development. The relevant local policies in relation to this are LP2 and LP17 of the Local Plan, and Policy D3 of the London Plan.

6.7.2 The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 191 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 96 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places. The proposal site, by virtue of its position central to the wider Woodberry Down Estate, is surrounded by existing residential development, albeit this accommodation is separated from the site in most cases by public highways.

6.7.3 The closest residential properties are as follows: To the north, are Wensleydale House, Weardale House, Toxteth House and Groveley House which are in residential use and form part of the original Woodberry Down Estate, falling into future phase 6. All of these buildings are separated from the proposal site by Seven Sisters Road, a six lane carriageway forming part of the TfL strategic transport network; To the west of the site, is phase 3 of the redeveloped Woodberry Down Estate, which was approved under application 2019/2514; To the east of the proposal site is St Olave's Church and St Olave's Parish Hall; and, To the south of the site is Beis Chinuch Lebonos Girls School, the Woodberry Down Centre, the Residence Tower, Parkway Apartments, the Kingly Building, Hadleigh Apartments and Odell House.

6.7.4 Daylight, sunlight and overshadowing effects on the occupiers of neighbouring properties are addressed in the Environmental Statement. In relation to the Vertical Sky Component (VSC) analysis for all windows tested, 83% of the 3640 windows assessed would meet the BRE Guidelines and experience a negligible effect (non-significant). Furthermore 88% of the windows tested would either meet the BRE criteria for VSC or experience a minor adverse effect only, which is not considered significant. 6% of the windows would experience an alteration of between 30-40% (moderate adverse effect, significant), while 6% would experience an alteration in excess of 40% (major adverse effect, significant), based on the default values in the BRE Guidance. The small minority of windows with greater effects are generally either self inhibited by projecting balconies/walkways or adjacent projections or face low levels of obstruction in the existing baseline. Given these contextual factors, greater relative changes than the BRE default levels are considered inevitable with any meaningful redevelopment of the site.

6.7.5 421 of the windows in the scheme experience more than minor effects, these generally fit into one or more of the following categories: retain VSC levels of circa 20% and above (considered good for an urban context); relate to multi glazed rooms with at least one window that does meet the VSC criteria, and/or the No Sky Line (NSL) criteria for the associated room is satisfied; they are already blinkered by existing projections adjacent or above; or serve bedrooms, which the BRE recognise as less important than other uses.

6.7.6 In relation to the NSL analysis for all rooms tested 96% of the rooms assessed would meet the BRE criteria and experience a negligible effect (not significant); while 98% of rooms would either meet the BRE criteria for NSL or experience a minor adverse effect only, which is not considered significant. 1% of rooms would experience alterations of between 30-40% (moderate adverse effect, significant), while 1% would experience an alteration in excess of 40% (major adverse effect, significant) based on the default values in the BRE Guidance. Of the rooms that would experience a moderate adverse effect these generally either retain a direct view of the sky to approximately two-thirds of their total areas; relate to bedrooms; or are self inhibited by their own design constraints.

6.7.7 In respect of overshadowing, of the three areas of consideration (St Olave's Church,

Woodberry Down Phase 3 and the open space in Phase 6, only Phase 3 requires further consideration of the guidance as to the impacts from the proposed development. The analysis identifies that because of the low baseline, any change is sensitive and exaggerated in this area. The impact overall is concluded to be minor adverse (not significant impact). In respect of privacy and outlook, the proposal will result in the introduction of new built form from where there is currently none, however in most cases the separation distances are deemed acceptable.

6.7.8 The layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the dwellings proposed, which ensure that residential amenity is protected, subject to conditions attached to this report. In the context of the above, the proposals are not considered to be in conflict with Section 12 of the NPPF.

6.7.9 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF; and other material considerations, where these can be given weight.

6.7.10 Concerns have been raised regarding the impact of the scheme on nearby occupiers, particularly in relation to the impact of the proposal. However, it is considered that the negative impact the proposal may have on amenity matters is not sufficient enough as to warrant refusal.

6.8 Heritage Matters

6.8.1 The Council is under statutory duties contained within sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area and Listed Buildings, or its setting or any features of special architectural or historic interest which it possesses.

6.8.2 The National Planning Policy Framework (2023) provides a range of policies relating to heritage protection at paragraphs 200 to 214. The Council has considered the proposed development in relation to these policies and particularly Paras 205 to 214. Policy HC1 of the London Plan (2021) and Policy LP3 of LP33 require that development preserves or enhances the character of designated heritage assets.

6.8.3 The impacts of the proposed development on these heritage assets are considered as follows as required by the above identified legislation and policy.

Asset. Church of St Olave, Woodberry Down. Grade II listed.

English Heritage listing entry: Built 1893 to designs of Ewan Christian.

MATERIALS: Red brick exterior and interior. Bath stone dressings. Slate roof.

PLAN: Wide, high nave with lower passage aisles; low transepts and prominent chancel with apse; tower with small spire; south porch.

SUMMARY OF IMPORTANCE: Attractive red brick church of 1894 in C13 style by notable church architect Ewan Christian, that was built with the proceeds of a demolished City Church of the same name, and that possesses a strikingly spacious interior with a number of furnishings brought from there.

6.8.3 The proposal will run between the mature gardens around the unlisted Rectory to the rear of the church, and the eastern blocks of phase 4. The blocks are set back from

the site boundary to make space for the route. It is unlikely that the new route will allow for additional appreciation of the church and rectory given the number of trees around the buildings, but the route is not harmful to the setting of the church. The impact is neutral.

6.8.4 Viewed from the junction of Woodberry Down and Seven Sisters Road or from points on Seven Sisters Road, the church exterior is difficult to appreciate because of foreground buildings and mature trees. However, in some views from Seven Sisters Road, for example from the entrance to Finsbury Park, the development will appear in the backdrop - significantly from Finsbury Park entrance and moderately closer to the building. The backdrop is already affected by tall buildings from earlier phases of development and the foreground is concealed by trees and lower buildings adjacent to the church. The impact is likely to be minor adverse.

6.8.5 In views from Woodberry Down, the front elevation of the church can be appreciated despite the close proximity of foreground buildings. There will be some moderate backdropping in this view as demonstrated in part 3, page 140 of the Heritage and Townscape Impact Assessment the impact is likely to be minor adverse.

6.8.6 Overall the impact is likely to be minor adverse. A low level of less than substantial harm to Grade II Listed St Olave's Church is identified. The harm is to be weighed against the public benefits of the scheme. A number of public benefits of the scheme have been identified. These include, but are not limited to:

- The proposed development has been prepared in a holistic manner through a Masterplan for the delivery of the Phase 4 of Woodberry Down. This is a positive approach to planning and encouraged to ensure that the site is delivered in a holistic manner and all necessary and appropriate mitigation and public benefits are secured;
- The proposed development would deliver a high quality development with a range of public benefits including;
- The provision of a significant quantum of onsite affordable housing.

6.8.7 It is considered that these public benefits as set out above, outweigh the level of harm identified and comply with the relevant provisions of the development plan in relation to heritage assets, when balanced with the provisions of the NPPF.

6.8.8 The proposal is considered to accord with the provisions of Local Plan policy LP3, London Plan policy HC1 and the provisions and intentions of the NPPF; where this can be given weight.

6.9 Design Matters

6.9.1 The NPPF, the London Plan and the Local Plan seek to ensure that development is sited appropriately, without an unacceptable, adverse impact on the local environment. The NPPF's presumption in favour of sustainable development is based on securing a balance between its economic, social and environmental dimensions.

6.9.2 General design matters are covered locally by policy LP1 of the Local Plan; this states that all development will be expected to achieve a high standard of design, reflecting local character and distinctiveness in traditional or contemporary design and materials.

6.9.3 The proposal is for an urban block with outward facing frontages aligned to streets defining a private podium courtyard within. A pocket park is proposed at the western end of the site between new blocks and St Olave's Church, as part of a new 'green finger'

public route connecting Spring Park, across Seven Sisters Road to the north half of the estate regeneration. The main public square for the commercial and community core of the redevelopment is proposed as part of this development. It is located at the eastern edge of the site and is defined by an active frontage of the podium, by the tower and the side of the Seven Sisters Road block. Entrances are an important aspect of a development because they define the level of active frontage and character of ground floor frontages. The proposal has a good level of animated ground floor frontage. Facing west onto the communal route, front doors to homes are created which is positive. Facing Seven Sisters Road, communal entrances to the 4 joined blocks are flanked by living room windows of ground floor flats. .

6.9.4 The public square and the corner of Seven Sisters Road and Woodberry Down are defined by continuous active frontage. This active frontage continues beneath the tower in the SE corner. The tower entrance is via a pocket park facing south onto Woodberry Down. Half of this space is fronted by refuse stores and second stair exits which is less positive but has been demonstrated to be necessary. The two affordable blocks facing south have communal entrances flanked by living room and bedroom windows of ground floor flats, plus some plant and podium vehicle access.

6.9.5 The central servicing, storage and plant area has been shown to be essential for a scheme of this size where these uses cannot be accommodated in an active ground floor of a perimeter block or without compromising amenity space or frontage quality. A basement over this area is both costly in terms of development cost and carbon use. A podium has been proposed to accommodate the parking, servicing and storage requirements of the site as well as the provision of flexible open space facing the new public open space to the east. The podium has been well integrated into the development with little impact on the exterior of the development. It conceals numerous functions and allows for an uninterrupted expanse of amenity space at level 1 above.

6.9.6 The overall level of active frontage is adequate and the amount of inactive frontage is minimised. The late inclusion of secondary emergency exit routes from second stairs have unavoidably added less active elements to the frontage although doors will appear less inactive than the bin stores which also face the street. Bin stores to the street are largely unavoidable and have been justified as being in the most usable locations adjacent to communal entrances. The purpose of areas of plant facing Seven Sisters Road are unclear but subject to good design are likely to have minimal negative impact on an otherwise reasonably active frontage. All ground level doors from main entrance doors to refuse stores will need to be carefully and attractively designed and a condition should be attached to ensure this.

6.9.7 With regards to form and massing, additional height has been added to compensate for the addition of a second stairwell within blocks. A continuous block of 4x G+10 storey mansion blocks to Seven Sisters Road with 9 storey linking sections is proposed. The two central blocks rise to G+12 storeys. On the southern side facing Woodberry Down, two mansions blocks are separated allowing light to penetrate the central courtyard which is elevated above a single storey podium. A tower of G+25 storeys is proposed on the SE corner of the site adjacent to existing tall buildings and adjacent to a large area of public realm

6.9.8 The scheme addresses its varied surrounding context positively. The height and massing facing Seven Sisters Road has been partly influenced by a strategy for height, being developed by the applicant, which will likely define that street going forward. The public space to the east is defined by an active frontage of the podium and by the tower and G+10 storey block. To the south the street is defined by blocks of a similar scale and mass to existing adjacent blocks. The location of the tower relates to the existing towers

identifying the focal point of the estate. Wind testing produced as part of the application suggests improvements to the microclimate as a result of the development and no evidence is available to suggest that wind will increase although tall buildings rarely reduce wind in their vicinity.

6.9.9 The architectural expression of the proposal has been designed to respond to the varied context surrounding the development site. The appearance of the Seven Sisters Road frontage is 4, regularly spaced ‘mansion blocks’ in red brick linked by lower massing elements in yellow brick. Blocks have a regular grid of large windows and projecting ‘bay windows’. Each of the four blocks has a formal central entrance and landscaped frontage which reflects the character of typical London mansion blocks (as explained in Part 7 of the Design and Access Statement). Also reflecting mansion-block design, the proposed lower height buildings will have horizontal white masonry banding between floors to add interest to the red brick frontages and balance the vertical emphasis with horizontal. The asymmetrical frontages to the tall mansion block frontages have been justified as maximising daylight and sunlight to flats and as a way to improve privacy.

6.9.10 Facing South onto Woodberry Down, affordable housing blocks step down in height to reflect the emerging prevailing scale. The character of the blocks also reflects mansion block typologies with red and yellow brick, white banding, symmetrical frontages including projecting ‘bay windows’ and semi recessed balconies.

6.9.11 The tower is rectilinear and the concept behind its form is ‘extruded intersecting rectangular volumes’. The yellow brick sections define the lower massing and the red brick defines the taller elements. Regular windows and semi recessed balconies (with robust and taller wind baffles) reflect the character of the lower blocks. The top of the tower is defined by a step between the yellow and red sections. Elongated vertical openings surrounding plant screens create a modest crown to the top of the building and the stepped character reflects similar steps at the tops of the adjacent tall buildings.

6.9.12 Overall, the design of the proposal has a relatively calm and timeless ‘background’ character using typical London materials, creating balance with the adjacent towers which are clad in more metallic and glassy materials.

6.9.13 The Design Review Panel advised another layer of detailing to the materiality including brick bond and brick types which has been included in recent plans. Elevation drawings (in Part 8 of the Design and Access Statement) show how patterned bricks, brick bonds, soldier courses and white masonry banding will be used to give interest to frontages. It also shows how tiles will be used to define communal entrances as an acknowledgement of historic details on the site. The detail of all materials will be required as a condition of any planning permission.

6.9.14 In terms of internal layouts, The majority of flats are either dual aspect and a number are south facing single aspect which is positive. All flats meet minimum space standards and have logical usable layouts, However, the DRP suggestion of separating kitchen and living areas, which is often important to keep cooking fumes and smells away from other parts of the home, hasn’t been directly addressed.

6.9.15 All flats have adequately sized balconies. The DRP requested that high level balconies be inset. While the balconies have not been fully inset, street-facing balconies benefit from being located in corners and so will feel more robust and secure than fully projecting balconies. The majority of balconies facing onto the internal courtyard are fully projecting. Given the relatively low height of these buildings the projecting balconies are likely to feel safe enough to be used comfortably. Balconies on the tower are mostly tucked into corners and include wind baffles (more solid and taller side panels) which

should also help them feel safer and more usable particularly at height.

6.9.16 Communal corridors in north and south facing private sale and affordable blocks have windows allowing natural light and views out which is positive. The tower has communal landings with minimal direct access to natural light. Internal doors to stairwells here are intended to be glazed to allow access to borrowed light. This detail should be conditioned to ensure natural light reaches the communal spaces.

Landscaping

6.9.17 The development provides a mix of amenity spaces and landscaped areas. The primary amenity area for residents of the development is at podium level, as well as the provision of terraces or balconies to all homes. It is understood that the podium is not accessible to the general public to enable the scheme to meet Secured by Design certification. Within the scheme there are three main areas available to the general public; Mews Gardens, Pocket Park and Central Square. The Seven Sisters Road and Woodberry Down frontages will also be landscaped with buffer planting around the base of the building. Mews Gardens is located on the western side of the development, adjacent to St. Olaves. It is part of a 'green finger' as part of the wider Masterplan. This green finger location has been moved from the anticipated alignment, seen in earlier masterplans, through the middle of phase 4 to this location as part of a wider strategy to create a chain of green spaces up through later phases connecting north and south sections of the New River. Pocket Park is along Woodberry Down, facing Beis Chinuch Lebanos School and fronted principally by the concierge and non-residential spaces. Central Square is designed as a "civic hub" for Woodberry Down, a central meeting place where events for the community could take place.

6.9.18 Substantial meaningful public landscaping is proposed at street level and appears to have been carefully designed to provide a balance of green spaces, seating and hard surface. Desire lines appear to have informed walkable routes in most cases. Some indirect routes through the western open space may give rise to shortcutting across green areas. The public open square to the east is generous and green and incorporates retained trees. Some benches appear to have been drawn on plans blocking paths through green areas. As such a detailed landscape plan will be required as a condition of planning permission which should show all minor issues addressed.

6.9.19 The podium garden is generous in size and has been designed to accommodate a range of users and uses. It has a good balance of character areas, open spaces and green spaces. Above all it is shared between all residents of the affordable and private sale blocks which is good practice.

6.9.20 It is understood that a planting strategy for the landscaping, to include a mixture of native woodland and ornamental trees, within this application site has been put together with reference to the London Wildlife Trust with appointed ecologists to ensure that the planting is suitable and offers habitat opportunities. To make the development acceptable in planning terms, It is appropriate to condition the detailed landscaping plan, along with biodiversity net gain, urban greening, and relevant arboricultural conditions.

6.9.21 The DRP drew attention to the importance of soil depth on the podium and details on how a suitable volume of soil will be provided and supported, as have other interested parties. Suitably worded conditions on landscaping & trees are appended to this application.

Children and young people

6.9.22 The scheme is likely to be a good place for children and young people to live and many aspects of the scheme are compatible with the Child-Friendly Places SPD. There is easy access from all homes to generous, safe, secure doorstep open space which will be shared by all children in the development. The podium should receive adequate direct sunlight through the gaps in south-facing blocks. Direct access from the podium to street level could have been included, however this is not included. Ideally family sized units will be concentrated in the lower levels of the scheme as recommended in the SPD. The wider development provides good access across lightly trafficked streets, to areas of wildlife, play, sport, allotment, MUGA etc.

6.9.23 There is a mix of formal and informal play types provided in the proposed development, accessible to all residents of Phase 4. Play within Central Square and Mews Garden's will also be accessible to the wider public, designed as 'play-on-the-way'. There is a high level of passive observation of the playspace. Play provision has therefore been carefully considered against London Plan Policy S4 and LP50. The application has also been assessed against the playspace checklist from the Council's Child-Friendly Places SPD, and scores well against this.

Design Conclusion

6.9.24 The scheme has had a long period of development and a pre-application process lasting a number of years. Suggestions by Hackney officers, Design Review Panel and GLA have been incorporated to a reasonable degree, although conditions will need to be applied to ensure that built quality, detailing and landscaping is high and that any measures are included to allow occupants to prevent overheating etc. Overall the scheme will complement the existing and future phases of redevelopment of Woodberry Down with suitably scaled and arranged blocks of good architectural and material quality, and with good landscape design including delivery of a significant and much needed well-defined public open space in the core of the redevelopment. While the scheme is taller and more dense than anticipated in earlier masterplans, development has dealt with this increased scale acceptably and it is likely to provide homes of good quality within a good quality residential environment suitable for people of all ages.

6.9.25 It is therefore considered that the design of the proposal, and subject to conditions will respond appropriately to constraints and that it is compliant with the relevant policies of the NPPF, the London Plan and the Local Plan, where these can be apportioned weight.

6.9.26 Concerns have been raised by interested parties regarding the design of the proposal and changes from earlier iterations or masterplans, particularly with regards to the introduction of a podium and tower and the impact this has on the wider design. However it is considered that in this instance the podium and, other design changes involved are a suitable design solutions, given the need to bring a scheme of this quantum forward on the site, and the elements and facilities that need to be incorporated in the scheme.

6.10 Public Realm, Open Space and Play

6.10.1 The occupiers of new development, especially residential, will generate demand for open space provision and child place space, as well as impacts on the Public Realm. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies; there is therefore a requirement for open space provision and improvements to the public

realm to be secured with the proposal.

6.10.2 Policies LP46, LP48, LP49, PP1, LP1, LP9 and MH1 of the Local Plan, Policies G1, G4, D3, D8 of the London Plan and Chapter 8 of the NPPF are relevant to this section. A range of documents relating to open space and play have been submitted with this application including the Design and Access Statement, Landscape Design Statement.

6.10.3 Further to the above, London Plan Policy GG1 establishes design principles for public realm within new developments, ensure that streets and public spaces are consistently planned for people to move around and spend time in comfort and safety, creating places where everyone is welcome, which foster a sense of belonging, which encourage community buy-in, and where communities can develop and thrive. In respect of play space Policy S4 of the London Plan requires development proposals to increase opportunities for play and informal recreation and enable children and young people to be independently mobile. It goes on to emphasise that development proposals for residential development that are likely to be used by children and young people should incorporate good-quality, accessible play provision for all ages and not result in the net loss of play provision, unless it can be demonstrated that there is no ongoing or future demand. Where published, a borough's play and informal recreation strategy should be used to identify ongoing or future demand for play provision.

6.10.4 The Open Space within the scheme is made up of a number of components: The Residents Podium; Mews Garden; Central Square; Woodberry Down Pocket Park; and, an element of street frontage along Seven Sisters Road. This is a multifunctional green/open space with an emphasis on leisure and play. The Urban Greening Factor of this development is 0.43, this is explained further later in this report. In terms of public realm, the Resident's podium will only be available to residents of phase 4, other external areas within the scheme are available for use as part of the public realm.

6.10.5 Local Plan Policy LP48 seeks where feasible that 14m² of communal open space is provided on site. The proposed development achieves 7.8m² per person based on the size of the Central Square. This figure does not include private amenity spaces, which would increase the average to 10.6m², this is considered to be high given Phase 4's location within the wider Woodberry Down development. Phase 2 and 3 have delivered large public parks (in excess of the needs of those phases) which would also be available to Phase 4 residents, and from the latest version of the Hackney Open Space Assessment (2018) there would appear to be a surplus of open space in the vicinity of Woodberry Down.

6.10.6 The Play Strategy within the site is concentrated on the residents podium, with areas in the Central Square and the Mews Garden, and is detailed in the Landscape Design Statement. These are to be finalised through the landscape design which is subject to additional conditional discharge, however it is identified that a total playspace requirement from the development would be 1,556m². It is understood that playspace across phase 4 would total 1,289m², with sufficient playspace identified onsite for 0-11 year olds, with sufficient 12+ year olds playspace provided across the Wider woodberry Down development. It is anticipated that 12+ year olds will primarily utilise Spring Park and Water Green Park for green open space play; a 2-3-minute walk away. Finsbury Park is less than 400m to the west.

6.10.7 The planting strategy for the open space has been developed with reference to the London Wildlife Trust and with appointed ecologists to ensure planting is suitable and offers habitat opportunities. A mixture of native woodland trees and ornamental trees give year round seasonal interest, shade and structure. Clipped hedge planting also

provides structure, with the dynamic naturalistic perennials and grasses adapting with the seasons a Landscape Management Plan will be secured via condition and will be required to include a management regime. Further details relevant to this are dealt within the Ecology and Biodiversity section of this report.

6.10.8 In terms of adoption and maintenance strategy Hackney Council will maintain adopted highway land along Woodberry Down and Woodberry Grove, Transport for London will maintain land up to their boundary on Seven Sisters Road; Hackney Council (Parks) will maintain areas of public realm (a large portion of Mews Garden and Central Square. A plan and strategy for maintenance of this will be secured within the S106 agreement.

6.10.9 Subject to suitable conditions to deliver required level of external communal open space and child place space, including the ongoing maintenance of play facilities, it is considered that a sufficient level of external communal open space (qualitative and not necessarily quantitative) and child play space would be delivered and ensure high quality living conditions are achieved for all age groups in accordance with the overarching aspirations of the Local Plan.

6.11 Climate Change and Sustainability

6.11.1 Hackney Council has declared their Climate Emergency in 2019 and pledged to become net zero carbon by 2040. In the context of the built environment, this means that all new developments must be net zero carbon and that demonstrate that their climate change, energy and carbon considerations have been embedded in their design.

6.11.2 Policies LP54, LP55, and LP56 of the Local Plan (LP33) are relevant to this section, as are policies SI2, SI3, SI4, SI5C and SI7 of the London Plan, as well as Chapter 14 of the NPPF. LETI Climate Emergency Design Guide and LETI Embodied Carbon Alignment form best practice. All developments must be net zero carbon which means both their embodied and operational carbon footprint have been minimised. They must:

- Minimise their upfront and whole life cycle carbon (Be Lean)
- Adopt a fabric first approach (Be Lean)
- Have an ultra low level of energy use (Be Clean and Be Green)
- Be fossil fuel free (Be Clean and Be Green)
- Use renewable energy for heating, water and electricity (Be Clean and Be Green)
- Maximise their energy generation and storage (Be Green)
- Mitigate overheating risk with no active cooling (Overheating)

6.11.4 Any energy assessment must clearly present both Hackney and London Plan targets, current London Plan Policy SI2 clearly targets major development to be net zero carbon and include a requirement for a detailed energy assessment to demonstrate how the zero carbon target will be met within the framework of the energy hierarchy. Policy SI2 also states that a minimum of 35% reduction beyond building regulations emissions targets must be achieved through major development, where this cannot be achieved on site, a financial contribution can be used to mitigate for the shortfall. Further to the above SI2 also states that major development proposals should calculate and minimise carbon emissions from any other part of the development. In addition to the above, SI2 also requires that development proposals that are referable to the Mayor should calculate whole life carbon emissions through a nationally recognised whole life carbon assessment and demonstrate actions taken to reduce life cycle carbon emissions.

6.11.5 Decentralised Energy is supported by the London Plan and major developments should explore opportunities to connect to these,. It also requires major development proposals to select energy systems in accordance with a specified hierarchy and where future network opportunities are identified, proposals should be designed to connect to these networks.

6.11.6 The London Plan seeks an increase in the proportion of energy generated from renewable sources, and states that major development proposals should provide a reduction in expected CO2 emissions through onsite renewable energy generation, where feasible.

6.11.7 Energy Assessments must demonstrate how the zero carbon target for both residential and non residential developments will be met with at least a 35% onsite reduction beyond Building Regulations Part L(2021) and proposal for making up the shortfall to achieve zero carbon, where required, which may include a financial contribution to off-setting. The London Plan and Local Plan require new residential developments to achieve 10% CO2 emission reductions over the baseline model at the 'be lean' stage alone and 15% for the new non residential developments.

6.11.8 An Energy Statement has been provided in support of the application. This document indicates that the proposal achieves the minimum 35% regulated carbon emission reductions beyond current Building Regulations approved document Part 2021, instead of zero carbon.

6.11.9 The applicant has provided the revised energy statement and corresponding spreadsheet confirming the final energy & carbon savings figures and confirmed that no revision to the WLC & CE statements were required by the GLA. Whilst the proposed development exceeds the minimum policy compliance threshold of 35%, it is noted that a number of opportunities which would have considerably lowered both embodied and operational carbon footprints have not been implemented. We do not currently have the policies in our local plan to secure further embodied & operational carbon savings - the scheme is compliant but does not align with the best industry practice and therefore can't be considered exemplary. Regardless of the policy landscape future update, the applicant is strongly encouraged to seek closer alignment with best practice for the future phases of the regeneration site. For instance, absolute metrics such as Energy Use Intensity and Space Heating Demand calculated through predictive modelling must be used as a baseline, LETI carbon alignment targets must be considered for the overall embodied carbon, and the opportunity to develop a Circular Economy platform on site must be explored. In addition, both the GLA and LBH have highlighted that the sample of units used for energy modelling and overheating risk assessment purpose is not reasonably representative (only 5 units out of 551 units and 48 unit types have been modelled) and the applicant will be expected to provide updated results with an increased sampling for the next stage of design, as well as using a more representative sampling for the future phases 5, 6, 7 & 8. Considering the above, approval can now be recommended for the present development subject to a number of conditions which are appended to this report, and a financial contribution for carbon offsetting of £650,778.50 (confirmed through figures in energy statement) to be secured within the S106 Legal Agreement.

6.11.10 Concerns have been raised by interested parties in relation to the merits of the proposal in climate change, energy and sustainability terms, however as mentioned above, the scheme is considered compliant when considered against current relevant policy.

6.12 Highway Safety and Transportation Matters

6.12.1 This section seeks to appraise the impacts that the proposal may have on the surrounding Highways and Transport Network. Typically, the key issues around Highways and Transport matters in relation to residential developments, such as this, are Highway Safety, Access, Car Parking and Sustainable Transport Options. Policies LP41, LP42, LP43, LP44 and LP45 of the Local Plan are relevant in relation to this section, as well as Chapter 10 of the London Plan and paragraphs 114-117 of the NPPF. Consultation has been undertaken with the Highways & Transport Team and Transport for London on this application. The application has been submitted with the following that relate to transport matters: Transport Assessment (TA); Framework Travel Plan; Design and Access Statement; and, Environmental Statement.

6.12.2 The site is bounded to the north by Seven Sisters Road, to the east by Woodberry Grove, to the south by Woodberry Down, and to the west by St Olave's Church. The existing Phase 4 site comprises circa 200 dwellings and 64 car parking spaces. The A503 Seven Sisters Road is the main road situated to the north of the site. This provides connections to the A105 Green Lanes to the west and the A107 Amhurst Park to the east.

6.12.3 The site has a Public Transport Accessibility Level (PTAL) of 6a (on a scale of 0 to 6b, with 0 being the lowest and 6b being the highest). This means the site has 'excellent' accessibility to the public transport network. The nearest bus stops to the site are located on Seven Sisters Road, Green Lanes, and Amhurst Park. The Piccadilly line can be joined at Manor House Underground Station which is located at approximately 500m from the site. There are four overground stations that are located slightly further afield from the site, accessible by the local walk, cycle and bus infrastructure.

6.12.4 In relation to road safety, the applicant has contacted Streetscene in reference to undertaking a Stage 1 Road Safety Audit. The audit extent covers Woodberry Down and Woodberry Grove which will be enhanced as part of the development proposals.

6.12.5 The development proposals include a new central square on the eastern edge of the site, adjacent to Woodberry Grove. This proposal includes a north-south route that will connect Woodberry Down and Seven Sisters Road. This proposal has been discussed at pre-application stage and has been agreed in principle. It is important to note that internal discussions are still ongoing in relation to the maintenance of the central square area and how the area will be maintained on an ongoing basis. This will need to be finalised as part of the legal agreement prior to the application being determined.

6.12.6 TfL and LBH Streetscene have been involved throughout the Woodberry Down Masterplan process, with both TfL and LBH Streetscene agreeing on the strategic importance of the Seven Sisters Road scheme to reduce road danger and community severance and improve active and sustainable transport uptake. Significant contributions have been sought toward these works in earlier phases.

6.12.7 In terms of trip generation, the assessment shows that the application site will have a significant impact on the local transport network and public highway. It is important to note that a number of assumptions have been made to generate the assessment that may actually underestimate the overall impact. These include the use of comparative data rather than onsite travel surveys and a reliance of 2011 Census data to generate modal share data. In relation to the census data, the applicant should update the trip generation assessment to also include the 2021 census data at the application stage. The assessment highlights the importance of the development providing a series of mitigations to offset the impact of the development on the local transport network. These are outlined below.

6.12.8 LP33 states that to reduce car usage and promote active travel, all new developments in the borough must be car-free (see policy LP45 for further details). In housing estate development schemes, parking provision may be retained or re-provided where it can be demonstrated that existing occupiers with established parking spaces or permits are to return to the site once the development is completed and that the retained or re-provided parking is for those residents only. This is the case at Woodberry Down and a location for this parking has needed to be identified as part of the design solution for the redevelopment. It is recognised that concerns have been raised about this from interested parties and these comments are noted.

6.12.9 Owing to the nature of the Woodberry Down site, the TA outlines that in accordance with London Plan (2021) Policy T6, Phase 4 will be a 'car-light' development. Disabled car parking is proposed for new tenants, and car parking is proposed for existing social rented tenants who currently have a parking permit. This accords with the local plan policies outlined in this section.

6.12.10 There are a total of 48 marked car parking spaces within the existing Phase 4 site. The TA outlines that parking is also undertaken informally along the site's three access roads. There is also space for 15 cars to park along the site's frontage on Woodberry Down within formal inset parking bays. The onsite car parking is described as being well utilised throughout the day.

6.12.11 The proposed development will formalise the car parking into a single podium car park. This will provide 48 vehicle parking spaces. Of these, 35 spaces are re-provided which include 3 disabled person's parking bays. An additional 13 new disabled person's parking bays will be provided. It is important to note that the Council now has a strict car free policy. The onsite vehicle parking must be properly managed with the intention of gradually reducing the number of parking bays as and when returning residents no longer require a parking permit. This process should be managed through the car parking management plan and the travel plan (see below). In accordance with London Plan (2021) Policy T6 standards, 20% of spaces will be provided with an Electric Vehicle Charging Point (EVCP) from the outset, with all remaining spaces having passive provision for future use. Further clarification is sought in relation to the type of chargers that are proposed and how these will be allocated to the returning resident and Blue Badge bays. A CPZ exclusion to restrict parking permits being issued is recommended for all new users of the proposed site (except those with a blue badge). This should be done in the shape of a condition or secured in the legal agreement, and a suitable condition is appended to this report.

6.12.12 LP33 states that disabled parking should be provided in accordance with the London Plan. The London Plan states that all developments irrespective of their size must provide at least one disabled parking space. The TA outlines that the proposed development will provide a total of 16 disabled person's parking spaces. This is a total of 3 disabled bays for returning residents and 13 new spaces.

6.12.13 The TA states that the car parking podium will be situated away from the public realm and the residential entrances. This raises a concern about ensuring that Blue Badge bays are accessible for residents. The bays should be located as close as possible to the entrance areas as possible. This should be under 50 metres. 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.

Car Parking

6.12.14 Car Parking is located internal to the development. Access will be from Woodberry Down. The existing 63 car parking bays (onsite and along Woodberry Down) are removed as part of the redevelopment. 48 car parking spaces are re-provided in the development., meaning a reduction of 15 bays from the development.

6.12.15 The spaces comprise 35 car parking spaces (which includes 3 blue badge bays) for right of return bays (namely existing secured social rented tenants in Phases 6 and part Phase 7 who currently have a car parking permit that are to move into the phase). 13 Blue Badge Bays are provided for the residential accommodation (3% of the total unit non-social rented housing numbers). The residential accommodation is otherwise 'car-free' which will be secured in the S106 agreement. The bays along Woodberry Down are redesignated for servicing bays (both residential and non-residential) only. All bays will have electric charging, with 10 active (20%) and 38 passive (80%).

Cycle Parking

6.12.16 Hackney Policies LP41, LP42 and LP43 in LP33 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Local Plan 2033 policy LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible bicycles, tricycles and cargo bikes. Two-tier cycle parking is generally not supported.

6.12.17 The TA outlines that long stay cycle parking will be provided in line with the relevant London Plan (2021) standards. For the residential element, long stay cycle parking will be provided in secure and covered stores, located within the ground floor podium. A total of 890 long-stay cycle parking will be provided within cycle stores distributed between the cores, with level access provided to each core. The TA outlines that a small amount of long-stay cycle parking for staff of the commercial uses will be required which will be provided in line with the London Plan.

6.12.18 The TA outlines that the cycle parking stores and their access arrangements have been designed with consideration to the London Cycle Design Standards (LCDS) guidance.

6.12.19 The cycle parking provision comprises a mixture of two-tier cycle parking and Sheffield stands. 90 long stay residential cycle spaces will be provided. 89 (10%) will be provided via Sheffield stand and 43 (4.8%) via larger Sheffield cycles. 758 (85.2%) will be via two tier stands. The bays will be spaced in accordance with the London Cycle Design Standards. The cycle stores are located close to each core of the development with minimal doors required to access the storage facilities for ease of use. 74 short stay bays will be provided, comprised 53 (71.6%) standard Sheffield Bays and 21 Sheffield (28.4%) type stand. These will be provided externally, all of which will be Sheffield stands. Of this number, 72 spaces are standard Sheffield bays whilst 2 spaces are sized for larger bikes. As the exact configuration or final use of the non-residential floorspace is not presently known, no cycle bays are presently provided for internally but will be conditioned for when the occupier/arrangement of the space is known.

6.12.20 In relation to the quantum of the proposals, Streetscene provided pre-application advice to the applicant that stated cycle parking should be proposed in line with Hackney's Sustainable Transport SPD. This includes the stipulation that in schemes where more than 25 cycle parking spaces are provided, an additional accessible cycle

parking space should be provided for every 25 cycle parking spaces. Streetscene advised that two-tier cycle parking is generally not supported owing to the policies outlined above. They stated that the proposals must provide a high number of accessible cycle parking spaces. Single-tier spaces should be adequately spaced to ensure that a wide range of cycles can be stored. The current proposals do not appear to be policy compliant in terms of the proposed quantum or design. Streetscene have significant concerns that the proposals will not adequately enable all residents to cycle and use a range of cycles. Any element of two-tier cycle parking must meet the minimum space and quality requirements including: a minimum aisle width of 2500mm beyond the lowered frame is required to allow cycles to be turned and loaded. An overall aisle width of 3500mm should ideally be provided where there are racks on either side of the aisle, though this may limit the density advantages of two tier stands. The minimum height requirement is 2600mm (chapter 8, page 9). Two tier stands should be provided with mechanisms that help lifting such as springs or gas struts. It is essential that side bars or similar be incorporated in the design on both the lower and upper tiers to allow the frame and at least one wheel to be secured. As discussed at a number of meetings with the applicant, a strategy should be produced to manage and reallocate vehicle parking spaces over the longer term. A policy compliant cycle parking plan is required, for the above mentioned number of spaces, which shows details of layout, foundation, stand type and spacing. A suitable condition is appended to this report.

Travel Plan

6.12.21 As outlined above, Phase 4 will have a significant impact on the local transport network. It is imperative that these impacts are properly managed and that in line with the Council's strategic priorities, that active and sustainable transport are enabled throughout the development. A Framework Travel Plan (FTP) has been submitted as part of the application. A full Travel Plan will be required to be produced and implemented on occupation of the development. Owing to the size and scale, a contribution of £12,000 should also be secured through the s106 legal agreement towards the monitoring of the Travel Plan for the whole development.

Construction Management

6.12.22 Given the nature of the proposed development, a final Construction Management Plan (CMP) is required and must be conditioned to mitigate negative impact on the surrounding highway network.

6.12.23 The applicant is expected to work collaboratively with other developers in the local area. It will be crucial to carefully manage any conflict with other construction and highway works schemes in the area at the time of commencement. To effectively monitor the final CLP the base fee of £17,500 is recommended to be secured via the s106 legal agreement.

Electric Vehicle Car Club and Car Club membership

6.12.24 Although a car free/car lite development is supported, it is recognised there may be some need for occasional vehicle use. The Council's Local Plan states that all major residential developments will be required to contribute towards the expansion of the local car club network including those using low-emission vehicles. To encourage occupants to travel by sustainable modes, a contribution towards the introduction of an Electric Vehicle Car Club (EVCC) is sought. The estimated cost of this is £20,000 and will be secured via the S106 Legal Agreement.

S106 Transport Mitigations

6.12.25 Hackney's Local Plan outlines that any significant negative impact on the operation of transport infrastructure, must be satisfactorily mitigated. As outlined above, the Phase 4 application will have a significant impact on the local transport network. In particular, the extensive transport movements through construction, delivery and servicing, residential and commercial travel has a major impact on the Council and TfL's highway network. This needs to be properly mitigated. Manor House Junction will see more cars, more cyclists, and pedestrians using it and so it is imperative that this junction is redesigned and laid out to reduce conflicts, improve safety and ease pedestrian, bus and cycle movements. Although a contribution is not being sought at this stage, it is important to note that Manor House junction improvements are a key Council priority. This is owing to the changing context of the 2014 Masterplan and the uplift in residential dwellings and the associated transport impacts on the local and regional (TfL) network. This is not just restricted to motor vehicle movements. There is a modal shift towards active and sustainable transport and vulnerable road users must be properly prioritised and protected.

6.12.26 The GLA/TfL have been consulted on the Phase 4 application. Their December 2023 response outlines that the application site has a direct frontage to the TLRN, where the 2014 Masterplan envisaged improvements including narrowing to reduce severance, an extension of bus lanes, improved crossings and increased urban greening. The original funding secured as part of the 2014 consent has, with indexation, increased to over £10m. Under the updated S106 obligations, its use must be agreed and approved by the Seven Sisters Road Steering Group which includes TfL, the Council, and the applicant. The GLA/TfL have stated that the Seven Sisters Road contribution should be further increased on a pro-rata basis, reflecting the uplift in floorspace of the current scheme proposals; a contribution of £125,714 is sought. This contribution request is not supported as it is considered that mitigation for this has already been provided.

6.12.27 The GLA/TfL response states that the proposals must include their own site specific highways works to the TLRN and adjacent local highways to facilitate safe access - especially for pedestrians and cyclists. This must be a separate contribution from the Seven Sisters Road scheme. It should be delivered via a S278 agreement. In response, the applicant has stated that phase 4 does not create any new desire lines that are not served by the existing situation. The applicant states that it is not until phase 6 where there will be an additional requirement for safe crossing facilities. In this instance, the Seven Sisters Road scheme including pedestrian crossings should have been delivered. This contribution request is not supported.

6.12.30 New major development must contribute towards improving rail infrastructure at local stations and travel interchange facilities and step free access. It must also contribute towards improvements to the bus network and associated infrastructure including new bus services, bus priority measures and frequency upgrades. The proposed housing mix includes over 50% of the proposed dwellings being suitable for families. Families will generally make trips on public transport at weekends which may indicate why Manor House has seen the biggest recovery on Saturdays and Sundays with entry and exit numbers now above pre-pandemic levels and continuing to rise.

6.12.31 As the nearest station to the development it can only be accessed by fixed stairs and is a barrier to families with pushchairs or those with mobility issues. Proposals for a lift to concourse level were drawn up over 20 years ago but as there was no funding and were never implemented. They are even more relevant today and a contribution to fund these should be sought. Owing to the importance of seeking contributions towards the Manor House junction scheme, it is recognised that rail station upgrades would not be

sought for Phase 4. This must be revisited for the Phase 5 - 8 Masterplan. It is very important to enable all residents to access the nearest station to the development.

6.12.32 In relation to bus improvements, the GLA/TfL advice has stated that the increase in residential floorspace should be reflected in an increased bus contribution secured in the S106 agreement. This must be confirmed and agreed prior to determination. Streetscene support this request for a contribution to be secured in the S106 Legal Agreement towards this.

6.12.33 New Development will be permitted where it contributes towards improved wayfinding including signposted links such as TFL's Legible London to key infrastructure, transport nodes, green spaces and canal towpaths where appropriate. Owing to the importance of providing high quality wayfinding for Phase 4, a contribution of £10,000 is sought. This should be secured as part of the S106 legal agreement.

Highways Works - S278 Matters

6.12.34 In accordance with Local Plan policies, new developments and their associated transport systems should contribute towards transforming Hackney's places and streets into one of the most attractive and liveable neighbourhoods in London (see Local Plan 33 policies LP41 - 45 for further details).

6.12.35 Developments are required to manage demand through the introduction of measures to prioritise the needs of pedestrians, cyclists and public transport users. They are expected to constrain car ownership and ensure that any motor vehicle trips that do occur are made using low-emission vehicle technologies as possible. Owing to the significant impact of the development on the public highway and surrounding transport network, contributions are sought for highways and urban realm improvements within the site vicinity. The estimated cost of work is £581,781 and will be secured via the Legal Agreement.

6.12.36 A Section 38 should be included as part of the S106 legal agreement to cover the area of Woodberry Down that is currently not public highway. The applicant will be required to complete the full works for this process to ensure that the highways can be adopted at a later stage.

Transport Conclusion

6.12.37 It is therefore considered that the proposal has been well thought out in highways and transport terms, and subject to conditions and obligations will respond appropriately to constraints. The proposal is therefore considered to be compliant with the relevant policies in the NPPF, the London Plan and the Local Plan, where these can be apportioned weight; subject to conditions and appropriate legal agreements being entered into.

6.12.38 Concerns have been raised regarding the requirement for the level of car parking, however this has been justified in the section above, with a condition appended to deal with a solution for the use of the parking should this no longer be required. Concerns have also been raised regarding the Seven Sisters Road works, these comments are noted and the delivery of this is reliant on external factors outwith the control of this application.

6.13 Flood Risk, Drainage and other water related matters

6.13.1 This section seeks to appraise the proposal in the context of flood risk and drainage matters. Chapter 14 of the NPPF forming the national planning policy context, Policy LP53 of the Local Plan, and Policies SI12 and SI13 of the London Plan are relevant to this section. The applicant has submitted the following: Environmental Statement; Flood Risk and Drainage Strategy; and, a Design and Access Statement that are relevant to Flood Risk and Drainage matters.

6.13.2 The National Design Guide is also relevant to this element of the report, particularly the section relating to 'resources. In relation to 'resources' the National Design Guide states "Well designed places: have a layout, form and mix of uses that reduces their resource requirement, including for land, energy and water; are fit for purpose and adaptable overtime, reducing the need for redevelopment and unnecessary waste; use materials adopt technologies to minimise their environmental impact"

6.13.3 Consultation has taken place in relation to surface water drainage with the Lead Local Flood Authority (LLFA) and, as well as consultation with the Environment Agency (EA), and Thames Water who have differing remits with regards to Flood Risk, Drainage and Water related matters.

6.13.4 It is understood that the site exhibits varying flood risks, particularly in the north-eastern corner along Severn Sisters and Woodberry Grove roads, and the south-eastern border adjoining Woodberry Down, where a 'high' risk of surface water flooding is identified. Additionally, Knaresborough House within the site is a focal point for a 'high' risk of surface water ponding. This assessment is derived from the Environment Agency's Risk of Flooding from Surface Water mapping. The Sustainable Urban Drainage System (SUDS) associated with the proposal is designed to delay the rate of water runoff into the main combined sewer. This is achieved by features such as green and blue roofs, soft landscaping, swales, rainwater harvesting, rain gardens and trees. After this, surface water will be discharged into a privately controlled attenuation tank before finally discharging into the combined sewer. Whilst attenuation and discharge into the sewer system is at the bottom of the drainage hierarchy, it is justified for the development due to the development being situated on clay.

6.13.5 The Lead Local Flood Authority have reviewed the documentation submitted with the application and do not object to the proposal, the LLFA have also suggested appropriate conditions to make the development acceptable in planning terms. Thames Water have commented on the application and advise that with regard to the Combined Wastewater network infrastructure capacity, they do not have any objection to the above planning application based on the information provided, and have suggested a condition to be appended to the decision notice, should the application be approved. Following initial investigations with regards to water supply, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal, Thames water have suggested a condition to overcome these concerns. In addition to the above, Thames Water have suggested a condition to ensure no building/construction takes place within 5m of Strategic Water Mains, which is appended to this report. The Environment Agency have also commented and have not objected to the proposal.

6.13.6 Following consideration of the responses of consultees, it is considered that the application has demonstrated that appropriate flood risk, drainage and water related matters can be successfully achieved on site. It is considered that sufficient evidence has been provided to show that the proposed development would not increase the risk of flooding to the area.

6.13.7 The proposal is therefore considered not to be in conflict with the NPPF, and

with those policies in the Development Plan in relation to surface water drainage and other water related matters e.g. water supply.

6.14 Ecology and Biodiversity Matters

6.14.1 This section seeks to appraise the proposal and protect and enhance the biodiversity and geodiversity of the borough, particularly in relation to its impact on habitats and protected species and, especially those areas designated as of national and local importance. Policies G5, G6 and G7 of the Local Plan (LP33) are relevant to this section, as is Section 15 of the NPPF. The following ecological information has been submitted in support of the planning application: Environmental Statement (ES); Preliminary Ecological Appraisal (PEA) and supplementary protected species surveys; Biodiversity Net Gain (BNG) Assessment; Landscape Design Statement; Demolition Environmental Management Plan; Construction Environmental Management Plan; and, Tree Removal Plan & Schedule, Tree Protection Landscape Phase Document; and, Tree Protection Construction Phase Document.

6.14.2 The ecological surveys which have been undertaken have been summarised within the submitted Environmental Statement (ES). The Ecological Impact Assessment (EclA) has been undertaken in accordance with the best practice methodology (e.g. CIEEM, 2018).

6.14.3 NPPF, Chapter 15, Paragraph 180 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. As of 2024 there is also a mandatory requirement for biodiversity net gains to be achieved on major applications.

6.14.4 Although a largely urban site within the urban fabric of London the application does contain some ecological habitats. The habitats present within the site were dominated by amenity grassland, hardstanding, buildings with smaller areas of scattered trees and shrub. Although these are locally common and widespread within the urban context, due to their location and extent near and between other areas of green space, the site is considered to be importance at the local level.

6.14.5 The site is not subject to any statutory or non-statutory nature conservation designations, however three internationally important wildlife sites are located within 10km of the site, the nearest of which is the Lee Valley Ramsar Site and the Special Protection Area approximately 1.8km from the site. There is a single Site of Special Scientific Interest (SSSI), Walthamstow Reservoirs SSSI, which is approximately 1.8km from the site. In addition there are five Local Nature Reserves located within 2km of the site.

6.14.6 There are 26 non-statutory sites designated as Sites of Importance to Nature Conservation within 2km of the site. The site is near to the New River Canal Site of Metropolitan Importance to Nature Conservation (SMINC), Stoke Newington Reservoirs SMINC and Finsbury Park Site of Borough Importance for Nature Conservation (SBINC). Mitigation is suggested in the PEA to avoid potential impacts on these sites. This can be secured by a condition. A Habitat Regulations Assessment Screening Request has been submitted with this application and it is the report that has considered potential impacts on Epping Forest SAC and the Lee Valley SPA/Ramsar, this concludes that no likely significant effects will result and that no further assessment is required. Further to this, Natural England have reviewed this and have raised no objection to the application.

6.14.7 In terms of Bats, all building within Phase 4 and Phases 5-7 of the site were assessed to have potential for roosting bats, and will be affected by the development. To

mitigate impacts of lighting on foraging and commuting bats using the adjacent SINC, a sensitive lighting scheme is proposed as mitigation. With regards to breeding birds, the introduced shrubs and trees on site have the potential to support common but declining species of breeding bird. Mitigation measures are suggested, and these can be secured by a condition. In terms of reptiles, unmanaged amenity grassland and scattered scrub along the northern boundaries of Phases 7 and 8, and within the wildlife garden of Phase 7 have potential to support widespread reptiles such as slow worm and current reptile. With regards to invertebrates, Stag Beetle is known to occur in the area and habitat features suitable for stag beetle are present on site, including a loggery and areas of dead wood nearby on phase 7. Suitable conditions to ensure the protection of these species should be appended to any grant of planning permission in relation to this proposal.

6.14.8 In terms of ecology it has been confirmed that there will be the following impacts due to the implementation of the proposal: loss of bat roosts; within existing buildings/structures; removal of trees which provide habitat for protected species; and, effects on nearby designated ecological sites, as well as impacts from lightspill. The applicant's mitigation package includes the following: Construction Environmental Management Plan (CEMP); Demolition Environmental Management Plan; Construction Environmental Management Plan; a suite of relevant arboricultural documents; and landscaping plans; restriction of potential habitats to spring/summer period; restrictions on the use of lighting within the scheme; legal requirement for bat mitigation licence; monitoring and management of habitats; enhancement of habitats and biodiversity value; lighting strategy to minimise light spill; bat and bird boxes to enhance wildlife; and, landscape and ecological management plan.

6.14.9 The ecology survey provided with the application suggests a range of ecological enhancements, which would form part of the mitigation package for the proposed development. It is suggested that the recommendations are followed, and a suitably worded condition is appended to this report to secure this.

Biodiversity Net Gain and Urban Greening Factor

6.14.9 The proposal is supported by a biodiversity net gain assessment, this states that development will provide a biodiversity net gain of 13.74%. In order to achieve this biodiversity net gain a Landscape Ecological Management Plan (LEMP) and maintenance regime would need to be secured, this can be secured via a condition.

6.14.10 London Plan Policy 5 requires all major development to include urban greening, it acts as a tool that 'evaluates and quantifies the amount and quality of urban greening that a scheme provides to inform decisions about appropriate levels of greening in new developments'. The Urban Greening Factor (UGF) set by the GLA for new developments is 0.4, and this has been achieved with a score of 0.43. This is considered policy compliant.

Ecological Conclusion

6.14.11 In conclusion, the on-site and off-site ecological & biodiversity impacts arising from the proposal can be suitably mitigated in accordance with relevant policies of the Local Plan, the London Plan, the NPPF, and other material considerations e.g. National Design Guide.

6.14.12 Concerns have been raised by interested parties in relation to ecological matters, however as mentioned above, the scheme is considered acceptable, subject to an appropriate scheme of mitigation.

6.15 Arboricultural Matters (trees)

6.15.1 Policy LP51 of the Local Plan seeks to protect trees which are considered to have amenity value. The loss of trees can be permissible in exceptional circumstances and where there are overriding planning benefits. The policy goes on to state that it will seek adequate replacement planting within developments where trees are to be lost.

6.15.2 London Plan Policy G7 states that: 'if planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.'

6.15.3 The site hosts 1 Category A trees, 22 Category B trees and 54 individual and 1 group Category C trees, and 2 category U. In terms of the 43 and 1 group removals, 4 are category B, 38 are category C (including the group) and 2 trees are Category U.

6.15.4 The general approach of any landscaping strategy should be to retain as many existing trees as possible and to provide a net increase in the number of trees across the site. This development will require the removal of 43 trees and 1 group of trees, three of the trees in the group are required to be removed simply due to ill-health (they would need to be removed regardless of this development proposal). A further 12 trees would need to be removed regardless of the type of redevelopment proposal brought forward as they would not survive the demolition process. 28 trees would be removed to accommodate the proposed development, an improvement on the 2014 masterplan for Phase 4 which would have required the loss of more trees. 104 trees will be planted as part of the development proposal (net 60 trees), thereby more than doubling existing provision.

6.15.5 It is understood that a viable development of the site would require the loss of these trees due to their situation and therefore their removal is considered necessary to enable this proposal to come forward. 104 new trees will be planted however (net 60 trees), this is more than double the number of trees due to be lost throughout the development as both compensation and overall betterment of the site. Suitable re-provision and compensation has been identified and trees of amenity value have been retained in accordance with Local Plan Policy LP51. The comments of the Landscape and Tree Officer have been sought and they have confirmed that they agree with the findings of the tree survey submitted, and have confirmed they have no objection to the proposals subject to appropriate conditions and securing of a CAVAT contribution with regards to trees that will be lost through the development of the scheme (£414,735,39) relating to the following of the tree survey and its recommendations and guidance around the planting of landscape features within the podium.

6.15.6 Therefore, arboricultural impacts arising from the proposal can be suitably mitigated for in accordance with relevant policies of the Local Plan, the London Plan, the NPPF, and other material considerations e.g. National Design Guide.

6.15.7 Concerns have been raised regarding the removal of existing trees from the site, however given the CAVAT contribution, the biodiversity and landscaping merits of the proposal and the benefits of the design of the proposal this is deemed to be acceptable in this instance.

6.17 Waste Collection

6.17.1 Waste and recycling storage is located within each relevant core for residents and the non-residential uses. The capacity has been based on the Council's Refuse and Recycling Storage Requirements (2020) guidance. The Council's Waste Management and Servicing Planning Policy is Policy LP57 of the Local Plan.

6.17.2 Residential and non-residential deliveries and collections will be via servicing bays along Woodberry Down. 2 servicing bays will also be provided within the parking area to handle larger items, with access managed by the concierge.

6.17.3 The Waste Management team hold concerns with the proposed servicing in terms of the distances some of the Mews Houses will need to bring their bins to be collected, as well as the internal distances some of the occupants of these flats will need to bring their bins to be communal waste storage areas and some of the drag distances for the communal bins. Despite these concerns it is not considered that there is a design solution that is better than the existing in terms of servicing the Mews Houses, when taking all other design matters into consideration. Unfortunately, the residents of the Mews Houses as designed will need to bring their bins to the communal presentation area for the Mews Houses where they can be moved by the LBH crew for deposit into the Refuse Collection Vehicle (RCV). It is not considered appropriate to allow the RCV to access the pedestrian route in front of the Mews Houses, as this would take away from the other opportunities this area provides e.g. play, cultural space, landscaping, trees or ecological features, nor are we able to request a communal internal bin store for these properties due to their tenure. The issue with servicing these seems to stem from the lack of ability to service the site from Seven Sisters Rd, as well as the tenures involved and the benefit of having these larger family units on the ground floor. In terms of the distance from the Central Waste Presentation Area (where Block A's waste will be brought to by the onsite team), Main Waste Storage Area (Building B2), Main Waste Storage Area (Building B1), Main Waste Storage Area (Building C) to the loading bay would appear to be a short distance, but exceeding guidance, and it is not considered there is an acceptable solution without compromising on other design constraints, such as the landscaping in front of Building C and B2.

6.17.4 It is therefore understood that the scheme in its current form does not meet the guidelines set by the Waste Management Team, however it is considered that there are mitigating factors in the design of the proposal for not seeking an alternate design to make this fully compliant with the Waste Management Team's guidance at this stage e.g. ecology and biodiversity, urban greening, highway safety, play and amenity considerations. A suitable condition is attached to this report to ensure Waste Management matters are addressed appropriately when the scheme is built out.

6.18 Contamination

6.18.1 Paragraph 189 of the NPPF states "Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments."

6.18.2 The proposal has been submitted with a tier 1 risk assessment on land

quality. It is understood that for the proposed development the site poses a moderate/low risk to human health receptors due to the potential for residual impacts from the historic land uses, and a low risk to controlled waters. Potential risks to controlled waters are limited by the general lack of shallow ground water at the site and the expected low transmissivity of the underlying deposits, reducing the potential migration pathways. The risk assessment and previous assessments of the site identify that there is potential for contaminants to occur within Made Ground at levels that exceed human health based criteria applicable to residential development. A targeted programme of remedial actions are suggested by the assessment, and a suitable condition can be appended to the grant of permission.

6.18.3 The Land, Water, Air Team have reviewed the relevant documents submitted with this report and have provided comment on the proposal and have advised that they agree with the recommendation of the risk assessment report, and have recommended suitable conditions, which are appended to this report. The Environment Agency have commented on this application and have not objected to the proposal however they have provided advice for the applicant.

6.18.4 Therefore from a Contamination perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and other material considerations where these can be apportioned weight.

6.19 Planning Obligations

6.19.1 When considering the potential content of a legal agreement regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, the obligations can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It is standard practice with applications where S106 contributions are likely to be required for the applicant/agent to provide a draft head of terms, with their submission. In relation to S106 matters, the Hackney Local Plan (LP33) and the London Plan, as well as the Hackney S106 Planning Contributions SPD are the most relevant documents. A draft S106 heads of terms has been provided. Contributions/Provisions for the following are sought:

- £231,431 towards employment training;
- £560,250 towards primary healthcare;
- £19,245 towards end use jobs through the operational phase; and
- £20,000 towards Electric Vehicle Car Club (and associated on street electric vehicle charging points); and £60 per resident towards the resident's Car Club scheme;
- £12,000 towards the monitoring of the travel plan;
- £17,500 towards the monitoring of the demolition and construction management plans;
- £2,000 towards the monitoring of the delivery and servicing plans;
- £581,781 towards the cost of highway works associated with the development;
- £54,615 Bus Contribution;
- £650,778.50 to the LBH Carbon Offset fund;
- £10,000 towards Wayfinding Scheme in Woodberry Down;
- £97,829.83 towards Early Years, Primary, Secondary and Post 16 Education;
- £20,362 contribution towards Public Art

- £414,735.39 CAVAT contribution
- Contributions towards monitoring fees (£50,000); and
- 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.

Non-financial contributions:

Provision of a library space within the scheme (should the council as service provider require this)

Affordable housing provision (42%) and mix (52% shared ownership/48% social rent), including GLA compliant early and late stage review mechanism; and

Approved architects clause to ensure quality of design in delivery of the scheme; and

Securing a car free development (in respect of market occupiers and "new" affordable housing occupiers) and a car capped development in respect of "existing" affordable housing occupiers (with a falling away of car parking privileges over time); and

Participation in the LBH Hackney Works Scheme; and

Participation in the Considerate Constructors Scheme.

Employment and Skills Plan

25% Local Labour

Apprenticeships

Securing Connection to the Energy Network

Construction Management (such as Considerate Constructors Schemes)

Be Seen Monitoring

All Tenure Access to the Central Podium

Travel Plan

6.19.4 The expected Affordable Housing contribution is discussed elsewhere in this report, however, to summarise a contribution of 50% is required for the scheme to be policy compliant, however due to viability constraints only 43% Affordable Housing is sought on the scheme.

6.20 Other Matters

Local Finance Considerations

6.20.1 In respect of local finance considerations other than CIL and financial obligations secured by way of Legal Agreement to mitigate the impact of the proposed

development, whilst the proposed development would be rateable for Council Tax and Business Rates purposes, and the benefit of the additional units and commercial floorspace is not negligible in the context of the overall totals, this does not represent a material consideration of any substantial weight in the consideration of the application, which should be determined in accordance with the relevant Development Plan policies and any other material considerations.

Equalities Considerations

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

7. CONCLUSION

7.1 The application in accordance with the provisions of the National Planning Policy Framework and the adopted Development Plan, concluding that the harm, which would largely be mitigated by way of conditions and contributions secured under a Legal Agreement, would be outweighed by the wider benefits of the scheme in terms of delivery of high quality housing and estate regeneration opportunity.

7.2 The application has now also been assessed in accordance with the relevant policies of the Development Plan and, on balance, the merits and benefits of the proposal, which include the provision of a substantial quantum of both affordable and market housing, high quality spaces and overall landscape and biodiversity enhancement local to the site, are considered to outweigh the harm caused by the development.

7.3 The proposal would have an acceptable impact in respect of all other material planning considerations as outlined above, subject to the recommended conditions and Legal Agreement provisions.

8. RECOMMENDATIONS

Recommendation A

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

8.1.1 Time limit

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

Except where modified by the conditions attached to this planning permission, the development

hereby approved relates to and shall be carried out in accordance with the following approved plan:

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved in the interests of good planning.

8.1.3 Travel Plan

Prior to occupation of the residential and non-residential accommodation of each phase of development, a Travel Plan (TP) shall be submitted to, and approved in writing by the Local Planning Authority. The TP shall:

Detail measures to encourage sustainable and active travel including the provision of local travel information and restrictions on car parking and vehicle use within the development to occupiers; and

Establish a long term management strategy with measurable targets and outcomes; and Include details of implementation, monitoring and regular review mechanisms; and Set out the measures to enforce the TP for the relevant block and/or building.

REASON: To promote sustainable transport and in the interests of highway safety, and in accordance with LP43 of the Hackney Local Plan, Section 9 of the National Planning Policy Framework.

8.1.4 Parking & Design Management Plan

Prior to first occupation, details of the Parking, Design and Management Plan (PDMP) for that block shall be submitted to, and approved in writing by, the Local Planning Authority. The PDMP(s) shall:

Demonstrate safe design of the agreed number of off street car parking spaces and access for pedestrians and cyclists and minimisation of conflict between use groups; and Appropriate provision of blue badge parking and electric vehicle charging points; and Include details of how additional blue badge car parking could be provided in future; and Permanent Mechanisms for prevention of non-car parking areas to be controlled for that purpose; and Ensure that use of car parking for the relevant block is actively controlled through measures to enforce the car parking arrangements for the relevant block

The approved PDMP(s) shall be implemented in full prior to occupation of the phase of development, fully implemented for the lifetime of the development.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers, and in accordance with LP41, LP42, LP44 and LP45 of the Hackney Local Plan and Section 9 of the National Planning Policy Framework.

8.1.5 Off Street Parking Long Term Strategy

Prior to the first use of the off-street car parking bays, a long term management strategy for the car parking area shall be submitted to and approved by the Local Planning Authority. The strategy shall include detail on:

How car parking spaces are re-allocated when an occupier with a parking space right vacates the property

The review mechanism for converting standard bays into blue-badge bays; and, Alternative use of the car parking spaces for more sustainable modes (e.g. cycles spaces or car-clubs).

REASON: In the interests of highway safety, reducing reliance on private motor vehicles, and the

amenity of neighbouring occupiers, and in accordance with LP41, LP44, LP45 of the Hackney Local Plan and Section 9 of the National Planning Policy Framework.

8.1.6 Bike Storage

Prior to the occupation of the development hereby permitted, full details of secure, accessible, on site bicycle storage including location, layout, stand type and spacing, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision of bicycle spaces is made within the development in the interests of discouraging car use, relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general, and in accordance with LP42 and Appendix 2 (Cycle Parking Standards) of the Hackney Local Plan as well as Section 9 of the National Planning Policy Framework.

8.1.7 Changing Facilities

Prior to the occupation of each unit of commercial/community floorspace, full details of internal lockable space and associated facilities such as showers to be used in association with the commercial/community floorspace within each unit shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of each unit of commercial/community floorspace and shall thereafter be retained and maintained.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interest of relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general, and in accordance with LP42 of the Hackney Local Plan, Section 9 of the National Planning Policy Framework.

8.1.8 Visitor Bike Parking

Prior to the first occupation of the development hereby permitted, details of visitor bicycle parking spaces including location, layout, stand type and spacing, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision for the parking of bicycles is made for future users and visitors of the development in the interest of relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general, and in accordance with LP42 and Appendix 2 (Cycle Parking Standards) of the Hackney Local Plan, as well as Section 9 of the National Planning Policy Framework.

8.1.9 Delivery & Servicing Management Plan

Prior to the occupation of each phase of development, details of the Delivery and Servicing Management Plan (DSMP) for both residential and commercial/community uses within that Block or Building shall be submitted to, and approved in writing by, the Local Planning Authority.

The DSMP(s) shall:

Seek to rationalise the number of delivery and servicing with the aim of reducing traffic impacts for the relevant block; and

Include, inter alia, details of the location and management of servicing areas; location, number and timings of deliveries and collections (which should avoid anti-social hours); the types of delivery

and collection vehicles; and

Ensure that delivery space and time for the relevant block is actively controlled through measures set out in the DSMP; and

Set out the measures to enforce the servicing arrangements for the relevant block.

The approved DSMP(s) shall be fully implemented for the life of the development.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers, and in accordance with LP43 of the Hackney Local Plan, Section 9 of the National Planning Policy Framework.

8.1.10 Demolition Environment Management Plan

Works shall be carried out in accordance with the Demolition Environmental Management Plan (DEMP). The DEMP for this scheme is as follows “Woodberry Down Phase 4 Demolition Environmental Management Plan, October 2023 by Berkeley Homes Rev 001 dated 11/09/22”, unless otherwise agreed in writing.

All demolition works associated with the development hereby permitted shall take place in full accordance with the approved DEMP.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife, and in accordance with LP2 and LP58 of the Hackney Local Plan as well as Sections 12 and 15 of the National Planning Policy Framework.

8.1.11 Construction Environmental Management Plan

Works shall be carried out in accordance with the Construction Environmental Management Plan (CEMP). The CEMP for this scheme is as follows “Woodberry Down Phase 4 Construction Environmental Management Plan October 2023 by Berkeley Homes Rev 001 dated 01/09/23”, unless otherwise agreed in writing.

All construction works associated with the development hereby permitted shall thereafter take place in full accordance with the approved CEMP.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife, and in accordance with LP58 and LP of the Hackney Local Plan as well as Sections 12 and 15 of the National Planning Policy Framework.

8.1.12 Demolition Management and Logistics Plan

Works shall be carried out in accordance with the Demolition Management and Logistics Plan (DMLP). The DMLP for this scheme is as follows “ Woodberry Down Phase 4 Demolition Management and Logistics Plan October 2023 by Berkeley Homes Rev 001 dated 11/09/22”, unless otherwise agreed in writing.

All demolition works associated with the development hereby permitted shall take place in full accordance with the approved DMLP(s).

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers and in the interests of highway safety, and in accordance with LP58 and LP of the Hackney Local Plan as well as Sections 9 and 12 of the National Planning Policy Framework.

8.1.13 Construction Management and Logistics Plan

Prior to Commencement of each phase of development (including foundations), a Construction Management and Logistics Plan (CMLP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CMLP(s) shall include the following details: Hours of works; and A programme of works; and a development phasing plan

Measures for traffic management including delivery and collection hours (which should avoid anti-social and peak hours), size and frequency of HGV arrivals and departures, prevention of idling by construction vehicles, construction traffic access and routing arrangements, and any footway or highway closures; Loading and unloading of plant and materials; and How materials will be managed efficiently and disposed of legally, and the re-use and recycling of materials maximised; and Storage of plant and materials; and Boundary hoardings behind any visibility zones; and Contact arrangements between residents and contractors.

All demolition and construction works associated with the development hereby permitted shall thereafter take place in full accordance with the approved CMLP(s).

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers and in the interests of highway safety, and in accordance with LP58 and LP of the Hackney Local Plan as well as Sections 9 and 12 of the National Planning Policy Framework.

8.1.14 Emissions - Non-Road Going Machinery

All Non-Road Mobile Machinery (NRMM) of net power of 37 kW and up to and including 560 kW used during the course of site preparation, demolition and construction phases shall comply with the emissions standards for the Central Activities Zone and Opportunity Areas of the Mayor of London's NRMM Low Emission Zone. Unless in compliance with the NRMM Low Emission Zone standards, no NRMM shall be on-site, at any time, whether in use or not, without the prior written consent of the local planning authority. The applicant shall keep an up-to-date register of all NRMM used during site preparation, demolition and construction phases on the online register at <https://www.london.gov.uk/programmes-and-strategies/environment-and-climate-change/pollution-and-air-quality/nrmm>.

REASON: To comply with London Plan Policy SI 1 and to ensure emissions from the site during the construction phase are acceptable with regard to public health and amenity, and in accordance with LP58 and LP of the Hackney Local Plan as well as Sections 9 and 12 of the National Planning Policy Framework.

8.1.15 Part M4(2) Dwellings

10% of the dwellings hereby approved as shown on the approved plans shall be constructed and fitted out in compliance with Building Regulations Requirement Part M4(3) (or any subsequent replacement) prior to first occupation. The remaining dwellings shall be constructed and fitted out in compliance with and to a minimum of Building Regulations Requirement Part M4(2) standard (or any subsequent replacement) prior to first occupation.

REASON: To ensure that the development is adequately accessible for future occupiers and in accordance with Section 12 of the National Planning Policy Framework.

8.1.16 Level Access

Level access shall be provided to all residential flats and the ground floor uses hereby approved before the relevant part of the development is first occupied.

REASON: To ensure the development is fully accessible.

8.1.17 Secured by Design

Prior to occupation of each building or part of a building, a Certificate of Compliance shall be obtained that confirms achievement of the relevant Secured by Design Standard.

REASON: In the interest of amenity and creating safer, sustainable communities and residential amenity, and in accordance with Section 12 of the National Planning Policy Framework.

8.1.18 Externally Facing Materials

Prior to the commencement of development above damp proof course level and notwithstanding the approved details in the application particulars of all externally facing construction materials (excluding windows, window frames and doors) for the new buildings within the scheme shall be submitted to, and approved in writing by the Local Planning Authority. Samples of the proposed materials shall be made available on site for inspection and retained for the duration of the works. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

Prior to the installation of the windows, window frames, doors and door frames within the scheme, details (including plans, elevations) regarding windows, window frames, doors and door frames shall be submitted and approved in writing by the LPA. This should include details relating to their design, materials and colour. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

REASON: To ensure the materials used within the scheme are as anticipated, and in accordance with LP1 and LP54 of the Hackney Local Plan as well as Sections 12 of the National Planning Policy Framework.

8.1.19 Antennas, Apparatus etc.

No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the elevation or roof of any buildings hereby permitted unless or until details of their size and location have previously been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure a satisfactory standard of external appearance and to protect local amenity, and in accordance with LP1 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.20 Obscured Glazing Condition

Notwithstanding the approved details, prior to the commencement of construction of block B1 a scheme for obscured glazing and balcony balustrade details and arrangements on the shall be agreed with the Local Planning Authority in writing. The obscured glazing used shall be level 4 obscurity level or above, and maintained in situ throughout the lifetime of the development.

REASON: To protect the amenity of occupiers in Blocks A1 and B1 in terms of overlooking and privacy due to the short separation distances experienced between the buildings, and in accordance with LP1 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.21 Protected Species

No development shall commence until the LPA has been provided either a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specific development to go ahead; or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity /development will require a licence.

REASON: to maintain the favourable conservation status of a European Protected Species and to ensure that the development can legally commence, and in accordance with LP47 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.22 Ecological Mitigation

No development shall take place unless in accordance with the mitigation and recommendations detailed within the report Woodberry Down Phase and Phases 5-8, London Preliminary Ecological Report by Temple, version 3.0 dated 10/06/2022.

REASON: To maintain the favourable conservation status of protected species, and in accordance with LP47 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.23 Vegetation Clearance

No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting will be agreed in writing with the Local Planning Authority prior to installation.

REASON: To protect nesting birds, all species of which are protected by law, and in accordance with LP47 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.24 Tree Works

No tree works on site will commence unless in strict accordance with the measures in the Mayhew Consultancy Arboricultural Report (Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan) dated October 2023, including the proposed measures of protection, undertaken in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction-Recommendations', for the trees identified to be retained in Appendix B. A checking survey should be completed prior to the commencement of works affecting trees within the Site to determine whether any red squirrel dreys or bat roosts are present. If red squirrels are found to be present within the Site the qualified ecologist will liaise with the contractor to ensure that measures are adopted to avoid impacts on red squirrels and bats.

The barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas. In the event of any tree(s) dying, being removed or becoming seriously damaged or diseased within 5 years from the completion of the development, it shall be replaced within the next planting season with another of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To maintain the landscape and biodiversity value of the site and avoid harm to protected species, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.25 Podium Planting

Notwithstanding the approved plans in relation to the planting scheme on the podium, soil for the trees and plants that are appropriate for inclusion on concrete podiums shall be utilised within the

scheme. Plants that prefer ericaceous soils shall be separated into different beds and the soil be suited for the planting environment (if ericaceous plants are to be used - appropriate fertilizer shall be used) must be used. The use of container grown trees must be used, as the failure rate of container grown trees is significantly less than rootballed trees.

As with all newly planted trees and plants - watering during the first growing season is imperative - the trees/ plants should not be allowed to dry out in the first growing season. In addition to this, trees have a formative pruning before planting - this will ensure that the tree has several years growing before another pruning would be necessary, formative pruning might not be appropriate for all trees but, this should be considered where appropriate.

REASON: To ensure that the landscaping scheme posed is successful and enduring, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.26 Trenches

Any trenches or deep excavations are covered at the end of each working day or ramps installed to provide exit routes for any animals that fall in.

REASON: to ensure that protected species are not harmed during construction, and in accordance with LP47 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.27 Hard and Soft Landscaping

Prior to Occupation of the development phase, detailed design drawings of the hard and soft landscaping scheme for the development shall be submitted to and approved by the Local Planning Authority. The submission will be accompanied by confirmation of the final Biodiversity Net-Gain and Urban Greening Factor score.

The information shall include, where relevant, details on plant/tree species and location, play equipment, cycle stands, wayfinding, street furniture, street lighting, boundary treatment types, public art and any information required to comply with the requirements of the Volume 4 Appendix D Wind Microclimate of the Environmental Statement.

All planting, seeding or turfing shall be implemented in the first planting season following first occupation of the relevant phase, as defined by the approved phasing plan. Any plants or trees that die or are removed, damaged or diseased within a period of ten years from the substantial completion of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species.

All hard landscaping shall be carried out in full prior to occupation of the relevant phase of the development.

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

REASON: To ensure that the external appearance of the site is acceptable, provides acceptable formal and informal leisure facilities for all ages, and protects and enhances biodiversity, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.28 LEMP and Public Realm Management and Maintenance Scheme

Prior to Occupation of the development phase, a Landscape, Ecological Management and Public Realm Management and Maintenance Scheme (LPRMMS) shall be submitted to, and approved by,

the Local Planning Authority. The LPRMMS shall include the following details:

Details of how the landscaping should be managed to support and maintain habitat creation, and show how the scheme will demonstrate a biodiversity net gain.

A long term management plan which should include long-term ownership, responsibilities and maintenance schedules for all landscaped areas and public realm including leaching, weeding and mowing, irrigation and rain gardens, and vehicular access to the park.

The approved LPRMMS shall be implemented in full prior to occupation of the relevant part of the development, fully implemented for the life of the development and demonstrate a biodiversity net gain.

REASON: To protect, enhance and maintain the landscape features and character of the area, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Sections 15 of the National Planning Policy Framework.

8.1.29 Refuse & Recycling Management Plan

Notwithstanding the approved plans and submitted details, Prior to the occupation of each phase of development, details of the refuse/recyclables management plan (RRMP) for both residential and commercial/community uses within that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority.

The RRMP(s) shall include (a) details of the location and management of storage areas, details of the refuse and recyclables containers, quantum of storage provided, location, number and timings of deliveries and collections, and details of how the refuse/recyclables containers will be moved from the storage areas to collection points, and (b) set out the measures to enforce the servicing arrangements for the relevant phase of development. The approved RRMP(s) shall be fully implemented for the life of the development and all refuse/recycling shall be managed in accordance with the approved RRMP(s).

REASON: In the interests of highway safety and the amenity of neighbouring occupiers and to safeguard public health through the reduction of pollution and likelihood of vermin infestation, and in accordance with LP57 of the Hackney Local Plan as well as Sections 9 and 12 of the National Planning Policy Framework.

8.1.30 Commercial Waste Storage

Prior to the occupation of the commercial floor space hereby approved all commercial waste storage areas shown on the drawings hereby approved or as shall have been otherwise approved shall be provided. Thereafter commercial waste shall be managed in accordance with the details set out in the Waste Management Strategy unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and to reduce the likelihood of infestation, and in accordance with LP57 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.31 SUDS

No development shall commence, other than works of demolition until full detailed specification of the sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan of the sustainable drainage system has been provided. Details shall include but not limited to the proposed green roofs (with a substrate depth of at least 80mm not including vegetative mats), podium level blue roofs, swales, rain gardens, permeable paving, rainwater harvesting, underground attenuation system and the

flow control system, which shall be submitted and approved by the LPA in consultation with the LLFA. Surface water from the site shall be managed according to the proposal referred to in the Woodberry Down – Phase 4 Flood Risk Assessment 135305-FAH-ZZ-XX-RP-C-01-07 (ref.: 135305, dated January 2024) by Fairhurst and limit the peak discharge rate to 5.8 l/s for all return periods up to the 1 in 100-year storm events plus an allowance for climate change.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and in accordance with LP53 of the Hackney Local Plan as well as Section 14 of the National Planning Policy Framework.

8.1.32 Levels (Land and Floor)

Prior to commencement of the superstructure works hereby permitted full details of the proposed land levels of the site (including along the adjacent carriageways) and ground floor finished floor levels, which shall comply with the recommendations of section 4 of the Woodberry Down – Phase 4 Flood Risk Assessment 135305-FAH-ZZ-XX-RP-C-01-07 (ref.: 135305, dated January 2024) by Fairhurst, 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, which shall be implemented in full prior to the first occupation of the relevant phase of development, and maintained as such for the lifetime of the development.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and in accordance with LP53 of the Hackney Local Plan as well as Sections 12 and 14 of the National Planning Policy Framework.

8.1.33 Water Network Upgrades

No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, and in accordance with LP53 of the Hackney Local Plan as well as Section 14 of the National Planning Policy Framework.

8.1.34 Water Main Avoidance

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

REASON: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure, and in accordance with LP53 of the Hackney Local Plan as well as Section 14 of the National Planning Policy Framework.

8.1.35 Remediation, verification etc.

Prior to commencing the works, for each section of the development or stage in the development -

as may be agreed in writing by the Local Planning Authority (LPA) - a scheme including the following components to address the risks associated with site contamination shall be submitted to, and approved in writing by, the LPA.

A generic and detailed quantitative risk assessment that identifies the risk to all receptors potentially affected, including those off site;

In the event that remediation measures are deemed necessary following the results of (a), an options appraisal identifying feasible remediation options, detailing evaluation of options, and selecting the most appropriate remediation option(s);

A remediation strategy focused on the remediation option(s) selected in (b) setting site specific monitoring objectives and criteria, providing details of monitoring and maintenance, and containing full details of the remediation measures required, and how they are to be undertaken.

A verification plan explaining how the effectiveness of the remediation works set out in (c) will be measured, and how data will be collected and assessed to demonstrate that the remediation objectives and criteria will be met.

A verification report demonstrating that remediation objectives and criteria identified in (d) have been met, assessing the remediation performance, and creating a final record of the land quality whilst providing a plan for long term monitoring and maintenance (if required).

Any investigation and risk assessment must be undertaken in strict accordance with the requirements of the Environment Agency's Land Contamination Risk Management (LCRM). If additional significant contamination is found at any time when carrying out the approved development, it must immediately be reported in writing to the LPA.

For the avoidance of doubt, this condition can be discharged on a section by section basis.

REASON: To protect human health and the environment by ensuring no harm is caused by land contamination, in line with paragraphs H, I and J, LP 58 of the Hackney Local Plan 2033 and the Hackney contaminated land strategy 2022/2030, and in accordance with LP58 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.36 Contamination

If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. [Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

REASON: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, and in accordance with LP58 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.37 Piling

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

terms of the approved piling method statement.

REASON: The proposed works will be in close proximity to underground water utility infrastructure and Piling has the potential to impact on local underground water utility infrastructure, and in accordance with LP2 and LP53 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.39 Non-Residential Uses Opening Hours

The non-residential uses shall only be open to the public between 07:00 hours and 23:00 hours on any day. Illuminated advertisements and signage shall not be illuminated between the hours of 23:00 and 07:00.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb neighbouring occupiers or prejudice local amenity generally, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8, 12 and 15 of the National Planning Policy Framework.

8.1.40 External Lighting

The development shall not be occupied until details of the external lighting of the building(s) and external area(s), including streets and public realm, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

The external lighting strategy, which shall be based on the recommendations of the Environmental Statement and its appendices as well as Secured by Design Principles, shall include, inter alia, the following details:

- i) Number and location of proposed luminaires, luminaire light distribution type, lamp type, lamp wattage and spectral distribution; stand type and mounting height, orientation/direction, beam angle (which should be as low as possible), projected light distribution maps of each lamp including light spillage on to any other features such as buildings, watercourses and trees, and details of any hoods or cowls, and type of control gear and lighting regime (timing and duration of illumination); and
- ii) A strategy for the long-term ownership, management and long term maintenance of the external lighting strategy for the lifetime of the development. The approved lighting strategy shall be implemented in full prior to occupation of the relevant phase of development, and maintained as such for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of protecting amenity, enhancing the character of the area, mitigating for ecological impacts on protected species, safeguarding public safety and highway safety, and in the interests of the prevention of crime and anti-social behaviour, and in accordance with LP2 and LP47 of the Hackney Local Plan as well as Sections 8, 9, 12 and 15 of the National Planning Policy Framework.

8.1.41 Temporary lighting (Construction & Demolition)

All temporary lighting used during the demolition and construction works associated with the development hereby permitted shall only be illuminated during hours of construction, unless required for matters of health and safety e.g. to illuminate construction cranes.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife, and ensure accordance with LP2 and LP47 of the Hackney Local Plan as well as Sections 8, 9, 12 and 15 of the National Planning Policy Framework.

8.1.42 Flues, Stacks etc.

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

REASON: To ensure a satisfactory appearance to the development and a high quality of design, and in accordance with LP2 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.43 Ventilation from cooking - non-resi uses

Prior to any commercial primary cooking within the non-residential uses taking place, full details of the routing of mechanical ventilation and the passive provision of associated ducting for that unit shall be submitted to and approved by the Local Planning Authority. The details shall include:

Manufacturers' specifications of all filtration, deodorising systems, noise, odour and vibration output and control, termination points and maintenance schedule;

The total noise level from externally fixed plants shall be 10 dB(A) below the background measured LA90 level at the nearest noise sensitive premises at any time;

The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. A test shall be carried out prior to the discharge of this condition to show the above criterion required shall be met and the results submitted to the Local Planning Authority.

The approved details shall be installed and commissioned prior to any commercial primary cooking within the non-residential uses at the site and shall be permanently maintained in proper working order thereafter.

REASON: To protect the amenity of future occupiers and the occupiers of neighbouring properties, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.44 No Smells or Odorous Emissions

Smells generated or emanating from the commercial premises shall be adequately controlled to ensure that surrounding premises are not subjected to smell and/or odour nuisance. Premises where cooking of hot foods is to be undertaken must install an odour control system and the proposed system shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be installed before commencement of the use of commercial premise.

The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter. A test shall be carried out prior to the discharge of this condition to show the above criterion required shall be met and the results submitted to the Local Planning Authority.

Reason: To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of odour/smell nuisance, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.45 Sound Insulation

All residential premises shall be designed in accordance with BS8233:1999 'Sound Insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

A noise assessment following the guidelines of the NPPF and a scheme for sound insulation and noise control measures shall be submitted to and approved in writing by: and implemented to the satisfaction of the Local Planning Authority prior to the first occupation of the rooms hereby approved. The sound insulation and noise control measures shall achieve the following internal noise targets: Bedrooms (23.00 - 07.00 hrs) 30 dB LAeq, and 45dB Lmax (fast), Living Rooms (07.00 - 23.00 hrs) 30 dB LAeq

A test shall be carried out prior to the discharge of this condition to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority.

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, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.46 Sound Insulation Details

Full particulars and details of a scheme for sound insulation between the proposed commercial and residential use of the building, shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be installed before commencement of the use of the relevant block as set out in the phasing plan within phase 3 hereby permitted and permanently retained thereafter. As a guide, to protect the amenity of neighbouring occupiers, it is expected the level of sound insulation provided by the separating walls and floors to be in the order of Rw 55dB.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.47 Plant Noise Design Criteria

Noise arising from the use of the extractor fan, condensing units or any associated equipment shall not be a noise nuisance.

The applicant shall also ensure that vibration/structure borne noise derived from the use of the extractor fan does not cause noise nuisance within residential or noise sensitive premises.

The total noise level from externally fixed plants shall be 10 dB(A) below the background measured LA90 level at the nearest noise sensitive premises at any time. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The equipment shall be installed and constructed in accordance with and be permanently maintained thereafter. A test shall be carried out prior to the discharge of this condition to show the above criterion required shall be met and the results submitted to the Local Planning Authority.

REASON: To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery from the commercial premises, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.48 Noise emission to internal areas

Prior to the commercial units being used for restaurant or café use, or if music is to be played in the unit at levels above 75 dB LAeq or with particularly high levels of bass content additional sound insulation treatment is required in the fit-out of the commercial unit to protect the amenity of the nearby residential premises.

Such treatments may include additional acoustic ceilings, wall liners and lobbied entrance doors and to significantly increase the sound insulation of the shell construction via the adoption of the following treatments:

Adding independent wall linings for all perimeter walls of the commercial units;

- Boxing in concrete columns within the unit;
- Adding acoustic ceilings

Or

Entertainment noise (LAeq) should be controlled to 10dB below the background noise level (LA90) without the entertainment noise present, in each octave band at the nearest noise sensitive location.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 15 of the National Planning Policy Framework.

8.1.49 Noise Levels - Fixed Plant

The total noise levels from any fixed plant at the site shall at all times be 10 dB(A) below the background noise level when measured at any nearby residential window in accordance with BS4142:1997.

REASON: To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 15 of the National Planning Policy Framework.

8.1.50 Roof Plant Enclosures

Full details of all the roof plant enclosures (plans, sections, front and rear elevations, etc.) shall be submitted and approved in writing by the Local Planning Authority before any building works commence. 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 in accordance with LP2 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.51 Rooftop Solar PV & Living Roof

Prior to the first occupation of each phase of the development, full details of solar photovoltaic panels on each building, to be installed in conjunction with biodiverse roofs, shall be submitted to, and approved in writing by, the Local Planning Authority.

Full details including installation certificates by MSC registered installer must be submitted to and approved by the Local Authority providing full details to demonstrate at least the following standards have been met, as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024)

- a) Solar PV panels annual electricity peak generation of 80,465 kWp
- b) Solar PV panels array of 408 sqm

The living roofs details shall include the construction, planting regime, irrigation, and long term maintenance of bio-diverse, substrate-based extensive living roof (of variable depth of no less than 80mm, not including depth of vegetative mat), including sections at a scale of 1:20, of the living roof areas.

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

The approved equipment shall be installed in full accordance with the approved details prior to the first occupation of the relevant phase of the development and shall be retained in working order thereafter.

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet or improve upon the 'as designed' performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero and net zero carbon development and construction, and to enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building, and in accordance with LP47 and LP55 of the Hackney Local Plan, SI2 of the London Plan as well as Sections 12, 14 and 15 of the National Planning Policy Framework.

8.1.52 Energy Statement

Prior to the commencement of the development hereby approved, a revised Energy Statement shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate at least the following standards and key metrics have been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024):

- A. Minimum carbon savings of 15% / 71.4 tonnes CO₂e for residential units and 16% / 0.8 tonnes CO₂e for non residential area against Part L 2021 through fabric efficiency
- B. Minimum overall carbon savings of 53 % / 255 tonnes CO₂e for residential units and 37% / 1.9 tonnes CO₂e for non residential areas against Part L 2021
- C. Maximum U-values (W/m²K): walls (residential 0.18/ non residential 0.18); floors (residential 0.1/ non residential 0.1); roof (residential 0.1/ non residential 0.1); windows and doors (residential 0.9/ non residential 0.9)
- D. Maximum G-values for windows and door: residential 0.5 / non residential 0.3
- E. Maximum Air permeability (m³/h/m²@50pa): residential 3 / non residential 3
- F. Maximum Space Heating demand of 14.4 kWh/sqm/yr using a predictive modelling calculation methodology such as PHPP, TM54 or equivalent - the applicant will be expected to demonstrate and quantify how further design works have been carried out to seek to achieve the aspirational target of 15 kWh/sqm/yr
- G. Maximum Energy Use Intensity of 79 kWh/sqm/yr for the residential units and 64 kWh/sqm/yr for the residential units using a predictive modelling calculation methodology such as PHPP, TM54 or equivalent - the applicant will be expected to demonstrate and quantify how further design works have been carried out to seek to achieve the aspirational target of 35 kWh/sqm/yr for the residential units and 55 kWh/sqm/yr for the non residential area.
- H. A third party review report of the as-design predictive modelling calculations
- I. Updated GLA Carbon Emission Reporting Spreadsheet

The operational carbon emissions must be calculated using the appropriate for all the identified units - in the exceptional circumstances that all units can not be reasonably assessed, a representative sample must be used and include:

- at least one unit for each identified flat type/area type, and
- any unit subject to the following criteria: units (a) with large glazing areas, (b) on the topmost floor, (c) having limited shading, (d) having large, sun-facing windows, (e) having a

single aspect, or (c) having limited opening windows

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

Prior to the occupation of the development, a Final “as-built” Energy Statement shall be submitted and approved by the Local Planning Authority confirming the following key metrics have been achieved or improved upon the pre-commencement figures:

- A. As-built U-values: walls/cladding; walls/non cladding; floors; roof; windows and doors using 'through wall' calculations for each component and relevant datasheets
- B. As-built G-values for windows and doors using relevant datasheets
- C. As-built Space Heating demand in kWh/sqm/yr using as-built modelling calculations
- D. As-built Energy Use Intensity in kWh/sqm/yr using as-built modelling calculations
- E. Full air permeability test report confirming all units have achieved the as design air permeability figures
- F. Final GLA Carbon Emission Reporting Spreadsheet

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet or improve upon the 'as designed' performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

The final as-built GLA carbon Emission Reporting spreadsheet should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the relevant GLA guidance

<https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/pr-e-planning-application-meeting-service/energy-planning-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP54, LP55 and LP56 of the Hackney Local Plan, SI2, SI3, SI4 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.53 Embodied Carbon Targets

Prior to the commencement of the development hereby approved, a revised Whole Life Carbon Assessment (utilising RICS Whole Life Carbon Assessment First Edition methodology) shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate the design measures that have been explored to achieve the standards set out in the Whole Life Carbon assessment hereby approved (Revision 04 prepared by Hodkinson dated September 2023) subject to feasibility and the availability of materials:

- A. Upfront embodied carbon (modules A1-A5) 683 kg CO₂e/sqm - excluding sequestration - the developer will be expected to demonstrate and quantify how further design works have been carried out to align with the aspirational target of 300 kgCO₂e/sqm (LETI CA)
- B. Life embodied carbon (modules A1-A5, B1-B5, C1-C4) 882 kg CO₂e/sqm - excluding sequestration
- C. Whole embodied carbon (modules A1-A5, B1-B7, C1-C4) 1440 kg CO₂e/sqm - including sequestration
- D. Updated Greater London Authority - Whole Life-Cycle Carbon (WLC) Assessment spreadsheet

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

Prior to the occupation of the development, a Final “as-built” Whole Life Carbon assessment based on the actual materials, products and systems used shall be submitted to and approved in writing

by the Local Planning Authority confirming the following key metrics have been achieved or improved upon the pre-commencement figures:

- A. Upfront embodied carbon (modules A1-A5) in kg CO2e/sqm - excluding sequestration
- B. Life embodied carbon (modules A1-A5, B1-B5, C1-C4) in kg CO2e/sqm - excluding sequestration
- C. Whole embodied carbon (modules A1-A5, B1-B7, C1-C4) in kg CO2e/sqm - excluding sequestration
- D. Whole embodied carbon (modules A1-A5, B1-B7, C1-C4) in kg CO2e/sqm - including sequestration
- E. Final as built Greater London Authority - Whole Life-Cycle Carbon (WLC) Assessment spreadsheet

The final as-built GLA WLC assessment should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk , along with any supporting evidence as per the relevant GLA guidance - <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance/whole-life-cycle-carbon-assessments-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP55 of the Hackney Local Plan SI2 and SI7 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.54 Circular Economy

Prior to the commencement of the development hereby approved, a revised Circular Economy statement shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate that, where feasible, steps and recommended actions have been taken to design for a circular economy, and the following actions have been undertaken, as set out in the hereby approved Circular Economy statement (Revision 04 by Hodkinson dated September 2023):

- A. Approaches as listed in Section 05
- B. Key demolition products quantity, re-use rate & waste as listed in section 6.0 of the Pre demolition Audit (Revision 01 by Berkeley Homes dated November 2022)
- C. Updated Greater London Authority - Circular Economy Statement spreadsheet
- D. Updated supporting reports: Pre-Redevelopment Audit, Pre-Demolition Audit, Operational Waste Management Plan, Construction Waste Management Plan, Bill of Material, Cradle to Cradle certification

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

Prior to the occupation of the development, a Final “as-built” Circular Economy statement based on the actual materials, products and systems used shall be submitted to and approved in writing by the Local Planning Authority confirming the following key metrics have been achieved or improved upon the pre-commencement figures:

- A. Final as built Greater London Authority - Circular Economy Statement spreadsheet
- B. Final as built supporting reports: Pre-Redevelopment Audit, Pre-Demolition Audit, Operational Waste Management Plan, Construction Waste Management Plan, Bill of Material, Cradle to Cradle certification

In addition, the final as-built Circular economy statement should be submitted to the GLA at ZeroCarbonPlanning@london.gov.uk , along with any supporting evidence as per the relevant GLA guidance. <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance/circular-economy-statement-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP55 of the Hackney Local Plan, SI7 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.55 Mechanical Ventilation with Heat Recovery (MVHR)

Prior to the construction of the proposal above damp proof course level, full details including ventilation system (or any other related fixed plant adopted) specification and supporting drawings must be submitted to and approved by the Local Authority to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024):

- A. Minimum MVRH efficiency of 91% for residential units and minimum MVRH efficiency of 90% for non residential units
- B. Details of summer by pass where applicable including provision and location across the development

The MVHR thereby approved shall be installed prior to occupation of the development

Prior to the occupation of the development, full details including as built ventilation system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by an MSC registered installer must be submitted to and approved in writing by the Local Planning Authority confirming the ventilation system has achieved or improved upon the pre-commencement figures,

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

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP55 of the Hackney Local Plan, SI2 of the London Plan, and Sections 12 and 14 of the National Planning Policy Framework.

8.1.56 Waste Water Heat Recovery System (WWHRS)

Prior to the commencement of the development, the implementation of a Water Heat Recovery System must be explored and details including specifications and supporting drawings must be submitted to and approved by the Local Authority at least the following figures must be confirmed :

- A. Minimum heat recovery (%) for residential units and minimum heat recovery rate of (%) for non residential units
- B. Additional carbon savings achieved of (%) and tonnes CO₂e) against Part L 2021

The WWHR thereby approved shall be installed prior to occupation of the development

Prior to the occupation of the development, full details including as built WWHR system specification and supporting drawings and installation certificates by an MSC registered installer must be submitted to and approved in writing by the Local Planning Authority confirming the ventilation system has achieved or improved upon the pre-commencement figures,

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

approved.

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP55 of the Hackney Local Plan, SI2 of the London Plan, and Sections 12 and 14 of the National Planning Policy Framework.

8.1.57 Overheating

Prior to the commencement of development a dynamic overheating risk assessment shall be submitted to and approved by the Local Authority, assessing all units and following the CIBSE TM52 (non residential) & TM59 (residential) methodology.

The assessment must include design specific details of how each steps of the Cooling Hierarchy has been implemented, for reference

- A. Step 1: 1.Minimise internal heat generation through energy efficient design
- B. Step 2: Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls
- C. Step 3: Manage the heat within the building through exposed internal thermal mass and high ceilings
- D. Step 4: Passive ventilation
- E. Step 5: Mechanical ventilation
- F. Step 6:Active cooling systems

All report results of the dynamic modelling in line with the CIBSE TM52 and TM59 compliance criteria must clearly set out the pass rate (%) of each of the Cooling Hierarchy steps, using baseline scenario and additional modelled scenario to test all mitigations (passive first, active as last resort) measures required until all residential units and non residential areas pass the overheating risk assessment - as follow

- A. Step 1 mitigation measures description leading to pass rate of X%
- B. Step 2 mitigation measures description leading to pass rate of XX% etc

All units must be assessed against weather files CIBSE TM49 DSY1, DSY2 & DSY3, results should demonstrate a 100% pass rate for all units shown under weather file DSY1 - in the exceptional circumstances that all units can not be reasonably assessed, a representative sample must be used and include:

- A. at least one unit for each identified flat type/area type, and
- B. any unit subject to the following criteria: units (a) with large glazing areas, (b) on the topmost floor, (c) having limited shading, (d) having large, sun-facing windows, (e) having a single aspect, or (c) having limited opening windows

If 100% pass rate is not achieved under weather files DSY2 & 3, a retrofit plan must be submitted to and approved by the Local Authority detailing how further mitigation measures can be installed and who will be responsible to manage future overheating risk for 100% of units to pass under both weather files DSY2 and DSY3

Where any additional remedial mitigation measures are required, the product specifications and details must be provided.

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

Prior to the occupation of the development, a final “as-built” overheating risk assessment shall be submitted and approved in writing by the Local Planning Authority, assessing all units and following the CIBSE TM52 (non residential) & TM59 (residential) methodology, confirming % pass rates for each TM49 weather file have or improved upon pre-commencement figures following the prospective retrofit measures.

REASON: In the interest of addressing climate change and securing sustainable and net zero carbon development and construction in accordance with LP54 and LP55 of the Hackney Local Plan SI2 and SI4 of the London Plan, and Sections 12 and 14 of the National Planning Policy Framework.

8.1.58 Be Clean

Provision of the DHN

Prior to occupation of the final residential block in the development, evidence of the development’s connection to the Phase 3 Energy Centre shall be submitted to and approved by the Local Planning Authority.

Connection to the DHN

Prior to the commencement of the development hereby approved, a revised set of information demonstrating the ability for future connection to the Woodberry Down Decentralised Heat Network (DHN) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include drawings drafted at the appropriate scale and full detailed specification of the following, but not be limited to:

- a) Confirmation of the DHN present and future capacity to serve the development, as well as supporting estimates of the CO2 emission factor to meet the limit set out in Part L 2021, installation cost and timescales for connection
- b) Layout of energy centre/plant room showing space for the heat exchanger
- c) Layout of obstacle free safeguarded route between heat exchanger and incoming DEN entry point
- d) Details of on-site connection
- e) Details of installed pipework connecting identified plant room/ heat exchanger to proposed heating system(s)
- f) Details of the decarbonisation of the Woodberry Down DHN including timescale identifying key milestones and confirmation of carbon savings & energy performance achieved by the selected replacement technology

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 in accordance with LP55 and LP56 of the Hackney Local Plan, SI2 and SI3 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.59 Air Source Heat Pump

Prior to the first installation of the heating system, full details including heating system (or any other related fixed plant adopted) specification and supporting drawings must be submitted to and approved by the Local Authority to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024):

- A. Heat pump Coefficient of Performance of 3.2
- B. Heat pump Seasonal Coefficient of Performance of 3.2

- C. Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
- D. Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

The heat pump thereby approved shall be installed prior to occupation of the development

Prior to the occupation of the development, full details including as built heating system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by an MSC registered installer must be submitted to and approved in writing by the Local Planning Authority confirming the system performance has been achieved or improved upon the pre-commencement figures,

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

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP55 and LP56 of the Hackney Local Plan, SI2 and SI3 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.60 Active Cooling

Prior to the installation of the cooling system for the non residential areas, full details including cooling system (or any other related fixed plant adopted) specification and supporting drawings must be submitted to and approved by the Local Authority to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024):

- A. System Energy Efficiency Ratio of 4.5
- B. System Seasonal Energy Efficiency Ratio of 7
- C. Details of location of the condenser units from the VRF systems (or any other fixed plant adopted) and noise solutions to mitigate impact for nearby sensitive receptors;
- D. Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

Prior to the occupation of the development, full details including as built cooling system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by an MSC registered installer must be submitted to and approved in writing by the Local Planning Authority confirming the cooling system has been achieved or improved upon the pre-commencement figures.

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

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP54, LP55 of the Hackney Local Plan, SI2 and SI4 of the London Plan, and Sections 12 and 14 of the National Planning Policy Framework.

8.1.61 BREEAM

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 Energy Statement (Revision 07 prepared by Hodkinson dated April 2024) - all the targeted credits must be presented in a tracker comparing credits targeted at BREEAM Pre Assessment stage:

- A. Minimum BREEAM Rating of 72.5% targeting the following credits : Ene 01, Ene 02 Ene 03, Ene 05, Ene 06, Wat 01, Wat 02, Wat 03, Wat 04, Mat 01, Mat 02, Mat 03, Mat 04, Mat 05, Mat 06, Wst 01, Wst 02, Wst 03, Wst 04, Wst 05, Wst 06

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

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 in accordance with LP55 of the Hackney Local Plan, SI2 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.62 Phasing of Works

Within three months of the date of this decision, details of the order in which the blocks/buildings and public realm and open spaces will be commenced (the phasing of the development) shall have been submitted to the Local Planning Authority for approval. The development shall only be carried out in full accordance with the approved phasing details.

REASON: To ensure that the delivery of the development is consistent with the principles of good planning and in the interests of safeguarding residential amenity.

10.2 Recommendation B

That the above recommendations be subject to the applicant, the landowners and their mortgagees enter into a legal agreement in order to secure the following matters to the satisfaction of Director of Legal Democratic and Electoral Services:

Financial contributions:

- £231,431 towards employment training;
- £560,250 towards primary healthcare;
- £19,245 towards end use jobs through the operational phase; and
- £20,000 towards Electric Vehicle Car Club (and associated on street electric vehicle charging points); and £60 per resident towards the resident's Car Club scheme;
- £12,000 towards the monitoring of the travel plan;
- £17,500 towards the monitoring of the demolition and construction

- management plans;
- £2,000 towards the monitoring of the delivery and servicing plans;
- £581,781 towards the cost of highway works associated with the development;
- £54,615 Bus Contribution;
- £650,778.50 to the LBH Carbon Offset fund;
- £10,000 towards Wayfinding Scheme in Woodberry Down;
- £97,829.83 towards Early Years, Primary, Secondary and Post 16 Education;
- £20,362 contribution towards Public Art;
- £414,735.39 CAVAT contribution
- £50,000 Monitoring Fees;

Non-financial contributions:

Provision of a library space within the scheme (should the council as a service provider require this)

Affordable housing provision (42%) and mix (52% shared ownership/48% social rent), including GLA compliant early and late stage review mechanism; and

Approved architects clause to ensure quality of design in delivery of the scheme; and

Securing a car free development (in respect of market occupiers and “new” affordable housing occupiers) and a car capped development in respect of “existing” affordable housing occupiers (with a falling away of car parking privileges over time); and

Participation in the LBH Hackney Works Scheme; and

Participation in the Considerate Constructors Scheme.

Employment and Skills Plan

25% Local Labour

Apprenticeships

Securing Connection to the Energy Network

Construction Management (such as Considerate Constructors Schemes)

Be Seen Monitoring

All Tenure Access to the Central Podium

Travel Plan

○ **Recommendation C**

That the Sub-Committee grants delegated authority to the Director, Environment and Climate Change and Assistant Director Planning and Building Control (or in their absence either the Growth Team Manager or DM & 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).

- **INFORMATIVES**

- The following informatives should be added:

- Building Control
- Hours of Building Works
- Naming and Numbering
- CIL Informative
- S106 Informative
- NPPF
- There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near the mains (within 3m) checks will be required to ensure that the development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the service in any other way.

The proposed development is located within 15m of Thames Water's underground assets, as such the development could cause the assets to fail if appropriate measures are not taken.

- Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.
- The Demolition and Construction Management and Logistics Plans (DCMLP) should be drafted in accordance with TfL's CLP guidance on Construction Logistics Plans which can be accessed at <http://content.tfl.gov.uk/construction-logistics-plan-guidance.pdf>.
- Adoption of internal highways within the development, including restricted access streets, will be conditional on technical approval of the final design which should be constructed to the LBH adoptable highways standard of:
 - Full depth carriageway construction with DBM surface course; and
 - 600x600 fibre reinforced artificial stone paving laid on sand; and cement bed and granular sub-base with 1:40 crossfall; and
 - 150x300 granite kerb with 120mm-140mm kerb face.
- The proposed bicycle storage and parking facilities should be designed in accordance with TfL's best practice guidance which is contained within TfL's London Cycle Design Standards chapter 8 <http://content.tfl.gov.uk/lcds-chapter8-cycleparking.pdf>.
- The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods.

- Please read the Thames Water guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

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

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.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

- Reference shall be had to Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems published by DEFRA (www.defra.gov.uk/environment/noise/research/kitchenexhaust/index.htm).
- The applicant should seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs) for further guidance on the SBD requirements for this site. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or during office hours by telephone on 0208 217 3813.
- The integration of automatic sprinkler systems are highly recommended throughout the development hereby permitted in the interests of fire safety.
- "Landscaping" means the treatment of land (other than buildings) being the site or part of the site in respect of which this planning permission is granted, for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, planting of

trees, hedges, shrubs or grass, formation of banks, terraces or other earth works, laying out of gardens or courts, and other amenity features. Please note that an alternative model of drinking fountain will be required as the model shown in submitted documentation is not the new standard type being used across London, which is more robust whereas the type shown is non-standard and will as a result be harder to maintain.

- Please note that any expansion or intensification of the use of the energy centre hereby provided will require the benefit of consent regardless of whether additional associated plant and equipment is fully internal to the development by virtue of that fact that any such expansion or intensification would represent a deviation from details approved under condition.
- The swift bricks required under the scope of condition 11 should be designed and installed in accordance with advice from the RSPB.

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

Assistant Director - Planning and Building Control

	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</p>	James Bellis x4757	HSC, Hillman Street, London E8 1FB

	of this report are referenced in the report		
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