



Planning Sub-Committee – 08.05.2024

ADDRESS: The West Reservoir Centre Green Lanes, Hackney, London, N4 2HA	
WARD: Woodberry Down	REPORT AUTHOR: Laurence Ackrill
APPLICATION NUMBER: 2023/2683 DRAWING NUMBERS: Drainage Strategy 221320-PEV-ZZ-ZZ-RP-C-0100, Acoustic Impact Assessment 23-0158-0 R01, Arboricultural Impact Assessment RT-MME-161683-01 Rev C, Biodiversity Net Gain Assessment Dated November 2023, West Reservoir Café Energy Statement LL0156_RPT_ES_001_P01 P01, Delivery and Servicing Management Plan Dated November 2023, Fire Statement 20/11/2023, Flood Risk Assessment MC/KDL/221320/17-1/R001, Framework Travel Plan Dated November 2023, Historic Environment Assessment Dated November 2023, Operational Management Plan 13/11/2023, Outline Construction Logistics Plan Dated November 2023, Preliminary Ecological Appraisal Dated November 2023, Transport Statement Dated October 2023, Urban Greening Factor Assessment 21/11/2023, 12245-LD-DET-607 P01, 12245-LD-PLN-002 P03, 12245-LD-PLN-010 P03, 12245-LD-PLN-200 P07, WRE Rev A, 12245-LD-SEC-601 P01, 2 12245-LD-SEC-602 P01, 12245-LD-SEC-603 P01, 12245-LD-SEC-604 P01, 12245-LD-PLN- 306 P01, WRC_100_A_01 Rev 1, WRC_100_A_41 Rev B, WRC_100_A_42 Rev A, WRC_100_A_61 Rev A, WRC_100_A_62 Rev A, WRC_200_A_01 Rev E, 12245-LD-PLN-001 P04 & Waste Disposal Plan.	VALID DATE: 19/12/2023
APPLICANT: Leisure, Parks & Green Spaces London Borough of Hackney	AGENT: Tom Berliner, LUC, 250 Waterloo Road, London, SE1 8UL
PROPOSAL: Improvements to increase the accessibility of West Reservoir, including creating access to new green space and upgrade to West Reservoir Centre facilities, including a new café, two pedestrian bridges, a new footpath and fencing.	
POST SUBMISSION REVISIONS: None.	
RECOMMENDATION SUMMARY: That the Committee resolve to GRANT planning permission, subject to conditions and completion of legal agreement	



Planning Sub-Committee – 08.05.2024

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE	
Major application	Yes
Substantial level of objections received	Yes
Council's own planning application (in accordance with the Planning Sub-Committee Terms of Reference)	Yes
Other (in accordance with the Planning Sub-Committee Terms of Reference)	No

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
CPZ	Yes (Zone G)	
Conservation Area	Yes - Stoke Newington Reservoirs, Filter Beds and New River	
Listed Building (Statutory)	Adjacent to Grade II*	
Listed Building (Local)		No
Employment Designation		No
Central Activities Zone		No

LAND USE DETAILS:	Use Class	Use Description	Floorspace Sqm
Current	F2(c)	Open Space	0
Proposed	F2(c)	Café / External Changing Facilities	80

PARKING DETAILS	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	25	2	28
Proposed	25	2	60

1.0 SITE CONTEXT AND PROPOSAL

Site Context

- 1.1 The site comprises the West Reservoir Centre as well as the surrounding area including the southern bank of the West Reservoir stretching round over the New River to connect to the Woodberry Down development. To the south the site extends down part of the access road to the Centre and then extends over the New River to include the existing bridge and part of the northern side of the river.
- 1.2 The surrounding area is characterised by a mixture of different uses, to the south the site adjoins the rear gardens of residential dwellings on Allerton and Queen Elizabeth's Walk. To the west the Amwell Court Estate lies just over the new River whilst the Castle Climbing site shares the same access road as the West Reservoir Centre. To the west the site adjoins part of a residential estate and Lordship Road beyond which lies the East Reservoir. Finally to the north of the site beyond the New River is the Woodberry Down estate which chiefly comprises residential uses.
- 1.3 The East and West Reservoirs date from 1833 and form part of an area that is of historical importance, relating to the water supply of North London since the 17th century. The West Reservoir is partly designated as a 'Site of Importance for Nature Conservation' and as 'Metropolitan Open Land'. The New River Path runs to the north of the West Reservoir and is designated as Local Open Space and a Green Corridor.
- 1.4 Adjacent to the site to the south is the former metropolitan water board 'castle' pumping station engine house and ancillary building, which are both grade II* listed buildings. The application site also falls within the Stoke Newington reservoirs, filter beds and New River Conservation Area.

Proposed Development

- 1.5 Planning permission is sought for works to the existing West Reservoir Centre with the aim of enhancing its services together with works to facilitate public access to an open space on the eastern bank of the West Reservoir. The most significant parts of these works comprises the erection of two bridges over the New River, the construction of a new external café building to serve the West Reservoir Centre, outdoor changing facilities and a new path to provide access to the new public space, with new and repaired fencing including security fencing and gates. Small sections of fencing towards the entrance of the West Reservoir Centre would be removed.
- 1.6 The new café would be a single storey structure located to the south east of the existing West Reservoir Centre, in a stand-alone pavilion, with new outdoor, gender segregated changing facilities adjacent.
- 1.7 A new accessible bridge across the New River to the south-west of the reservoir (replacing and slightly relocating the current bridge which has steps), and a new accessible bridge over the New River to the north of the site, providing access to Woodberry Down.
- 1.8 The accessible green space along the eastern bank of the West Reservoir would be open for daytime access for local residents and visitors, via a new footpath from the West Reservoir Centre connecting to Woodberry Down, across the new bridge north of the site. The footpath would be open in daylight hours, 7am to 9pm and closed by gates at both ends of the new path.

Planning Sub-Committee – 08.05.2024

- 1.9 The proposal would also involve a number of soft-landscaping measures including additional reedbed planting along the eastern bank, native hedging, new tree planting, wildflower planting and areas of climbers, shrubs and herbaceous planting.
- 1.10 The proposed development of the West Reservoir Centre is centred around enhancing accessibility and inclusivity, as well as enhancing the opportunities for wildlife on site. The primary goal of the applicant is to enhance the leisure and recreation offer and make the reservoir more accessible to the public by creating a continuous walking path around the site by opening up the East side of the reservoir and constructing a new bridge to connect the eastern and northern section with the surrounding landscape.
- 1.11 The existing western section, parallel to the New River Path, would be retained and maintained for wildlife only. Moreover, to make the water itself more accessible, a new 'introduction to open water swimming' area for beginners would be created, increasing the offer of swimming options for all age groups and skill levels.

2.0 PLANNING AND ENFORCEMENT HISTORY

- 2.1 The most recent planning history in relation to the site is as follows:

Planning History

- *Primary filtration building and land adjacent to west reservoir, green lanes, n4 NORTH/222/97/CO3:* transformation of building to watersports centre and use of reservoir for recreational use including aerial ski ramp **Decision: Granted.**
- **NORTH/243/97/CON:** transformation of building to watersports centre and use of reservoir for recreational use including aerial ski ramp **Decision: Granted.**
- **NORTH/247/97/CON:** erection of 4 portacabins and use as a temporary sailing centre **Decision: Granted.**
- *Thames Water Stoke Newington New River, Green Lanes, London, N4 2NT 2006/1674:* Alterations of existing access onto Green Lanes and removal and relocation of part of the front boundary wall and railings and provision of a new gate. **Decision: Granted.**
- **2006/1679:** Removal and relocation of part of the front boundary wall and railings and provision of a new gate. **Decision: Granted.**
- **2006/1688:** Construction of a new road, pedestrian footpath and guardrails, the provision of a pedestrian table crossing, bollards, gates and 32 car parking spaces and 6 cycle spaces (Option 3) **Decision: Granted.**
- **2006/1692:** Construction of a new road, pedestrian footpath, barrier fence and guardrails, the provision of a zebra crossing, bollards, gates and 49 car parking spaces and 6 cycle spaces (Option 4). **Decision: Refused.**
- **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

Planning Sub-Committee – 08.05.2024

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. **Decision: Granted.**

- *Stoke Newington Reservoir, Green Lanes, London, N4 2HA 2014/3163:* Erection of security gates measuring approximately 2.6m high, located to the north-western facade of the engine room building. **Decision: Granted.**
- **2021/0706:** Installation of booster pump facility until August 2021 (part retrospective) **Decision: Granted.**

Enforcement History

- *West Reservoir, Green Lanes N4 2HA 2013/0339/ENF:* Unauthorised use as a car park. Outcome: Breach remedied.
- **2015/0270/ENF:** Removal of the fence between the Reservoir and Lordship Road Outcome: No Breach.

3.0 STATUTORY/LOCAL GROUP RESPONSE

Statutory consultees

- Historic England - *Advise the Local Planning Authority to seek the views of own specialist conservation and archaeological advisers.*
- Greater London Archaeological Advisory Service - *No objections subject to conditions relating to a written scheme of investigation.*
- Natural England - *No comments received (No statutory requirement to consult).*
- Health and Safety Executive - *The application does not involve a relevant building under the HSE remit.*

Internal consultees

- Pollution Land and Air - *No objection, subject to conditions relating to air quality and dust mitigation during construction works.*
- Environmental Protection Officers - *No objection subject to the recommendations of the acoustic report being implemented.*
- Waste Management - *No objections subject to the full details being secured by condition.*

Planning Sub-Committee – 08.05.2024

- Traffic and Transportation - No objection subject to submission of a travel plan to be secured by way of legal agreement and conditions relating to the submission of a parking management plan, cycle parking and construction management plan.
- Pollution Air Quality - *No objections subject to a condition relating to restrictions in use of Non-Road Mobile Machinery (NRMM).*
- Drainage - *No objections subject to drainage layout condition.*

External consultees

- Thames Water - *No objections raised, subject to condition that no works take place within 5m of a strategic water main.*
- Crime Prevention Design Advisor - *No objections raised subject to inclusion of a condition regarding secure by design accreditation.*

Local groups

- Stoke Newington CAAC - *Possible disturbance to wildlife, information unclear on trees to be removed, information not clear regarding scale of reedbeds. No details regarding the existing West Reservoir Centre building, design of the cafe is inappropriate.*

4.0 PUBLIC CONSULTATION RESPONSE

- 4.1 The application has been publicised by way of press & site notices displayed in the vicinity of the site and 724 letters. The number of representations received in response to notification and publicity of the application were as follows:

No of individual responses: 93

Objecting: 85

No stance: 4

Supporting: 4

- 4.2 Petition with 2,298 signatures (at time of writing report) in relation to the loss of the existing café operator.
- 4.3 The following issues were raised in representations that are material to the determination of the application and are addressed in the report:
- Security issues (*Officer Comment: The opening up of the eastern bank of the West Reservoir would have minor material benefits to the security of the area including increasing activity in what is currently a largely unused strip of land, increasing passive surveillance by members of the public using this space. Additional fencing would improve levels of security over and above existing site circumstances*).
 - Loss of privacy to neighbouring residential occupiers and also to those swimming
 - Impact on ecology / biodiversity including protected species
 - Impact on trees
 - Noise and disturbance from use, including that of late hours of use
 - Creation of litter
 - Issues regarding the prevention of unauthorised access to reservoir / safety
 - Impact on views

Planning Sub-Committee – 08.05.2024

- Increase in anti-social behaviour / impact of dogs
- Impact on vulnerable residential occupants along Allerton Road, including those with autism and practising religion / child safeguarding
- Increase in traffic
- Lack of gender free changing space
- Structural impacts on the reservoir
- Impact on flooding
- Lack of sustainability provisions for the café building

4.4 The following issues were raised in representations that are non-material to the determination of the application:

- Lack of structural impact assessment to properties on Allerton Road (*Officer Comment: The Party Wall Act is designed to govern any construction or alteration work that could potentially affect the party wall or the adjoining property*).
- Lack of budgetary provisions nor increase in manpower planned to cope (*Officer Comment: It would be the responsibility of the Leisure, Parks and Green Spaces department to allocate sufficient funds and manpower to ensure the open space would be managed and maintained in a good and decent state under the Open Spaces Act*).

5. POLICIES

5.1 National Planning Policy Framework (NPPF 2023)

5.2 London Plan 2021

GG1 – Building strong and inclusive communities
GG3 – Creating a healthy city
D3 – Optimising site capability through design led approach
D4 – Delivering good design
D5 – Inclusive design
D11 – Safety, security and resilience to emergency
D12 – Fire safety
D13 – Agent of Change
D14 – Noise
HC1 – Heritage conservation and growth
S1 – Developing London's social infrastructure
S5 – Sports and recreation facilities
G1 – Green infrastructure
G3 – Metropolitan open Land
G4 – Open Space
G5 – Urban greening
G6 – Biodiversity and access to nature
G7 – Trees and woodlands
SI 1 - Improving Air Quality
SI 2 – Minimising greenhouse gas emissions
SI 5 – Water infrastructure
SI 12 – Flood risk management
SI 13 – Sustainable drainage
SI 14 – Waterways – strategic role
SI 16 – Waterways – use and enjoyment

Planning Sub-Committee – 08.05.2024

SI 17 – Protecting and enhancing London’s waterways
T1 – Strategic approach to transport
T4 – Assessing and mitigating transport impacts
T5 – Cycling
T6 – Car parking
T7 – Deliveries, servicing and construction

5.3 Local Plan LP33

PP1 - Public Realm
LP1 - Design Quality and Local Character
LP2 - Development and Amenity
LP3 - Designated Heritage Asset
LP6 - Archaeology
LP8 - Social and Community Infrastructure
LP9 - Health and Wellbeing
LP42 - Walking and Cycling
LP43 - Transport and Development
LP45 - Parking and Car Free Development
LP46 - Protection and Enhancement of Green Infrastructure
LP47 - Biodiversity and Sites of Importance of Nature Conservation
LP48 - New Open Space
LP49 - Green Chains and Green Corridors
LP51 - Tree Management and Landscaping
LP52 - Water spaces, Canals and Residential Moorings
LP53 - Water and Flooding
LP54 - Overheating and Adapting Climate Change
LP55 - Mitigating Climate Change
LP57 - Waste
LP58 - Improving the Environment- Pollution

5.4 Supplementary Planning Guidance / Documents

- Refuse and recycling storage guidance (2021)
- S106 Planning Contributions SPD (2020)
- Sustainable Design & Construction SPD (2016)
- Stoke Newington reservoirs, filter beds and New River conservation area Designation Committee Report (1986)

6.0 ASSESSMENT

6.1 The main planning considerations raised by the proposed development are:

1. Principle of development and land use;
2. Accessibility;
3. Design and heritage impacts;
4. Impact on residential amenity;
5. Transport considerations;
6. Impact on trees and ecology;
7. Sustainability;
8. Waste management;
9. Air quality and land contamination; and
10. Flood risk and drainage.

Principle of development and land use

Provision of Community and Recreational Facilities

- 6.2 London Plan Policy GG1 'Building strong and inclusive communities' requires development to provide access to good quality community spaces, services, amenities and infrastructure to accommodate, encourage and strengthen communities, increasing active participation and social integration, and addressing social isolation. Policy GG3 'Creating a healthy city' also aims to plan for improved access to and quality of green spaces, the provision of new green infrastructure, and spaces for play, recreation and sports.
- 6.3 The principle of provision and improvement of outdoor leisure facilities is supported by Local Plan Policy LP8 'Social and Community Infrastructure' which encourages the enhancement of social and community infrastructure, such as leisure facilities, where are of a high quality and inclusive design providing access for all and provide flexible, affordable and adaptable buildings and, where possible, provide mixed used development, co-located with other social infrastructure uses and maximise use of buildings in evenings and at weekends. LP9 'Health and Wellbeing' also states that new development that contributes to a high quality environment that enables all Hackney residents to lead healthier and active lifestyles and reduce health inequalities will be supported, subject to all other plan policies.
- 6.4 The proposal would result in the relocation of the café from inside the existing West Reservoir Centre building, providing an improved space to provide food and drink at the West Reservoir Centre. The space will be oriented to provide refreshment to both users of the Centre as well users of the newly accessible green space, where the existing facility and its location within the centre does not allow for this. In addition, the new café will provide both hot and cold food, using the existing kitchen facilities at the Centre.
- 6.5 It is noted that concerns have been raised by members of the public as part of the public consultation in relation to the potential loss of the existing café operator. The applicant has confirmed that an external operator would be sought to run the new café. The selection of any future operator would be through an open tendering process to which the existing operators of the Centre's café would have the opportunity to bid for. Whilst it is not certain that the existing operator would run the new café, it would be unreasonable to use planning conditions to require the retention of the existing café operator as this could potentially result in placing unjustifiable and disproportionate financial burdens on the applicant and would fail the test of reasonableness. In addition, the retention of the existing café operator

Planning Sub-Committee – 08.05.2024

would also not be required to make the proposed development acceptable in planning terms.

Impact on MOL

- 6.6 As noted above, the site is designated as Metropolitan Open Land, as such, the proposal must be balanced against the requirement to protect Metropolitan Open Land (MOL). In this respect London Plan Policy G3 states that the strongest protection should be given to London's Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. In respect of Metropolitan Open Land (MOL) policy guidance of paragraphs 142-156 of the NPPF on Green Belts applies to Metropolitan Open Land (MOL).
- 6.7 Paragraph 152 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Considering whether the proposal is appropriate within the MOL paragraph 154 sets out that "a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt". However, seven exceptions to this policy are set out, including: 'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'. Paragraph 150 outlines that 'local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.'
- 6.8 The proposed development relates to the enhancement of the provision of ancillary facilities in relation to outdoor sport and recreation provision. The addition of these facilities would enhance the beneficial use of the Metropolitan Open Land by facilitating access and recreation to the space in an area of open space deficiency.
- 6.9 The level of built form as part of the proposal would be relatively small in scale, largely adjacent to existing areas of built form and considered appropriate development within the MOL. Although the proposal would result in a small loss of functional open space in close proximity to the existing West Reservoir Centre, this would be offset by a larger amount of public accessible (MOL) space created by the proposal along the east bank of the West reservoir. In addition, the proposal includes a number of soft landscaping improvements around the site that would enhance the setting and function of the MOL. As such, the proposal would not have a significant impact on the openness of the MOL. The proposals would therefore be in compliance with the aforementioned policies and would provide an improved leisure and recreation facility.
- 6.10 It is therefore considered the proposal would preserve openness and does not conflict with the purposes of including land within the MOL. The site circumstances in terms of openness would not be altered significantly as a result of the works. Moreover, as set out below the proposed works would facilitate enhanced access to the site for recreational purposes, and are appropriate within MOL, in accordance with the aims of NPPF and London Plan policies.

Green Infrastructure

- 6.11 Moreover, Local Plan policy LP46 'Protection and Enhancement of Green Infrastructure' states that the Council will protect and enhance Metropolitan Open Land, along with a

Planning Sub-Committee – 08.05.2024

general requirement for all new development to enhance the network of green infrastructure and water spaces across the Borough and seek to improve access to open space, particularly in areas of deficiency. This allows for small scale ancillary developments which enhance the open space offer, such as refreshment facilities, public conveniences, drinking fountains, public art installations or outdoor play and fitness equipment. These will be permitted provided that they are:

- I. Of a high standard of design and quality, safe and accessible to all;
 - II. Do not have a detrimental impact on nature conservation and biodiversity, and should seek to improve such;
 - III. Do not result in the loss of functional open space where possible; and
 - IV. Do not detract from the overall function, character and appearance of the park or open space.
- 6.12 LP49 also states that all new development adjacent to existing Green Corridors must be developed in a way that contributes towards the green infrastructure network. The proposed works would involve the construction of a single storey café building, outdoor changing rooms and replacement and new bridges with associated infrastructure works in order to enhance the provision and quality of the existing outdoor recreation facility at the site which is designated as a publicly accessible open space in an area of open space deficiency. Subject to further considerations below, a proposal to enhance / support such infrastructure would be supported by the aforementioned policies.

Waterways

- 6.13 Policy SI 14 'Waterways – strategic role' states that development proposals should address the strategic importance of London's network of linked waterways. Policy SI 16 'Waterways – use and enjoyment' also requires that development proposals protect and enhance waterway infrastructure. This includes water-related cultural, educational, community and sport facilities and events as long as consideration is given for other uses of the waterway.
- 6.14 Policy SI 17 'Protecting and enhancing London's waterways' requires that development proposals support and improve the protection of the distinct open character and heritage of waterways and their settings. Furthermore, development proposals along London's canal network, docks, other rivers and water space (such as reservoirs, lakes and ponds) should respect their local character, environment and biodiversity and should contribute to their accessibility and active water-related uses.
- 6.15 LP52 'Water spaces, Canals and Residential Moorings' states that new development adjacent to water spaces and riparian areas must protect and where appropriate enhance the natural habitats and the setting of the water space. Therefore development will only be permitted where the following criteria are met:
- I. Public access in the form of a continuous green chain along the waterfront or towpath is maintained, created or enhanced. This should include, where appropriate, the incorporation of an undeveloped buffer strip alongside the watercourse; and
 - II. There is no conflict with nature conservation, biodiversity interest, heritage value or flood risk management. Mitigation or compensatory measures may be necessary; and
 - III. The development enhances the leisure, recreation or educational value of the water space; and
 - IV. The development does not have an adverse impact on the structural integrity of the waterspace ; and

Planning Sub-Committee – 08.05.2024

- V. The development does not cause additional overshadowing of a canal. A daylight and sunlight assessment must be submitted with all applications and mitigation or compensatory measures may be necessary; and
 - VI. The design makes a positive contribution to the character and appearance of the waterfront area and setting.
- 6.16 The proposal would not disrupt access to the waterfront of either the New River or the West Reservoir and would improve access by creating new level access bridges and opening up the eastern side of the West Reservoir to the general public. The new footpath along the eastern bank of the West Reservoir would also retain a level of undeveloped land and would enhance this eastern bank by adding new reed beds. No information has been provided relating to the impact of the development on the structural integrity of the water space however the only part of the proposal that is likely to impact the structural integrity are the bridges over the New River, which are small in scale. Details of this and other areas of potential structural concern, can be required by way of a construction management plan which is to be secured by way of condition.

Accessibility

- 6.17 There are a number of overarching policies within the NPPF (2023), the London Plan (2021) and the Council's local plan which support the proposal in terms of providing improved access to the social and community infrastructure. The Public Sector Equality Duty (PSED) contained in the Equality Act 2010 is also an important consideration in assessing this application, as discussed below.
- 6.18 The NPPF (2023) paragraph 135 f) states that planning policies and decisions should: "Ensure developments create places that are safe, inclusive and accessible and which promote health and well-being". The NPPF talks in length about promoting healthy and safe communities and makes specific reference to promoting access to a network of high-quality open spaces and opportunities for sport and physical activity being important for the health and well-being of communities.
- 6.19 In respect of Metropolitan Open Land (MOL) policy guidance of paragraphs 137- 151 of the NPPF on Green Belts applies to Metropolitan Open Land (MOL). Paragraph 145 outlines that "local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land".
- 6.20 London Plan (2021) Policy GG1 seeks to ensure that all development in London takes account of London's diverse population. This policy seeks to ensure that this approach permeates throughout the Plan and that the specific requirements of those sharing protected characteristics are consistently identified and considered as part of all planning and development across London. The policy refers to the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides, creating a welcoming environment that everyone can use confidently, independently, and with choice and dignity, avoiding separation or segregation.
- 6.21 London Plan Policy G3 'Metropolitan Open Land' (MOL) states that proposals to enhance access to MOL and to improve poorer quality areas, such that they provide a wider range of benefits for Londoners are appropriate within MOL, will be encouraged. Examples include

Planning Sub-Committee – 08.05.2024

improved public access for all, inclusive design, recreation facilities, habitat creation, landscape improvement and flood storage.

- 6.22 London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. Furthermore, Policy SI 16 'Waterways – use and enjoyment' requires development proposals along waterways to protect and enhance inclusive public access.
- 6.23 As previously highlighted above, Local Plan Policy LP8 'Social and Community Infrastructure' encourages the enhancement of social and community infrastructure, such as leisure facilities, which are of a high quality and inclusive design providing access for all.

Equality Act 2010 and Implications

- 6.24 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 6.25 Under Public Sector Equality Duty (PSED) the Act requires public authorities as a decision maker, in carrying out their functions, to pay due regard to the need to achieve the objectives set out under section 149 of the Equality Act. Having regard to the duty set out in the S149 Equality Act 2010, the development proposals do not raise specific equality issues other than where discussed in this report.
- 6.26 In this instance the applicants have the duty to consider the needs of groups that share protected characteristics and show how the existing barriers might be removed. The scheme presents an opportunity to provide improved access and wider use of the outdoor leisure facilities and enhance access to the boroughs network of green infrastructure to those who currently have limited mobility or require ramp or compliant step access. These benefits must then be weighed against the other impacts of the development as set out below.
- 6.27 It is noted that comments from members of the public were raised as part of the public consultation in relation to the lack of the provision for gender neutral changing facilities as part of the proposal. Under the Equality Act 2010 service providers must meet a number of conditions to lawfully establish a separate or single-sex service. These conditions are set out under exceptions relating to sex in the Act. However, there are circumstances where a lawfully-established separate or single-sex service provider can exclude, modify or limit access to their service for trans or those that are gender neutral. This is allowed under provisions relating to gender reassignment in the Act. In this respect, the proposal would provide separate / single sex facilities, as lawfully required. It would be appropriate for the service provider to assess and meet the conditions set out under the gender reassignment provisions regarding the allocation of changing facilities for those that are trans / gender neutral.
- 6.28 The proposed development has come forward in order to improve and increase access to the site, for both the water and associated recreation activities. This improved accessibility is strongly supported by the NPPF, London Plan and Local Plan.

Planning Sub-Committee – 08.05.2024

- 6.29 Considering the proposal against the existing site circumstances, the resulting development would provide positive benefits to residents in the area, in particular it would have a positive impact on:
- the young, elderly and those with disabilities, especially with limited mobility;
 - those who can be victim of crimes such as hate crimes as the proposal would improve natural surveillance in areas, thereby increasing safety and security;
 - those who have additional requirements in order to be able to move around the area such as those in wheelchairs and with pushchairs and younger pedestrians through the provision of a compliant accessible ramp and steps.
- 6.30 In considering the location of the new and replacement bridges, both locations were selected to achieve accessible access routes in gently sloped areas with no steps, whilst also minimising impact on existing trees, particularly mature trees and vegetation. The proposed locations for the bridges provide sufficient space to slope the ground to achieve an accessible route away from mature trees of amenity / ecological value, unlike the location for the existing bridge. Retaining and upgrading the existing bridge was one of the options explored in the consultation phase for the project. However, the retention of the existing southern bridge to provide step free access would require the removal of a mature Holm Oak tree which is Category A and therefore not considered a suitable way forward.
- 6.31 The proposed development would require the partial removal of two groups of trees in order to facilitate the development. One group of trees identified for partial removal (G6) are of moderate retention value (Category B2). Although category B2, this group of trees comprise self-set scrub like trees and are of limited / low amenity and ecological value. The other group of trees identified for partial removal (G1) are considered to be of low retention value (Category C2). Again, this group of trees comprises self-set scrub-like trees of limited amenity and ecological value.
- 6.32 The proposed new café building would also be provided with step free access and with an accessible toilet, whereas the existing café on the site is currently only accessible via steps at the rear decking area on the waterside of the venue. The new access route along the eastern bank would also be accessible.
- 6.33 Mindful of the planning policies concerning access, particularly in relation to open space, as well as the equality law context outlined above, the works are strongly supported for promoting inclusive access. The proposal would facilitate improved public access to an outdoor recreational facility and surrounding green infrastructure network, including groups that share protected characteristics, and is therefore considered acceptable in principle. As discussed further in this report, potential countervailing factors arising from the development can be adequately mitigated.

Design and heritage impacts

- 6.34 Policies D1, D3 and D4 of the London Plan are relevant and relate to the context of the surrounding area. Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 6.35 Policy LP1 of the LP33 seeks to ensure developments provide good and optimum arrangement of the site in terms of form, mass and scale as well as identify with and respect the architectural quality and character of the surrounding environment.

Planning Sub-Committee – 08.05.2024

- 6.36 Policy LP3 states that development that leads to substantial harm to or total loss of significance of a designated heritage asset will not be permitted unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 6.37 As the site is located within the Stoke Newington Reservoirs, Filter Beds and New River Conservation Area, a designated heritage asset, and adjacent to grade II* listed buildings, there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and setting of listed buildings. The significance of the Conservation Area primarily derives from the quality of the buildings found therein, and its historical importance relating to the water supply of North London since the 17th century.
- 6.38 Whilst there is no formally adopted conservation area character appraisal, the designation committee report from 1986 notes that the central features of this open and undeveloped area are the East and West Reservoirs and Filter Beds and form part of a unique water resource in inner London that provide attractive local landmarks.
- 6.39 The proposal would involve the demolition of an existing footbridge crossing the new river to the south of the site. There is sufficient and convincing evidence to accept that it is necessary to replace this utilitarian structure of little heritage significance, as it is not fit for purpose with regards to public accessibility, as well as for the beneficial use of the New River Path and visual amenity to this part of the Conservation Area, no objections are raised to the removal of this element in heritage terms.

Café and Outdoor Changing Facilities

- 6.40 The proposed Café and Outdoor Changing Facilities would be located to the east of the existing West Reservoir Centre building. The siting was chosen to create a specific area of lawn for use by the open water swimmers, whilst providing a more practical and legible entrance to the location of the café. The location also allows for an internal layout which can provide a separation between the specific users of the West Reservoir Centre on one side and park users on the other.
- 6.41 The proposed café building has been designed to relate to the depth and height of the existing eastern extension to the old pump station, whilst also relating appropriately in scale to the new outdoor changing facility. The café and outdoor changing facility would be located along a new curved boundary, which relates to the southern existing façade line.
- 6.42 The café building and outdoor changing facility are considered appropriate in scale and would complement the positive features of the existing built form and landscaping on the site. The single storey scale of the building and the siting and curvature of the building line would help provide a sense of continuity and coherent structure with the existing built form within the overall landscape. The design and materials would be in keeping with the natural appearance of the surrounding area and new soft landscaping measures would also aid in softening its appearance, helping to integrate the building within the positive soft-landscape features of the site.

New and Replacement Bridges

- 6.43 The proposed new bridges would be attractive and visually permeable, yet designed in order to perform well in their pedestrian and cycle-able functions, that would blend into the surrounding area and still allow for the full enjoyment of open views of the surrounding area.

Planning Sub-Committee – 08.05.2024

Consideration has been paid to achieve a harmonious design, proportions, materials and finishes of the span of both bridges, with complementary landscaping compatible with the Council's resources and vision.

- 6.44 The proposed bridges, with their well-detailed simplicity, would be subordinate to the open, soft-landscaped character of the area. They would enhance the experience and accessibility of the outdoor recreational facilities and New River Path as a significant feature and would positively respond to the heritage setting of the Conservation Areas, complemented by a landscape scheme.

Fencing & Infrastructure

- 6.45 The design, location and extent of fencing and gates would allow for relatively unobstructed views across the reservoir and open space to be maintained. There would also be substantial additional hedging to areas of existing fencing to be repaired around the perimeter of the site to soften the appearance of these elements. As such, the visual permeability into and within the site would broadly be preserved and thus the open character of the site being retained.
- 6.46 The majority of proposed fencing works within the proposal relates to repairing existing areas of fencing at the site. The proposed new fencing would be designed, other than in height, to match the existing fencing and therefore would not appear out of keeping with the character and appearance of the conservation area, which would be preserved.
- 6.47 The proposal would also involve elements of green infrastructure, such as pathways, wayfinding posts, bins, bollards, signage and benches. All of these features would amount to paraphernalia associated with the public use of an open space and therefore considered appropriate and commensurate to the scale of the proposal to ensure that the site is clean, comfortable and more attractive to encourage walking and cycling. It is also important to note that these features can be constructed under Permitted Development Rights.
- 6.48 Overall, the proposed additional built form on the site would be ancillary in relation to the function and significance of the site as a form of open space. The structures would not appear dominant or prominent within the site or when viewed from neighbouring sites. As such, the visual openness of the site would be retained with its qualities significantly enhanced by way of a comprehensive landscaping proposal. The proposal is considered to be sensitively designed and mitigated and would have a very modest impact on the character and appearance of the conservation area and the setting of adjacent listed buildings, while enhancing its functionality and successfully preserving key features of special interest and significance. The details of the external materials to be used in the construction of the built form, including details of finishes, colours and treatment is to be secured by way of condition.
- 6.49 Given the above, the proposed development would have an acceptable impact upon the character and appearance of the conservation area and the setting of the adjacent listed buildings and would be in accordance with Policies D1, D3, D4 & HC1 of The London Plan, Policy LP1 & LP3 of the Hackney Local Plan 2033.

Impact on residential amenity

- 6.50 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising

Planning Sub-Committee – 08.05.2024

overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

- 6.51 LP33 policy LP2 states that all new developments should not result in any significant adverse impacts to the amenity of neighbouring occupiers. Amenity considerations include the impact of the development on; visual privacy and overlooking; overshadowing and outlook; and sunlight and daylight levels.
- 6.52 The proposed café building, outdoor changing facilities and new bridges would be located a significant distance from that of the closest neighbouring residential properties and would be relatively low lying structures. As such, the impact these elements would have on outlook, daylight, privacy and overshadowing upon the amenity of neighbouring residential occupiers would not be significant.
- 6.53 Concerns have been raised within the public consultation, regarding potential overlooking and loss of privacy from the eastern bank of the West Reservoir. It is noted that the eastern bank is raised in parts, higher than that of the land of properties along those streets, where rear gardens back onto the site. As a result, some views can be had toward those properties from the proposed new accessible space. However, there would be a significant distance in between the proposed pedestrian access route along that stretch of bank and the rear gardens and rear windows of properties along those streets.
- 6.54 In addition, there are existing levels of established vegetation along the perimeter between those residential properties and the West Reservoir, which provides a natural buffer. Nevertheless, the proposal also includes a substantial level of additional soft-landscaping, including the planting of native mixed species hedging along the majority of that boundary. As such, views from the site towards those properties would be sufficiently oblique as not to result in a significant loss of privacy. It is also important to note that the opening up of this area for public access does not constitute development requiring planning permission and, as highlighted above, the green infrastructure proposed along the length of the eastern bank can be constructed under Permitted Development Rights. As such, it is considered that there would be no reasonable planning grounds to refuse the application on this basis.
- 6.55 Concerns have also been raised by members of the public in relation to the loss of privacy to those using the open water for swimming. However, there are not high levels of privacy in relation to the use of the site for open swimming for use by the public, given that views can be had of the open water from those using the existing West Reservoir Centre and New River Path. As such, views from those using the eastern bank would not result in undue loss of privacy to those using the site for swimming.
- 6.56 In terms of noise and disturbance, the proposal would involve the provision of publicly accessible open space within and adjacent to an area that is already heavily used for similar purposes. The walking route around the site would be closed at nights as well as outside West Reservoir Centre opening hours. The applicant has submitted an Acoustic Impact Assessment which has been reviewed and considered acceptable by the Council's Environmental Health Officers, subject to the recommendations as set out by that report being implemented. A condition is to be attached to ensure that is the case. As such, it is not considered that the proposed development would result in excessive levels of noise disturbance over and above the existing use of the site. In addition, the soft-landscaping measures proposed would help to mitigate levels of noise created from the use of the eastern bank development.

Planning Sub-Committee – 08.05.2024

- 6.57 With regards to potential increases in litter created at the site, waste infrastructure, including litter and recycling bins would be located at various intervals along the eastern bank. As noted within the submitted Operational Management Plan document, the centre would be responsible for emptying the bins on a daily basis and dispose of the rubbish in line with the centre's waste management policy. As noted above, it would be the responsibility of the Leisure, Parks and Green Spaces department to ensure the open space would be managed and maintained in a good and decent state under the Open Spaces Act. The Council's Waste Management team have reviewed the application proposal and consider that the full details of waste collection can adequately be dealt with by way of condition.
- 6.58 The construction phase of the site would be a temporary disturbance and is an unavoidable aspect of new development. The Control of Pollution Act would provide protections in terms of hours of work to mitigate against unreasonable noise and disturbance being created in relation to neighbouring occupiers. The submission of a construction management plan is also required, subject to a condition, to help minimise the levels of disturbance and inconvenience.
- 6.59 Overall, the proposal would not result in undue impacts upon residential amenity over and above the existing site circumstances or what could be reasonably carried out without the need for planning permission. As such, the scheme is considered to be in accordance with the aforementioned policies.

Transport considerations

- 6.60 The site is located on an access road that connects to Green Lanes (the A105). This is one of the most heavily trafficked roads in the borough. A 20mph speed limit is operational on the A105. Green Lanes provides a number of sections of segregated carriageway for cyclists.
- 6.61 The PTAL accessibility rating for the site varies, with the proposed location of the north bridge being located in an area with a PTAL score of 5 whilst the West Reservoir Centre itself will be located within an area with a PTAL score of 0 (on a scale of 1a – 6b where 6b is the most accessible). It is of note that a bus stop serving the 141 and 341 bus routes are both close by and the Manor House underground station is approximately 0.75km from the site.
- 6.62 The proposed replacement and new footbridges would enable the improvement in access to an existing Green Corridor along this section of the New River Path as well as creating an additional walking / cycling route. As such, the proposal would facilitate improvements in access to facilities that encourage walking and cycling and therefore is supported in this regard.

Car Parking

- 6.63 London Plan Policy T6 'Car parking' requires car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity with car free developments being the starting point for all well connected and accessible developments. Local Plan Policy LP45 'Parking and Car Free Development' reaffirms this by requiring all new development in the area be car free. Where sites are redeveloped, existing parking provision must be significantly reduced to make the new development car free unless there is site specific justification to re-provide an element of the existing parking.

Planning Sub-Committee – 08.05.2024

- 6.64 London plan Policy T1 'Strategic approach to transport' outlines that all new development must contribute to meeting the strategic target of 80 percent of all trips in London to be made by foot, cycle or public transport by 2041. This is reflected in local policy as LP41 'Livable Neighbourhoods' requires all new development and their associated transport systems to contribute towards transforming Hackney's places and streets into one of the most attractive and liveable neighbourhoods in London. This should be achieved by creating an environment where people actively choose to walk and cycle as part of everyday life. This is further affirmed by LP42 'Walking and Cycling' which requires development to improve the pedestrian environment and permeability whilst ensuring that footpaths are of a high quality and contribute to improved wayfinding.
- 6.65 The existing site has 25 standard vehicle parking spaces, 3 motorcycle bays and an additional 2 accessible parking bays for disabled person's parking. The Transport Statement (TS) outlines that the existing parking bays will be retained and outlines that the car parking space is utilised for servicing, emergency service access and coach parties.
- 6.66 Owing to the nature of the existing site, there is a requirement for parking by staff and visitors who are transporting large items and equipment. The applicant has also highlighted that the site is making a number of positive improvements to the site including a new pedestrian route and public realm works. These changes are not predicted to increase vehicular movements to and from the site.
- 6.67 The retention of the onsite vehicle parking arrangement as part of this planning application is acknowledged by Transport Officers, who consider that this is acceptable subject to the inclusion of associated transport mitigation measures to enable active and sustainable transport and reduce private vehicle use and dependency, including as part of final travel plan, a strategy to reduce onsite vehicle parking in the longer term being outlined. This would include strategies to migrate private vehicle trips to more sustainable modes of transport, for example via cargo cycles and car clubs. For private vehicle use, proposals could be included to install electric vehicle chargers for the onsite parking provision.
- 6.68 Given there are existing services on the site that require the need for parking, such as those using the site for water sports where equipment would need to be brought to the site, the removal of car parking spaces would unreasonably require visitors travelling to the site with equipment by foot. This would potentially undermine the aims of enhancing access to recreational infrastructure to encourage a broader range of users and maximise the use of the facilities on the site. As such, it is considered appropriate to include a condition relating to the feasibility of converting existing standard parking spaces into accessible spaces rather than a reduction in the overall number of car parking spaces in this instance.
- 6.69 Moreover, regard has to be given to proposed improvement and creation of new, high quality and attractive pedestrian foot and cycle paths providing an additional connection from the Woodberry Down development to the West Reservoir Centre. This would encourage access to the facilities on the site and encourage walking and cycling through the improvement in permeability within the wider area, promoting active travel within the borough. As such, the proposal would inherently result in an increase in the likelihood that those visiting the site would do so by more sustainable modes of transport.
- 6.70 Whilst it is accepted that the proposal would not be car free, the proposal would result in an increase in the number of blue badge car parking spaces on the site and it is considered that there is sufficient operational justification as part of the proposed development that would warrant the retention of car parking spaces on the site.

Planning Sub-Committee – 08.05.2024

Servicing and Trip Generation

- 6.71 The TS states that there is not expected to be any increase in vehicle trips generated by the proposals. There is a maximum number of open water swimmers allowed in the reservoir at a time and visitors must pre-book. It is not expected that the proposed beginner pool will attract more visitors compared to the existing situation. The application states that only the proposed new footpath and café will be accessible to the general public with no pre-booking. The Council's Transport Officers have reviewed the application and consider that a final travel plan should be secured by way of condition. This would ensure that a baseline travel survey and ongoing monitoring is conducted to properly inform a range of new active and sustainable transport measures at the site. As such, the proposal would be acceptable in this regard.

Cycle Parking

- 6.72 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 cycles, tricycles and cargo bikes. The proposed cycle parking provision is based on the current London Plan 2021 Cycle Parking Standards. Cycle parking would be provided in line with Hackney's Sustainable Transport SPD. This would include 60 no. cycle parking spaces in total representing an uplift of 32no. spaces on the existing provision, and enabling greater public access to this facility by bike. A condition is to be attached to ensure that the cycle parking / storage provision is retained in compliance with the aforementioned SPD.

Travel Plan

- 6.73 A Framework Travel Plan Statement has been submitted as part of this application. However, Transport Officers consider that a full Travel Plan will be required to establish a long-term management strategy that encourages sustainable and active travel. The Travel Plan is required to include SMART targets that are: specific, measurable, achievable, realistic and time bound.
- 6.74 The Travel Plan should be reviewed and monitored annually for at least 5 years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC). Reviews should evaluate the plan and ensure that the targets are appropriate to encourage sustainable transport uptake. New interim targets should be set and correspond to our Transport Strategy and LP33.
- 6.75 The full Travel Plan would be required to be produced and implemented on occupation of the development. This would be secured through the s106 legal agreement inclusive of financial contribution towards the monitoring of the Travel Plan of £5,000.

Construction Management

- 6.76 Given the nature of the site and proposed development a detailed construction management plan (CMP) which includes measures to mitigate negative impacts on the surrounding highway network is required and would be attached via condition to any permission granted.

Planning Sub-Committee – 08.05.2024

- 6.77 Overall, it is considered that the application is acceptable in transport and parking terms, and in terms of its impact on the public highway.

Trees, landscaping and biodiversity

Trees

- 6.78 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.
- 6.79 In assessing the acceptability of the loss of trees they are first categorised A-C or U if of very low quality. This categorisation is defined by sub-categories including Arboricultural value i.e. species / condition, Landscape i.e. visual contribution and Cultural i.e. cultural value.
- 6.80 As noted above, to facilitate the construction of the replacement footbridge to the south and a new gate and fence to the north, the removal of part of 2 groups of trees would be required. G6 (Mixed), which is a category 'B2' group and G1 (Mixed) which are a category 'C' group. Although one group is classified as category B2, this group of trees comprise self-set scrub like trees and are of limited individual arboricultural quality. The other group of trees identified for partial removal (G1) are considered to be of low retention value (Category C2). Again, this group of trees comprises self-set scrub like trees of limited amenity value. Category C trees should not be considered as a constraint against development and their removal will generally be acceptable.
- 6.81 It is noted that there are a number of trees where works are proposed within their Root Protection Area (RPA). However, none of these trees are proposed to be removed as part of the proposed development and the works to be undertaken would follow a no-dig methodology to ensure that no roots of significant girth would be severed. Tree protective fencing would be installed to ensure that the trees would be unaffected during construction works and is to be secured by way of condition.
- 6.82 The Council's Tree Officer has been consulted as part of the application, who does not raise any objections to the partial removal of these groups of trees. As noted above, the proposed location for the replacement footbridge to the south allows for a mature Holm Oak tree, which is Category A, to be retained. There are approximately 30 new trees to be planted across the site and this would adequately mitigate the loss of canopy cover from the partial removal of the groups G1 & G6.

Urban Greening Factor

- 6.83 Policy G5 'Urban Greening' requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Commercial developments must meet a target Urban Greening factor (UGF) score of 0.3.
- 6.84 The existing application site comprises a section of the reservoir, surrounded by shortly mown amenity grassland, with a longer and more diverse poor semi-improved grassland around the borders of the Site. Small, localised areas of woodland are present within the south of the site and scrub and broadleaved trees were noted throughout the Site. The

Planning Sub-Committee – 08.05.2024

proposed development would provide substantial improvements to the soft landscaping on-site and in its immediate environs through the creation of reedbeds and enhancement of modified grassland through wildflower seeding and a relaxed mowing regime.

- 6.85 An assessment of the Urban Greening Factor (UGF) has been provided by the applicant based on the surface cover types within the application boundary, which includes perennial planting and semi-natural vegetation. The proposal delivers an UGF of 0.69, which is above the requirement for commercial and mixed use developments of 0.3 as set out in London Plan Policy G5 and therefore this policy requirement is satisfied.
- 6.86 Given the nature and scale of the proposal and acknowledging that the development would not result in a net loss of biodiversity, the level of landscaping maintained within the surrounding area is considered acceptable in this instance.

Biodiversity

- 6.87 London Plan Policy G6 'Biodiversity and access to nature' requires that Sites of Importance to Nature Conservation (SINC) should be protected and that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. Also proposals which reduce deficiencies in access to nature should be considered positively.
- 6.88 Hackney Local Plan Policy LP47 'Biodiversity and Sites of Importance of Nature Conservation' also affirms this stating that all development should protect and where possible enhance biodiversity leading to a net gain. Furthermore, all development should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and link into the wider green infrastructure network. All major development proposals are required to include a biodiversity survey of the site to demonstrate biodiversity net gain.
- 6.89 In England, Biodiversity Net Gain (BNG) is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for biodiversity net gain, the objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. However, the application was submitted prior to the adoption of mandatory biodiversity net gain (BNG) requirements for major developments on the 12th February 2024.
- 6.90 As noted above, the West Reservoir Centre is partly designated as a 'Site of Importance for Nature Conservation and the proposal would impact on ecology through the necessary vegetation clearance and land to facilitate the footbridge works, café building and associated infrastructure.
- 6.91 A Preliminary Ecological Appraisal has been submitted as part of the application, which evaluates the potential for protected species at the site. This included a Preliminary Bat Roost Assessment. The areas assessed, including tree group G6 which is partially to be removed, were shown to have low Bat Roost Suitability. An area of shortly mown amenity grassland would also be lost as part of the proposals to accommodate the new pathway around the east of the reservoir and the new café building. However, this habitat is considered to be of low value to bats given the lack of structural and species diversity.

Planning Sub-Committee – 08.05.2024

- 6.92 In addition, the small areas of amenity grassland, scattered scrub and woodland that would be lost to accommodate the new bridges are also considered to be of low ecological value. As such, the submitted details provide a level of reassurance that the proposal would not unduly impact upon protected species or areas of significant ecological value. Nevertheless, given the ecological designation of the site, a full ecological survey and assessment is to be required by way of condition, including further bat roost assessments.
- 6.93 Moreover, it is proposed that such impacts be mitigated through a quantitative increase in biodiversity. A Biodiversity Net Gain Assessment has been submitted as part of the application which shows a 12.25% net gain in 'Broad Habitat Area Units', 196.16% net gain in Hedgerow Units and 5.26% net gain in Watercourse Units can be achieved through on-site habitat creation. This would involve the retention of mature trees and new planting of diverse native trees and a hedgerow along the eastern edge of the reservoir; creation and management of wildflower grassland habitat; landscape planting to include native and ornamental species of known benefit to wildlife; reed bed extension in the reservoir to enhance the habitat for species including birds and invertebrates and enhancements to the existing grassland on the river banks. The proposal also includes a green roof to the top of the café building.
- 6.94 It is noted that the proposed net gain in Watercourse Units has not been shown to comply with the 10% net gain requirements and these units cannot be traded across other habitat types. Nevertheless, given that the application was submitted prior to adoption of the mandatory net gains requirement, adequate mitigating measures involving replacement trees and habitat creation are to be proposed that would overall enhance the nature conservation value of the West Reservoir and surrounding area in line with the above policies.
- 6.95 To ensure BNG is delivered within the Site it is required that habitat creation and enhancement measures are secured through the submission of a Landscape and Environment Management Plan. Overall, subject to conditions the application is acceptable in terms of its impact on trees, ecology and biodiversity, and its provision of urban greening, in line with the above policies.

Sustainability

- 6.96 The NPPF requires development to contribute to the transition to a low carbon future, reduce energy consumption and contribute to and conserve the natural environment. London Plan Policy SI2 states that major developments should be zero carbon, and in meeting the zero-carbon target a minimum on-site reduction of at least 35 per cent beyond Part L 2021 of building regulations should be achieved.
- 6.97 London Plan Policy SI 2 'Minimising greenhouse gas emissions' states that major development should be net zero-carbon and should therefore provide a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy outlined below:
- 1) be lean: use less energy and manage demand during operation
 - 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
 - 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
 - 4) be seen: monitor, verify and report on energy performance.

Planning Sub-Committee – 08.05.2024

- 6.98 Hackney Local Plan Policy LP55 (Mitigating Climate Change) of LP33 requires, in relation to reducing carbon emissions, that non-residential development should aim to achieve 15% through energy efficiency measures alone.' In the event that zero carbon emissions are not met, a payment to offset the shortfall is required. This is calculated based on the per tonne of carbon to be offset, with a value of £2,850 per tonne of carbon to be offset.
- 6.99 An Energy and Sustainability Strategy has been submitted as part of the application that shows an overall predicted reduction in CO2 emissions for the development of approximately 21% in carbon emissions beyond Part L 2021 of building regulations. Whilst this would not meet the 35% target as set out by the London Plan. However, a key limitation to achieving further improvements towards the GLA target is the high ratio of external envelope area i.e. windows to floor area. This is intrinsic to the nature of this type of small building and can therefore be considered unreasonable to be modified.
- 6.100 Given the shortfall in carbon emission savings, a Carbon Offset contribution of £10,759 is to be made in the event of planning permission being granted and would be secured via a s106 legal agreement. The Council's Sustainability Officers have been consulted as part of the application and consider the savings in carbon emissions to be reasonable in relation to the scale and nature of the development proposal.
- 6.101 The proposal satisfies development plan policies and subject to conditions, the application is considered acceptable in terms of its sustainability.

Waste management

- 6.102 Hackney Local Plan Policy LP57 'Waste' requires developments to minimise waste during both construction and should provide clear details in plans for the facilities needed for the storage and collection of waste and recycling. Locations for refuse/recycling storage have been provided as part of a Waste Plan, including details of the proposed arrangement provided.
- 6.103 The refuse storage area would be located in the existing refuse storage location. The total existing capacity is 4no 1100L recycling and 4no 1100L general waste bins no is and consists of, and 2 no 240L glass recycling. This is to be retained as part of the proposed development. Given the scale of the proposed café to that of the existing café to be replaced, the proposed development is not anticipated to result in a significant increase in waste at the site.
- 6.104 There is ample space on the site for waste capacity to be increased if required. As such, it is considered that adequate information has been provided to confirm that adequate storage of waste could be accommodated, in accordance with the Hackney Refuse and recycling storage guidance and a condition is to be attached for full details of capacity requirements for the existing and proposed uses on the site. As noted above, the Council's Waste Management team have reviewed the application proposal and consider that the full details of waste collection can adequately be dealt with by way of condition.

Air quality and land contamination

Air Quality

- 6.105 Hackney Local Plan Policy LP58 'Improving the Environment - Pollution' requires that all new development must, as a minimum, not exceed air quality neutral standards or contribute to a worsening of air quality at the construction or operation stage, over the

Planning Sub-Committee – 08.05.2024

lifetime of the development. It is a relevant policy consideration to protect local air quality and human health. The production of air pollutants shall be kept to a minimum during the course of building works and during the lifetime of the development.

- 6.106 It is recommended that a standard condition be imposed on any permission granted requiring all non-Combined Heat and Power (CHP) space and hot water fossil fuel boilers to achieve dry NO_x emission levels equivalent to, or less than, 40 mg/kWh. A condition requiring compliance with this requirement prior to occupation should be imposed if granted. Compliance would ensure that the development achieves required air quality levels.
- 6.107 The Council's Environmental Health Team have been consulted as part of the application and consider that, given the modest scale of the development, the submission of a Construction Logistics Plan would be sufficient to control any emissions during construction work given there is very little building work to be done on the site, and it is not in close proximity to residential buildings. A condition is recommended to be attached regarding restrictions in relation to the use of All Non-Road Mobile Machinery. is satisfactory. This is to be attached by way of condition.

Land Contamination

- 6.108 Policy LP58 also requires that new development should address risks to sensitive receptors (both on and off site) from land contamination through proportionate action(s) before and during construction and during operation where appropriate, planning conditions, over the lifetime of the development.
- 6.109 The Council's Environmental Health Pollution Officers have reviewed the submitted Phase 1 and 2 Geo-Environmental Report and other relevant documentation and advise that there are no objections to the proposal in terms of its land contamination risk, subject to conditions. Therefore, the application is considered acceptable in terms of its land contamination risks.

Flood risk and drainage

- 6.110 London Plan Policy SI 12 'Flood risk management' development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.
- 6.111 Policy SI 13 'Sustainable drainage' requires that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features and development proposals for impermeable surfaces should generally be resisted unless unavoidable. Finally, drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.
- 6.112 Policy LP53 'Water and Flooding' of the Local Plan requires all development to have regard to reducing flood risk, both to, and from the site, over its expected lifetime and should achieve greenfield runoff rates by attenuating rainwater on site, utilising SuDS and in accordance with the London Plan drainage hierarchy.
- 6.113 The following types of development will be expected to submit the appropriate flood risk assessment:

Planning Sub-Committee – 08.05.2024

- I. Developments in fluvial flood zone 2 or 3 including minor development and change of use;
 - II. Developments on sites of 1 hectare (ha) or more in flood zone 1;
 - III. Developments on sites of less than 1 hectare in flood zone 1, including change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs);
 - IV. All major developments or basement developments in areas with a high risk of surface water flooding, or in an area known to have a potentially elevated risk of groundwater flooding in flood zone 1;
 - V. All development in flood zone 1 located in a critical drainage area.
- 6.114 The site is located within Flood Zone 1 which has a low probability of flooding from rivers and the sea and is not located within a Critical Drainage Area. The site is also shown to have a low risk of surface water flooding. The proposal would not involve significant levels of excavation and whilst the proposed new cafe building would add an increase of 80m², there would be no change in the existing use of the site/flood risk vulnerability classification.
- 6.115 The Council's Drainage Officers have been consulted as part of the application and have raised no objections to the proposed development, subject to the imposition of a condition relating to the submission of detailed specification and a drainage layout of sustainable drainage systems. The proposed development would incorporate SuDS (sustainable urban drainage systems) features are proposed onsite to improve water quality and quantity for the surface water runoff, this would be via attenuation basins. As such, the risk of flooding would not increase on or offsite as a result of the proposed works, where greenfield runoff rates would be achieved.

Conclusion

- 6.116 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations. The determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.117 In respect to addressing the benefits of the proposed development, the works create access to additional areas of public open space, enhancing the provision and quality of an existing outdoor recreation facility which is designated as a publicly accessible open space in an area of open space deficiency. It would also provide improved access to existing areas and wider use of the outdoor leisure facilities, enhancing access to the boroughs network of green infrastructure to those who currently have limited mobility or require ramp or compliant step access. These elements would represent significant public benefits of significant weight in support of the development.
- 6.118 In addition, the proposal includes a number of soft landscaping improvements around the site that would enhance the setting of the MOL. Whilst there would be some tree removals, these would not be significant and impacts would be adequately mitigated through replacement tree planting, the creation of on-site habitat creation and the enhancement of retained woodland, resulting in a net-gain in biodiversity within the boundary of the application site. These elements would represent modest public benefits as part of the development, also weighing in support of the proposal.



Planning Sub-Committee – 08.05.2024

- 6.119 The development would preserve the character and appearance of the conservation area and nearby listed buildings, whilst not resulting in an undue impact on neighbouring residential amenity. The development would also have an acceptable impact upon on-street parking and highway safety and whilst the proposal would not result in a reduction in parking on the site, there is an operational justification for the retention of this. There would be adequate space for the site to be serviced and for sufficient waste storage on the site.
- 6.120 The development would make appropriate reductions in carbon emissions and payment of carbon off-set contributions. The proposal would not result in an increase in flood risk and would achieve greenfield runoff rates.
- 6.121 The proposed development, on balance, complies with the with relevant policies in the Hackney Local Plan (2033), the London Plan (2021) and the NPPF (2023), and is recommended for approval subject to conditions and the completion of a Unilateral Undertaking legal agreement. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above, subject to conditions and completion of legal agreement. .

7.0 Community Infrastructure Levy

- 7.1 Given that the proposal relates to ancillary infrastructure for areas or places for outdoor sport or recreation and creates less than 100m² of internal floor space, the application would not be liable for the Mayor of London's Community Infrastructure Levy or Hackney's CIL.
- 7.2 Please note this is an estimate only and potential amounts are subject to indexation. Any liability notice will reflect rates applicable at the time a planning decision is made.

8. RECOMMENDATION

- 8.1 That planning permission is GRANTED, subject to conditions and the completion of a legal agreement.

9. Planning Conditions and Informatives

Conditions

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

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

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

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

9.3. No development shall take place on site until samples of all external materials and finishes to be used on the footbridges, Café building and associated green infrastructure (including fencing) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

9.4. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a final scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS shall include, details of on-site plant and vehicles sizes engaged in the demolition and construction of the replacement and new footbridges, details showing a solid barrier protecting the stem of the trees to the front of the site with associated hand dug excavations, tree protection monitoring and site supervision. The works, including demolition, shall not commence until such time as a suitably qualified arboriculturist with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary construction works throughout their duration to ensure compliance with the tree protection measures which has been checked and approved by the local planning authority. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith and retained for the duration of the construction works. The development thereafter shall be implemented in strict accordance with the approved details.

REASON: In order to ensure the safety and well being of the trees on and adjacent to the site during construction works that are to remain after works are completed as well as in the interests of the creation of habitats for biodiversity.

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

Planning Sub-Committee – 08.05.2024

- a) Details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase) and details of air quality and dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete);
- b) A demolition and construction traffic management plan to include the following:
- the construction programme/ timescales;
 - the number/ frequency and size of construction vehicles;
 - construction traffic route;
 - location of deliveries;
 - pedestrian and vehicular access arrangements;
 - any temporary road/ footway closures during the construction period; and
 - structural integrity of the waterspace.
- c) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during the construction project;

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

9.6. Prior to the commencement of development, including ground and site preparation works, a full ecological survey, including relevant bat roost assessments, shall be undertaken and submitted to and approved in writing by the local planning authority. The findings of the survey shall be used to inform the proposed ecological mitigation and enhancement measures to be detailed within the Landscape and Environment Management Plan.

REASON: In the interest of biodiversity.

9.7. No development shall take place until a detailed Landscape and Environment Management Plan covering the matters set out below has been submitted to and approved in writing by the Local Planning Authority.

- a) detail how the final landscaping and ecological enhancements will be delivered within the Site, as well as ongoing management to ensure that habitats reach and maintain their targeted condition for the next 30 years;
- b) Specific measurable targets linked to target habitat condition; and
- c) Monitoring prescriptions to ensure that created and enhanced habitats are reaching their target condition, with appropriate remedial measures detailed as part of the required actions.

REASON: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity.

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

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

Planning Sub-Committee – 08.05.2024

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

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

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

REASON: To protect any subsurface archaeological remains within this Archaeological Priority Area.

9.9. Prior to the first occupation of the development, a Delivery Service Plan (DSP) shall be submitted for approval to the Local Planning Authority for that phase and the measures outlined within the DSP shall be implemented thereafter.

REASON: To ensure that the development can be adequately serviced without detriment to the amenity and highway safety of the surrounding area.

9.10. For the duration of the construction works, a watching brief will need to be maintained for any previously unidentified soil and/or groundwater contamination. Particular attention should be paid to Made Ground exposed beneath the site.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

9.11. Details of the numbers (minimum 30), species, location and size of the new tree planting necessary to compensate for the trees being removed on site shall be submitted to and approved in writing by the local planning authority prior to the completion of the works, with such planting being carried out in the first planting season following the completion of the development hereby approved.

REASON: To deliver amenity and environmental benefits associated with trees as well as in the interests of the creation of habitats for biodiversity.

9.12. Details of refuse and recycling enclosures, showing the design, external appearance and location thereof, shall be submitted to and approved by the Local Planning Authority, in writing, before construction commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure sufficient provision of waste and recycling facilities on site.

9.13. Prior to occupation/use of the development hereby approved a policy compliant cycle parking plan is required, which shows details of layout, foundation, stand type and spacing of cycle parking.

Planning Sub-Committee – 08.05.2024

The storage spaces and stands must be provided prior to the occupation of the dwelling and kept in good working condition, in accordance with the above details, in perpetuity.

REASON: To ensure adequate provision for the safe and secure storage of bicycles, to promote sustainable modes of transport and in the interest of safeguarding highway safety.

9.14. The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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

9.15. 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 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 ensure emissions from the site during the construction phase are acceptable with regard to public health and amenity.

9.16. Prior to the commencement of the works in relation to the café building, the applicant shall submit, and have approved in writing by the Local Planning Authority, a detailed layout, cross sections (scale 1:20), full specifications and a detailed management and maintenance plan of the biodiverse roof with a minimum substrate depth of 80mm, not including the vegetative mat. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage, to enhance the performance and efficiency of the proposed building and assists in reducing carbon emissions.

9.17. 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), attenuation basins, 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 "Sustainable Drainage Strategy Report 221320 – West Reservoir Open Swim" (ref.: 221320-PEV-ZZ-ZZ-RP-C-0100, dated: 22/11/2023) by Pick Everard and limit the peak discharge rate to 1.0 l/s for all return periods up to the 1 in 100 year storm events plus an allowance for climate change.

Planning Sub-Committee – 08.05.2024

REASON: To ensure that the development will provide a sustainable drainage system. The condition is required to be discharged prior to the commencement of development to ensure that sustainable drainage is incorporated into the design of the development.

9.18. All non-Combined Heat and Power (CHP) space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers installed as part of the development hereby approved shall achieve dry NOx emission levels equivalent to or less than 40 mg/kWh.

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

9.19. Prior to first occupation of the development hereby approved details of all external lighting to approved building facades, street furniture, communal and public realm areas shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of sources and intensity of illumination, demonstrated through a lux plan. Due regard shall be had to the recommendations of the approved Preliminary Ecological Appraisal. The agreed lighting scheme shall be installed as approved and retained/maintained as such thereafter.

REASON: To safeguard against adverse impacts to natural habitats.

9.20. Prior to the occupation of the development hereby approved, a Parking Design and Management Plan, showing the level of accessible parking spaces and locations of these spaces, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained in perpetuity, with the accessible parking spaces being marked out for, and used by registered disabled people only.

REASON: To ensure the community facilities are accessible to those with mobility restrictions..

9.21. 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.

9.22. The development shall be carried out in accordance with the Operational Management Plan, dated 13/11/2023, unless otherwise agreed in writing by the Local Planning Authority.

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



Planning Sub-Committee – 08.05.2024

Recommendation B

That the above recommendation be subject to the landowners and their mortgagees enter into a Legal Agreement by means of a legal deed in order to secure the following matters to the satisfaction of the Director of Legal Democratic and Electoral Services:

- Carbon Offset Contribution: £10,759
- Travel Plan: £5,000
- Payment of monitoring of the S106 legal agreement : £1,110
- Payment of Council’s legal fees

Recommendation C

That the Sub-Committee grants delegated authority to the Director, Environment and Climate Change and Assistant Director Planning & Building Control (or in their absence either the Growth Team Manager or Development Management & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions or legal agreement 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 standard informatives should be attached to the decision notice:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.18 Tree Preservation Orders
- SI.25 Disabled Person’s Provisions
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultation with Thames Water RE: Waste and water management
- SI.33 Removal of Asbestos
- SI.34 Landscaping
- SI.40 Application for Advertisement Consent
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing
- SI.50 Section 106 Agreement

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

Natalie Broughton
Assistant Director of Planning & Building Control

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION OFFICER	CONTACT
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Planning Sub-Committee – 08.05.2024

1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies.</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report.</p>	Laurence Ackrill +2297	2 Hillman Street, London E8 1FB
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