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**Subject: 1-2 Hepscott Road, London, E9 5HB 15/00446/FUL**

**Meeting Date: 22 March 2016**

**Report to: Planning Decisions Committee**

**Report of: Natalie Dobraszczyk, Planning Development Executive**

FOR DECISION

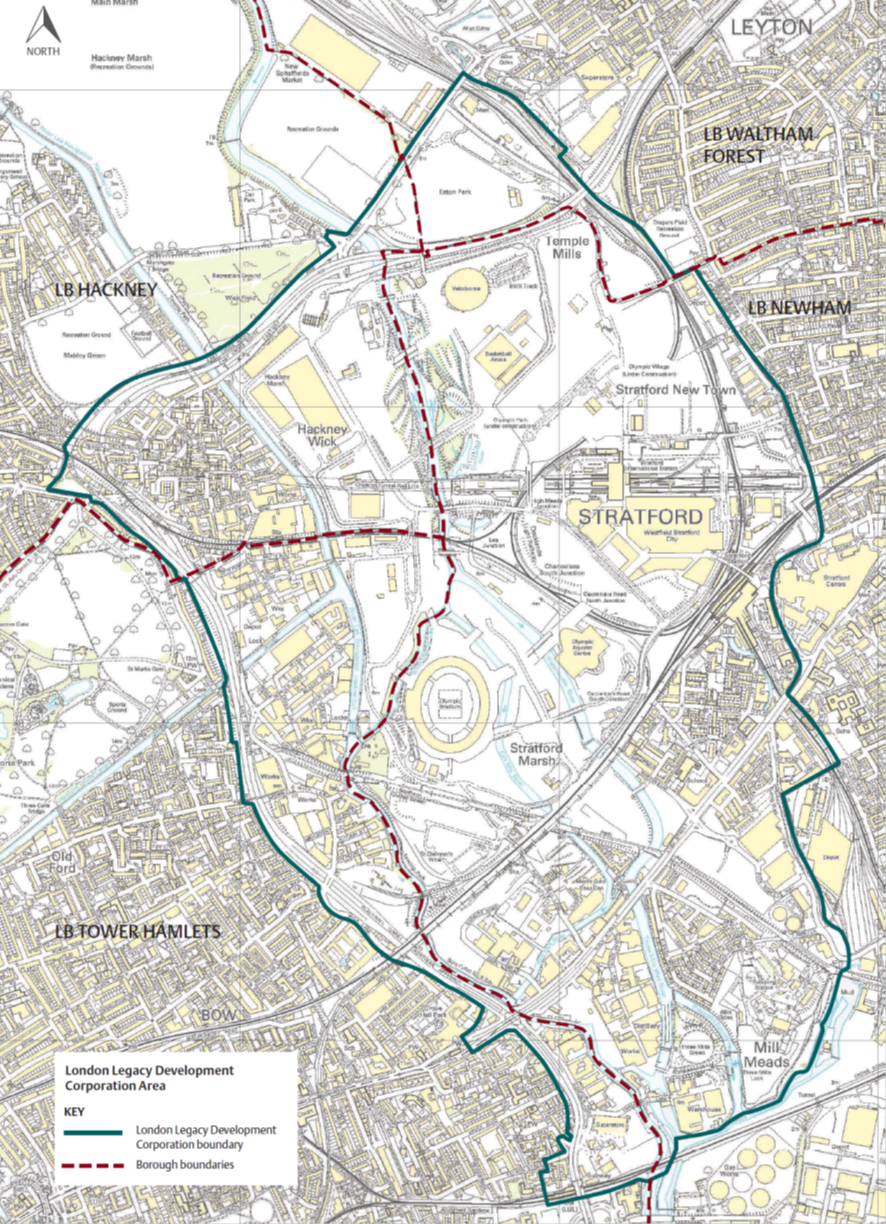
This report will be considered in public

1. **EXECUTIVE SUMMARY**
   1. This report considers a full planning application for demolition of the existing buildings on the site and the construction of a 6 storey building measuring between 20.7-21.4 metres in height (+27.2m AOD). The building will provide commercial workspace at ground floor level comprising 922m2 gross internal area (GIA) plus 202m2 of yard space. At upper levels 30 residential units are proposed consisting of 14 one bedroom units (46.6%), 12 two bedroom units (40%) and 4 three bedroom units (13.4%).
   2. The application site is a broadly rectangular shaped plot located on the eastern side of Hepscott Road. It is bordered by White Post Lane to the north, Hepscott Road to the west and Rothbury Road to the south. The site is approximately 0.1185 hectares in size and is in current use as a stone cutters yard (use class B8). The River Lea Navigation is located approximately 0.1 miles to the east and a similar distance to the south.
   3. Hackney Wick station is located approximately 54 metres to the north of the site and the site lies within the Hackney Wick Neighbourhood Centre boundary. The site is in an area of flood risk and is adjacent to the boundary of the Fish Island and White Post Lane Conservation Area which lies to the north, south and east. Also to the north east is the Lord Napier Public House and to the north west is the Hope Chemical Work Wall, both of which are identified as a non-designated heritage asset.
   4. The key matters for assessment set out in this report include the following:

* Principle of development including land use;
* Housing mix, including affordable housing;
* Quality of accommodation;
* Impact upon the living conditions of neighbouring properties;
* Design and impact on heritage assets;
* Transport;
* Flooding;
* Sustainability and energy; and
* Planning obligations.
  1. The principle of redevelopment of the site is supported and through the provision of a new mixed use development, the scheme will maximise the use of previously developed land and will make a valuable contribution to both local housing need and the local employment offer. The proposal would result in an increase in job density on the site and would provide flexible B1(c) work space which could accommodate small and medium enterprises and/or creative industries, a typology which is encouraged within Hackney Wick. The proposal will re-provide 94% of the existing employment floor space and will increase the amount of jobs which can be supported on the site.
  2. The proposal would provide 30 new residential units and 922 m2 (GIA) of commercial floorspace, plus 202 m2 of commercial yard space. The affordable housing offer made by the applicant is to provide 7 units (equating to 23% by units and 23% by habitable room) with a tenure split of 3:4 intermediate/ social rent mixed across unit sizes. The viability appraisal of the scheme has been independently reviewed on behalf of the PPDT and, through negotiation, has increased from the original offer of 19% affordable units. The advice of the PPDT’s viability consultants is that they are satisfied that the affordable housing offer made by the applicant represents the maximum achievable based on the current viability position of the proposals.
  3. The applicant has successfully demonstrated that the quality of accommodation would be high. The proposal successfully optimises the capabilities of the site and will deliver much needed housing to a good standard, meeting the needs of future occupants and the housing market more generally.
  4. The urban design, layout, building height, scale and bulk and detailed design of the scheme are considered acceptable. The Quality Review Panel also supports the development proposals. The proposal respects and reinterprets the industrial heritage of the area whilst providing a high quality contemporary finish. The scheme would make a worthy contribution to the area and would preserve the character, appearance and setting of the conservation area and nearby heritage assets.
  5. The impacts of the development on the amenity of existing and future neighbouring properties in terms of loss of light, outlook and privacy have been assessed and considered to be compliant with London Plan and Local Plan polices.
  6. No objections to the scheme have been received and no material considerations have been raised by statutory consultees or local residents.
  7. Subject to the measures which are proposed to be secured by recommended conditions and s.106 legal agreement obligations, it is considered that the impacts of the scheme can be suitably mitigated. Overall the scheme is considered to represent a sustainable form of development in compliance with relevant planning policies.
  8. It is recommended that the Committee grant planning permission for the proposed development subject to the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990.

1. **RECOMMENDATION**
   1. **The Committee is asked to:**
2. **Approve the application for the reasons given in the report and grant planning permission subject to:**
3. **The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and**
4. **Agree to delegate authority to the Director of Planning Policy and Decisions to:**
5. **Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the section 106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;**
6. **Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and**
7. **Complete the section 106 legal agreement referred to above and issue the planning permission.**
8. **FINANCIAL IMPLICATIONS**
   1. None.
9. **LEGAL IMPLICATIONS**
   1. None.

**Site Plan:**



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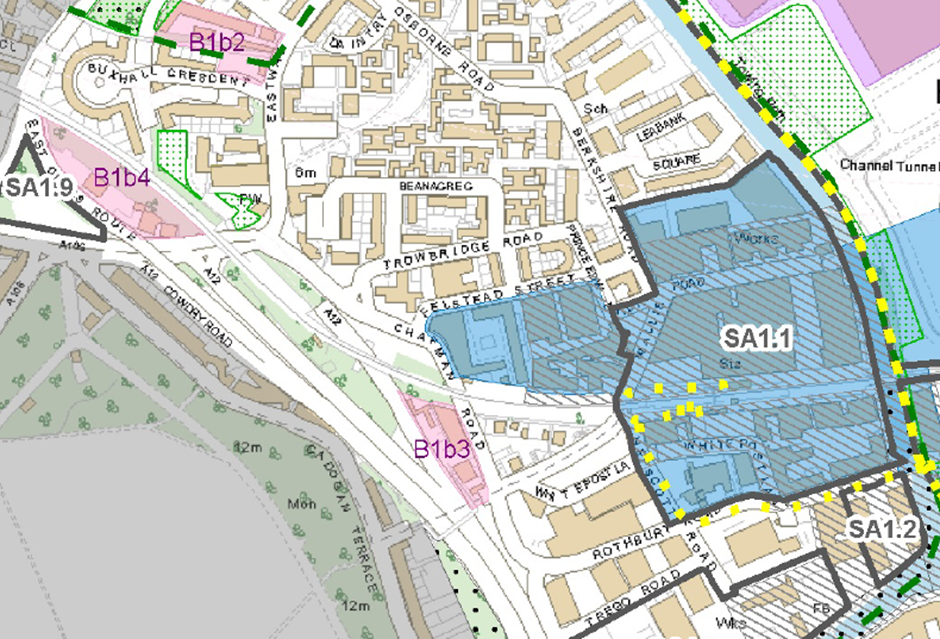
Location: 1-2 Hepscott Road, London, E9 5HB

London Borough: London Borough of Tower Hamlets

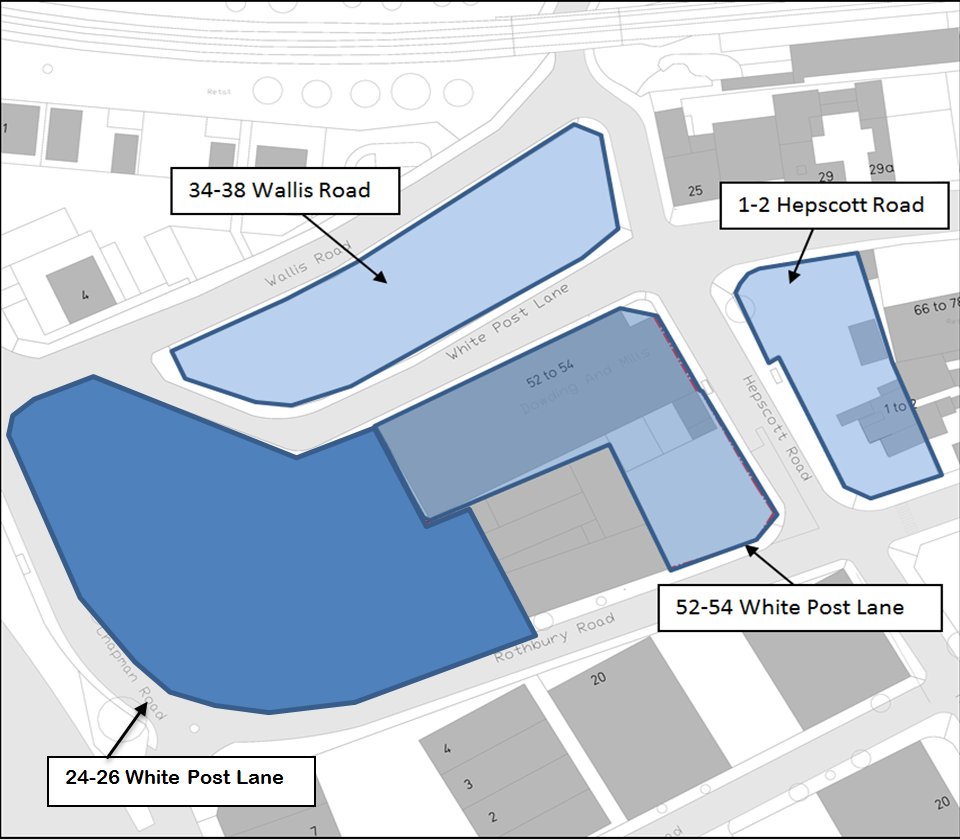
Proposal: Application for full planning permission for mixed use redevelopment comprising: Demolition of existing buildings and construction of a new 6 storey building to provide 922 sqm (GIA) of commercial space (use class B1c) with yard area, 30 residential dwellings (14 x 1 bed, 12 x 2 bed and 4 x 3 bed), amenity areas, disabled parking, cycle parking and refuse/recycling stores.

Applicant: 1-2 Hepscott Road Limited

Agent: CMA Planning



1. **SITE**  **& SURROUNDINGS**
   1. The application site is a broadly rectangular shaped plot located on the eastern side of Hepscott Road. It is bordered by White Post Lane to the north, Hepscott Road to the west and Rothbury Road to the south. The site is approximately 0.1185 hectares in size and in current use as a stone cutters yard (use class B8). The River Lea Navigation is located approximately 0.1 miles to the east and a similar distance to the south. Hackney Wick station is located approximately 54 metres to the north of the site.
   2. The site is within the Hackney Wick Neighbourhood Centre boundary and site allocation SA1.1 (Hackney Wick Station Area) as detailed within the LLDC Local Plan. The site is within an area of flood risk (Flood Zone 3) and is adjacent to the boundary of the Fish Island and White Post Lane Conservation Area (Appendix 6).
   3. The surrounding area is characterised by predominantly warehouse and light industrial buildings. Immediately adjacent to the site is a small scrapyard and a car mechanics.
   4. There have recently been a number of applications for mixed use redevelopment on the sites surrounding the application site which are shown on the plan below and described within the planning history section of this report at paragraph 7.



* 1. Immediately adjacent to the north of the site is The Lord Napier Public House and to the north west is the remaining section of the Hope Chemical Works wall, both of which are non-designated heritage assets. To the north, east and south of the application site is the Fish Island and White Post Lane Conservation Area, although the site itself is not located within the conservation area.
  2. The site is shown at Appendix 1(Location Plan and Context), Appendix 2 (Proposed Site Layout), Appendix 3 (Proposed East and West Elevations), Appendix 4 (Proposed North and South Elevations), Appendix 7 (Images) and Appendix 8 (Proposed Floor Plans).

1. **DESCRIPTION OF DEVELOPMENT**
   1. The application proposal seeks the demolition of the existing buildings on the site and the construction of a 6 storey building measuring between 20.7-21.4 metres in height (+27.2m AOD). The building will provide commercial workspace at ground floor level comprising approximately 922m2 gross internal area (GIA) plus 202m2 of yard space. At upper levels 30 units are proposed consisting of 14 one bedroom units (46.6%), 12 two bedroom units (40%) and 4 three bedroom units (13.4%).
   2. Access to the residential units would be provided by a central core with 2 lifts. 80% of the proposed residential units are duel aspect and there are no single aspect north facing units proposed. The proposal also includes 3 (10%) wheelchair accessible units and 7 affordable units (23%), with a tenure split of 3:4 (43%:57%) intermediate/ social rent mixed across unit sizes.
   3. All units will be provided with private balconies/ terraces. On the roof of the building a large communal amenity area is proposed measuring 265m2 and featuring an area of dedicated playspace. The playspace will comprise a 0-4 play zone with elements of 5-11 play and will include sensory planting, grassed banks, balance beams, a sand pit, stepping logs, musical chimes and moveable seating.
   4. The employment space is proposed as flexible workshop/ studio space and as such is considered as falling within use class B1(c). The proposed commercial space is concentrated on the ground floor and parts of the first floor facing predominantly onto Hepscott Road so as to ensure that active frontages line White Post Lane to the north and Rothbury Road to the south.
   5. The proposal includes a yard area to the east of the site which is intended as a shared commercial space. The yard will be constructed from granite temple sets and the intention is that the space is both functional as a commercial area but also retains flexibility in terms of the way the space is used.
   6. The proposal is car free with the exception of 2 blue badge spaces which are located to the rear of the building and are accessed through the yard space.
   7. An existing loading bay is located on White Post Lane on the northern side of the site, within a short walk of both residential and commercial access points and as such will serve as the main location for servicing of the site. It has also been demonstrated to be possible for some servicing to take place within the yard area to the east of the building. It is proposed that the yard will operate a one way system with entry along White Post Lane and egress onto Rothbury Road.
   8. The architectural expression of the building is twofold demonstrating a formal, ‘hard’ exterior shell which fronts Hepscott Road, White Post Lane and Rothbury Road and a ‘soft’ interior back which will face the yard. Brick is proposed as the primary cladding material on the ‘hard’ exterior with vertical serrated edges being employed along the chamfered corners of the building to create additional emphasis. Additionally, soldier courses and random bond will be utilised to create further interest and expression. The majority of the brickwork will be finished with light mortar with a darker mortar being used on the horizontal banding between each floor and on the ground floor plinth. The main material proposed within the ‘soft’ interior is standing seam anodised metal to be painted silver in colour. Silver colour metal balustrades are also proposed throughout the building.
   9. In terms of landscaping there are a number of shared residential spaces located on each floor. The largest of these are found on the first floor and on the roof and these areas will include tree planting, timber block seating and low level planting.

* 1. The proposed elevations are included at Appendices 3 and 4.

1. **RELEVANT PLANNING HISTORY**
   1. Permission was granted by the London Borough of Tower Hamlets on 10 May 1979 for the “Use of the site for the storage and cutting of stone” (planning reference: PA/79/00920) and this remains the current use of the site.

Planning History of Neighbouring Sites

* 1. To the north west of the site across White Post Lane is 34-38 Wallis Road, which is currently used for the open storage of skips (B8 use class). An application for the redevelopment of that neighbouring site for 54 residential units, 630m² of retail space and 221m² of studio space was received in January 2014 (ref. 14/00019/FUL). Although the application was recommended for approval and scheduled to be heard by the Planning Committee on the 23 September 2014, the application was withdrawn in advance of the Committee owing to concerns regarding a loss of flood storage capacity.
  2. The site to the west is 52-54 White Post Lane which is currently occupied by a three storey industrial building situated along its northern frontage with an open yard to the south. The property is currently occupied by Mr Bagel Ltd, a bagel factory described as having a storage and distribution use (B8 use class). An application for the redevelopment of the Mr Bagel warehouse for 2367sqm (GIA) of commercial space (use class B1c) with commercial yard and 55 residential dwellings was submitted on 27 August 2015 and was approved by the Planning Committee on 26 January 2016 (reference: 15/00416/FUL).
  3. To the west of the site along White Post Lane is 24-26 White Post Lane. The site is currently occupied by a number of vacant commercial buildings falling within Use Class B2. An application seeking the demolition of the existing building and the erection of 4no. linked buildings up to 6no. storeys in height to include 103 residential units and 2,916 m2 of commercial floorspace (Use Class B1(c)) was considered, and approved by the Planning Committee on 23 February (reference: 15/00540/FUL).
  4. Both 52-54 White Post Lane and 24-26 White Post Lane are awaiting the competition of their respective legal agreements.

1. **RELEVANT PLANNING POLICY**
   1. National Planning Policy Framework (2012)
   2. The policies in the NPPF are material considerations in the determination of applications. The NPPF recommends that as of April 2013, due weight should be given to relevant local plan policies according to their degree of consistency with the NPPF. The principle of sustainable development permeates the NPPF. The Framework makes clear that local authorities should be positive and proactive in encouraging sustainable growth and addressing barriers to investment. The NPPF should be read in conjunction with Planning Practice Guidance, a new web-based resource for all users of the planning system. This describes the importance of good design and how this can be achieved through planning decisions.
   3. The following NPPF policies are relevant to this planning application:

Core Planning Principles

Section 6 – Supporting a Wide Choice of High Quality Homes

Section 7 – Requiring Good Design

Section 12 – Conserving and Enhancing the Historic Environment

* 1. London Plan (2015) Consolidated with Alterations since 2011

Policy 2.4 – The 2012 Games and their Legacy

Policy 2.14 – Areas for Regeneration

Policy 3.4 – Optimising Housing Potential

Policy 3.5 – Quality and Design of Housing Developments

Policy 3.8 – Housing Choice

Policy 3.10 – Definition of Affordable Housing

Policy 3.11 – Affordable Housing Targets

Policy 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes.

Policy 3.13 – Affordable Housing Thresholds

Policy 4.1 – Developing London’s Economy

Policy 4.12 – Improving opportunities for all

Policy 5.2 Minimising Carbon Dioxide Emissions

Policy 5.3 – Sustainable Design and Construction

Policy 5.5 – Decentralised Energy Networks

Policy 5.7 – Renewable Energy

Policy 5.12 – Flood Risk Management

Policy 6.2 – Providing Public Transport Capacity and Safeguarding Land for Transport

Policy 6.3 – Assessing Effects of Development on Transport Capacity

Policy 6.9 – Cycling

Policy 6.10 – Walking

Policy 6.13 - Parking

Policy 7.2 – An Inclusive Environment

Policy 7.3 – Designing Out Crime

Policy 7.5 – Public Realm

Policy 7.6 – Architecture

Policy 7.7 – Location and Design of Tall and Large Buildings

Policy 7.8 – Heritage Assets and Archaeology

Policy 7.9 – Heritage- Led Regeneration

Policy 7.14 – Improving Air Quality

Policy 7.15 – Reducing Noise and Enhancing Soundscapes

* 1. London Legacy Development Corporation (LLDC) Local Plan (July 2015) (LLDCLP)

Development managementpolicies within the London Legacy Development Corporation Local Plan, relevant to the current application, are listed below:

Policy H.1 – Providing a Mix of Housing Types

Policy H.2 – Delivering Affordable Housing

Policy SP.3 – Integrating the Built and Natural Environment

Policy BN.1 – Responding to Place

Policy BN.3 – Maximising Biodiversity

Policy BN.4 – Designing Residential Schemes

Policy BN.5 – Requiring Inclusive Design

Policy BN.10 – Proposals for Tall Buildings

Policy BN.12 – Protecting Archaeological Interest

Policy BN.13 – Improving the Quality of Land

Policy BN.16 – Preserving or Enhancing Heritage Assets

Site Allocation SA1.1 – Hackney Wick Station Area

Policy 1.1- Managing Change in Hackney Wick and Fish Island

Policy 1.2 – Promoting Hackney Wick and Fish Island’s Identity and Appearance

Policy 1.3 – Connecting Hackney Wick and Fish Island

Policy 1.4 – Preserving or Enhancing Heritage Assets in Hackney Wick and Fish Island

Policy 1.5 – Improving the Public and Private Realm in Hackney Wick and Fish Island

Policy 1.6 – Building to an Appropriate Height in Hackney Wick and Fish Island

**Other Material Documents**

Technical Housing Standards - Nationally Described Space Standards (2015)

Mayor’s Housing Supplementary Planning Guidance (2012)

London Housing Design Guide (2010)

BRE Site Layout Planning for Daylight and Sunlight', A guide to good practice, Second Edition.

London Borough of Newham Adopted Joint Waste DPD (2012)

Disability Discrimination Act (2005)

Fish Island and White Post Lane Conservation Area Appraisal (November 2014)

1. **CONSULTATION RESPONSES**
   1. Site notices were displayed around the application site on 8th October 2015 and an advertisement was published in the East End Life newspaper on 12th October 2015.
   2. All relevant residents and businesses within a surrounding radius of 25-35 metres of the application site and any interested parties were consulted by post on 6th October 2015.

**Representations from members of the public**

* 1. No representations were received from members of the public.

**Representations from statutory and non-statutory consultees**

* 1. The following were consulted; those who responded to the consultation are shown in bold:

London Borough of Tower Hamlets – Planning

London Borough of Tower Hamlets - Highways

Lee Valley Regional Park Authority

Metropolitan Police – Secure By Design

Metropolitan Police – Designing Out Crime

London Wildlife Trust

London Underground Ltd

**Docklands Light Railway**

Network Rail

HS1 Ltd

**Crossrail**

**Transport for London (TfL)**

London Power Networks

London Cycling Campaign (LCC)

London Ambulance Service

London Fire Brigade

Lea Rivers Trust

**Natural England**

Health Protection Agency

Health and Safety Executive

**Environment Agency**

**Historic England**

Greater London Archaeological Advisory Service

National Grid

Cofely East London Energy Ltd

EDF Energy Network Plc

**Thames Water Authority**

CGMS Consulting Ltd

BT Group Plc

East End Waterways Group

**The Quality Review Panel (QRP)**

PPDT’s Transport Consultants

PPDT’s Environmental Consultants

**LLDC Development Team**

Historic England

* 1. Comments were received stating that due to the nature of the development, the archaeological interest and/or practical constraints it is considered that a condition could provide an acceptable safeguard in terms of securing archaeological investigations of the site. It was suggested that the archaeological works would comprise of a field evaluation and excavation plus a ‘post-excavation’ assessment’. The inclusion of an informative requiring the work to be conducted by a suitably qualified professional was also requested. A condition to secure this will be included.
  2. Notwithstanding the comments made in paragraph 9.5 Historic England raised no objections to the scheme.

Crossrail

* 1. After reviewing the application Crossrail have confirmed that the site falls outside of the limits of land subject to consultation under the Crossrail Safeguarding Direction. As such, Crossrail had no comments on the application.

Docklands Light Railway

* 1. Docklands Light Railway Limited reviewed the application and had no comments to make from an infrastructure protection perspective.

Environment Agency

* 1. Initial objections were raised to the proposal due to the potential for flooding however these objections were removed following the submission of a revised Flood Risk Assessment (FRA) which addressed the concerns. The Environment Agency have subsequently requested the inclusion of a condition to ensure that the proposal is constructed in accordance with the amended FRA. A condition to secure this will be included.

LLDC Development Team

* 1. A letter was received from the London Legacy Development Corporation Development Team (LLDC DT) who are working on the delivery of a Masterplan which will cover the Hackney Wick Neighbourhood Centre, as defined within the LLDC Local Plan.
  2. The letter confirms that as the application site is within the planned Masterplan area the LLDC DT have held a number of meetings with the applicant to discuss the proposal and establish how it will relate to the proposals which will be forthcoming within the Masterplan.
  3. The letter confirms that the application proposal represents a similar quantum of both commercial and residential space to that expected within the emerging LLDC Hackney Wick Masterplan. It is also stated that the provision of commercial floorspace, especially the yard space and mix of residential units is supported.
  4. However, the letter also suggests that the redevelopment of the site would be better realised if the applicant was to wait until the Masterplan had been approved in outline and was to submit a reserved matters application instead of the current application for full planning permission. Reasons for this statement included the suggestion that a more comprehensive redevelopment of the wider area could be achieved including a unified response to the yard space, public realm, infrastructure, land uses, urban design and heritage and delivery. These comments are addressed in paragraph 10.6.

Natural England

* 1. Natural England raised no objections to the proposal subject to the inclusion of suggested conditions which highlighted that the proposal should not have a detrimental impact on the delivery of the Olympic Park Biodiversity Action Plan (BAP).
  2. Comments were also provided to request that hydrological pollution via run off be addressed and that all potential impacts on protected species should be considered. It was suggested that any landscaping on site should use native species and that green/ brown roofs and walls were encouraged.

Network Rail

* 1. Network Rail raised no objections to the proposal.

Transport for London (TfL)

* 1. Transport for London did not consider that the proposal would have a significant impact on public transport or the Transport for London Road Network. However, due to the close proximity of the site to the adjacent bus stop TfL have requested a condition to ensure that the temporary and permanent agreements for the bus stop are agreed with TfL and the London Borough of Tower Hamlets as the highways authority.
  2. As such no objections to the proposal were raised from TfL.

Thames Water

* 1. Thames Water raised no objections to the proposal subject to a condition restricting impact piling and informatives relating to surface water draining, waste water and ground water discharge. A condition to secure this will be included.

The Quality Review Panel (QRP)

* 1. The QRP initially reviewed the scheme on 17th July 2015. The comments highlighted the challenge of re-providing employment space and suggested the inclusion of a mezzanine. The design was generally supported although further information was required to demonstrate a positive relationship with the locally listed Lord Napier pub. Questions were also raised about how the yard space would operate.
  2. The current scheme was presented to the QRP on 19th November 2015 and the Panel were “broadly supportive” but questioned the proposed height of the building and the design of the roof storey, the geometry of which should be reconsidered. Likewise, the eastern (rear) elevation was considered to be “overly complex and would benefit from simplification”.

1. **ASSESSMENT OF PLANNING ISSUES**

**Principle of development**

* 1. The NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. For decision making this means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the polices within the NPPF taken as a whole or where specific policies within the NPPF indicate that development should be restricted.
  2. The application site is located within Site Allocation SA1.1 (Hackney Wick Station Area). The policy within SA1.1 states that the site allocation should:

*“Support comprehensive employment-focused mixed-use development, including a significant number of new homes complemented by new retail, leisure, food/drink and community facilities. Development should deliver a mix of uses around the rebuilt Hackney Wick Station, integrate with established retail frontage at Felstead Street and Prince Edward Road, and utilise buildings of heritage value”.* The full supporting text is included in Appendix 5.

* 1. The supporting text within Site Allocation SA1.1 details requirements for schemes to ensure that they deliver the site wide principles as stated above. The proposal will be assessed against these requirements to establish whether the principle of the proposed development is acceptable.
  2. The proposed development seeks the introduction of a mixed-use development incorporating residential and light industrial/commercial units and in this respect is compliant with Site Allocation SA1.1. The proposal would demonstrate a scheme which would be led to a greater extent by residential development rather than being employment focused as outlined within the policy text however it does seek to provide 922m2 gross internal area (GIA) plus 202m2 of yard space. Due to the size of the application site it is considered acceptable that the proposal does not include the other approved uses including retail, leisure and community facilities. It is considered that the proposal represents an appropriate mix of uses and therefore is compliant with Site Allocation SA1.1.
  3. The commercial uses will be located on Hepscott Road, White Post Lane and Rothbury Road so as to ensure there will be employment focused active frontages along these key east and west routes through the Hackney Wick Neighbourhood Centre towards Hackney Wick Station and Queen Elizabeth Olympic Park (QEOP). As such it is considered that the scheme will provide non-residential ground floor active frontages along the primary route of Hepscott Road, as identified in the Site Allocation.
  4. Officers have also considered the comments made by the LLDC Development Team relating to the potential for the redevelopment of the application site to be implemented as part of the emerging Hackney Wick Masterplan. Officers has assessed the scheme in respect of the land use, massing and design principles of Site Allocation SA1.1, which would also be applied to assess proposals on other adjoining or surrounding sites, and consider that the proposals are in accordance with these.
  5. The acceptability of the scheme is considered in more detail below, but Officers have assessed that the proposed development is capable of functioning successfully both independently and as part of wider proposals for the comprehensive redevelopment of the Hackney Wick Station Area. At the time of writing this report the Hackney Wick Central Masterplan had not been submitted as a planning application. However, details of the Masterplan were shared by the Applicant of that scheme with the PPDT as well as adjoining landowners. This application has been amended since submission, informed in part by dialogue and information exchange between the Applicant and the Masterplan team. These discussions have informed the proposed layout, disposition of uses, servicing and parking arrangements of the scheme.
  6. Both Site Allocation SA1.1 and Policy B.1 (Location and maintenance of employment uses) of the LLDC Local Plan emphasise the importance of the re-provision of existing employment workspace. The application site is neither within an employment cluster nor within an area subject to any other employment designation. Policy B.1 (5) of the LLDCLP requires proposals to maintain and re-provide equivalent industrial floorspace within B2/B8 uses however, Site Allocation SA1.1 states that development within the Hackney Wick Station Area should re-provide B8 Use Class employment floor space as space falling within the B1 Use Class and the acceptability of this is further discussed in paragraph 10.10. Policy B.1 also sets out the criteria that proposals for new uses on employment land should be assessed against. The proposal is assessed against the requirements of Policy B.1 (5) below. The relevant criteria outlined in Policy B.1(5) is as follows:

*Proposals on employment land outside the clusters and where new uses are proposed within the OILs shall:*

*a) Maintain or re-provide equivalent industrial floorspace within B2/B8 Use Classes; or*

*b) Maintain or re-provide equivalent employment floorspace within B1 Use Classes or significantly increase job densities within B Use Classes*

*Proposals, including conversions, shall also be considered against:*

*c) Proximity of incompatible uses to the existing and proposed use;*

*d) The potential reuse of buildings of value for employment;*

*e) Re-location strategies showing how existing businesses can be suitably accommodated;*

*f) Viability appraisal demonstrating suitability of maintaining or re-providing industrial or employment within the location;*

*g) Marketing strategies for two immediately preceding years showing attempts to market the property for employment uses; and*

*h) Other overriding factors potentially inhibiting the continuation of employment use.*

* 1. The application site currently comprises of two small buildings, an office and a workshop, totalling 75 m2 with the remaining land totalling 1110 m2 of yard space. The current occupiers of the site are A. Neale and Sons, a stonemasons, who utilise both the buildings and the yard area for the storage of stone products. As such, the existing use of the site is considered to fall within Use Class B8 (warehouse and distribution).
  2. The proposed scheme is required by part 5 (a) of Policy B.1 of the LLDCLP to maintain or re-provide equivalent industrial floorspace within the B8 Use Class. The only exceptions to this requirement are where the current use is clearly and demonstrably in direct conflict with its immediate surroundings, or where the current use is clearly incompatible with mixed-use development proposed within the LLDCLP. However, Site Allocation SA1.1 states that development within the Hackney Wick Station Area should re-provide B8 Use Class employment floor space as space falling within the B1 Use Class. The site is also located within the Hackney Wick Neighbourhood Centre boundary where under Policy 1.1 of the LLDC Local Plan B1 uses are considered to be appropriate and acceptable. Therefore, the proposed B1 use is considered to be acceptable as assessed against the Site Allocation and considered to be acceptable.
  3. In relation to the employment density of the site (part b of Policy B.1 above) the existing site currently employs 2 members of staff. According to the Employment Densities Guide (HCA, 2010) the proposed number of employees would increase this figure to approximately 20 people which is considered to be a significant increase in job densities falling within the B Use Classes.
  4. For the reasons outlined in paragraphs 10.10 and 10.11 the proposed B1 use is considered to be beneficial and in accordance with both Policy B.1 and Site Allocation SA1.1 however the following points provide a brief assessment against the subsequent requirements of Policy B.1.
  5. The proposal is located adjacent to two existing commercial sites, a car servicing yard and a car scrapyard however the site is within an area which has been designated for mixed use development and therefore Officers are confident that future redevelopment proposals within close proximity of the application site will comprise compatible uses. Notwithstanding this, the impact of these sites upon the proposed development has been assessed in paragraphs 10.39- 10.47 and has been found to be acceptable. Therefore the proposal is found to be compliant with part 5(c) of Policy B.1 of the LLDCLP.
  6. The existing two buildings on the application site are commercial sheds with little aesthetic value and few options for suitable reuse. These buildings would only be appropriate for a similar B8 use which would not be compliant with the ambitions of SA1.1, as detailed in paragraph 10.10. Therefore the proposal is found to be compliant with part 5(d) of Policy B.1 of the LLDCLP.
  7. The applicant has confirmed that the existing premises are now no longer suitable for the current occupiers, A Neale and Sons, and because of this, and due to the age of the business operators, the owner is intending to retire following the sale of the site and cease trading. The agent has submitted a letter from Mr Ronald John Neale which confirms this and supports the application proposal. As such, it is considered that the application has suitably demonstrated the justification for the loss of the existing business. As the business will cease to operate it is considered that it is not necessary for the applicant to demonstrate relocation strategies for the existing business however the applicant has submitted information which details that a business relocation support team will be available to assist any businesses which may need to be relocated as a result of the proposal, therefore, the proposal is found to be compliant with part 5(e) of Policy B.1 of the LLDCLP.
  8. The application will re-provide 94% of the existing employment floor space and will increase the amount of jobs which can be supported on the site. The proposal will therefore re-provide equivalent employment floorspace in accordance with the requirements of Policy B.1 and Site Allocation SA1.1. Likewise, the proposed commercial space will demonstrate generous floor to ceiling heights and high quality design (which is further discussed in paragraph 10.59) and therefore will meet the high standards required by SA1.1.
  9. The proposed use would support a number of policy aims in respect of providing both jobs and housing in an area which has been identified as a mixed-use development area and which would support LLDCLP Policy 1.1 and Site Allocation SA1.1.1. Therefore, it is considered that parts 5(h), (f), and (g) of Policy B.1 of the LLDCLP are not applicable in this instance

**Density**

* 1. The LLDCLP notes potential for the delivery of up to 2,500 additional residential units within Sub Area 1 within the plan period and as such there is strong support in policy terms for the provision of additional housing units.
  2. Policy 3.1 of the London Plan emphasises that developments should seek to optimise housing outputs as described in density ranges whilst taking in local context, character and public transport accessibility. The application site has a public transport accessibility level (PTAL) of 3/4 (moderate/good). Based on the criteria set out in the London Plan, and current position of an “urban setting” and a public transport accessibility level (PTAL) of 3 the appropriate density ranges for this site would be within range of 200-450 hr/ha and 70-170 u/ha. It is, however, noted that site is forecast to move into PTAL 4 before 2021 based on planned bus service improvements.
  3. The proposal comprises 80 habitable rooms within 30 dwellings which equates to a density of 675 hr/ha or 253 u/ha. As such, the proposal would exceed the accepted density range for an urban area. However, despite this, Policy H.1 of the LLDCLP notes that whilst the London Plan density matrix is a useful tool, when considered appropriate densities, the London Legacy Development Corporation will consider individual site circumstances. Additionally, the Mayor’s Housing SPG is clear that where density ranges are exceeded, developments should be rigorously tested according to different aspects of ‘liveability’ including dwelling mix, design and quality but also take into account the impact in terms of massing, scale and character in relation to nearby uses. As such, a detailed assessment of residential quality and design is set out below from paragraph 10.25.

**Housing Mix**

* 1. Policy H.1 of the LLDCLP states that residential proposals should ensure that they meet identified local and strategic requirements and should demonstrate a mix of one, two and three bedroom units and larger. The development should ensure that units containing two bedrooms or more should constitute more than half of the total. The proposal comprises 46.6% one bedroom units, 40% two bedroom units and 13.4% three bedroom units. The percentage of units which are two bedrooms or larger is 53.4%. As such the proposal is compliant with LLDCLP Policy H.1 in terms of the proposed unit mix.
  2. Policy H.2 of the LLDCLP seeks to maximise affordable housing. The policy requires that a minimum provision of 35% affordable housing (with a 60%/40% split in favour of affordable/social rent) will be sought across the LLDC area subject to viability. The proposed development includes 7 affordable units which represents 23% affordable housing by unit and 23% by habitable room. The viability appraisal of the scheme has been independently reviewed on behalf of the PPDT and, through negotiation, has increased from the original offer of 19% affordable units. The advice of the PPDT’s viability consultants is that they are satisfied that the affordable housing offer made by the applicant represents the maximum achievable based on the current viability position of the proposals.

**Affordable Housing**

* 1. London Plan Policy 3.11 outlines that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London over the term of this Plan. It adds that in order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for affordable rent and 40% for intermediate rent or sale and that priority should be accorded to provision of affordable family housing. The proposed affordable housing units demonstrate a tenure split of 3:4 (43%:57%) intermediate/ social rent mixed across unit sizes. It is therefore considered that the mix of units by tenure is acceptable and responsive to identified housing need (as set out in policy H.1 if the Local Plan) and also allows the maximum number of affordable housing units reasonably required for viability reasons to be delivered.
  2. Policy BN.5 of LLDCLP seeks to ensure that 10% of dwellings are wheelchair user accessible (i.e. built in accordance with Category 3 of Part M of the Building Regulations). The development proposes 3no. wheelchair accessible units (10%) with a 1 bed, a 2 bed and a 3 bed being allocated. As such the proposal is considered to be acceptable and compliant with LLDCLP Policy BN.5.

**Quality of Accommodation**

* 1. London Plan Policies 3.5 and 3.6 and Policy BN.4 of the LLDCLP require housing developments to be of the highest quality internally and externally, referring to the requirement to meet the minimum space standards adopted in the National Described Space Standards – Technical Requirements and the Mayor of London’s Housing SPG, which provides baseline and good practice guidance in relation to internal rooms sizes, daylight and sunlight, amenity space standards, and ensure children have safe access to good quality, secure, and stimulating play and informal recreation.
  2. In relation to the size of units and internal room sizes, of the 30 proposed residential units 26 (86.6%) exceed the minimum standards described in London Plan policy 3.5 and the Mayor of London’s Housing SPG with the remaining 4 units meeting these standards. The application also details how the proposal will meet Lifetime Homes Standards. Conditions are recommended to secure compliance in this respect.
  3. The Mayor’s Housing SPG states the minimum requirements for amenity space for residential dwellings. The proposed residential units all meet the minimum amenity space requirements with 12 units (40%) exceeding this requirement. Additionally, a total of 443sqm of communal amenity space is proposed which will further enhance the standard of accommodation for future occupiers, exceeding minimum requirements.
  4. It is therefore considered that the proposal delivers high quality units in terms of their size and provides amenity space in excess of the policy requirements.

Daylight/Sunlight

* 1. Section 3 of the BRE Site Layout Planning for Daylight and Sunlight', A guide to good practice (2nd edition) outlines guidelines for sunlight levels into both new and existing buildings. The availability of daylight and sunlight into residential dwellings is considered to be important as it significantly impacts the quality of both the development as a whole and the amenities of the occupiers.
  2. The applicant has submitted Daylight and Sunlight Study undertaken by Price and Myers which assess the levels of light both within the proposed dwellings and within the neighbouring properties in line with BRE guidance. The proposed dwellings assessment tested the Average Daylight Factor (ADF). The study also considered the amount of overshadowing of gardens and open spaces. The testing has been informed by a number of proposed developments on adjacent sites, including the following:
* 52-54 White Post Lane;
* The Lord Napier Public House;
* Proposed building B-01 to the immediate east of the application site;
* Proposed building B-02 to the immediate north of the application site.
  1. These sites have been selected in line with BRE guidance which suggests that the surrounding buildings located within a radius equivalent to three times the height of the proposed building are likely to be affected by the proposed development. In this instance, this includes buildings that are situated within a radius of 58.5m from the proposed development.
  2. The internal daylight calculations show that 93% (74 out of 80) of the habitable rooms within the proposed units meet and exceed the British Standard 8206-02 ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’ (2008) criteria for minimum average daylight. The following units included rooms which failed the assessment: PA-01-02, PA-01-03, PA-02-02, PA-02-07, PA-03-02 and PA-04-02 and of the 6 habitable rooms which fail 2 of these are bedrooms and 4 are Living Room/ Kitchen/ Diners. When considering the rooms which fail it is noted that the extent to which the rooms underperform are minimal, in most cases within 0.1-0.4 of the accepted ADF percentage. The two living and kitchen areas within PA-02-02 and PA-03-02 show a more significant reduction in ADF however the bedrooms within these units significantly over perform and have generous balconies which are considered to mitigate against the effect of the low ADF readings within these rooms.
  3. In terms of the internal sunlight assessment all of the units have living room windows which are within 90 degrees of due south, excepting are typical unit 04 on the 2nd to 4th floor and unit PA-05-03 which do not have any south facing windows. These rooms fail to meet the requirements because they adjoin recessed balconies which reduce the amount of light which is able to penetrate into the units. However, conversely it is the presence of these balconies which serves to enhance the amenity of the units overall. Therefore, it is accepted that the benefits provided by the balcony outweigh the harm caused by the reduced levels of daylight. The results of the assessment show that 21 out of 30 units meet or exceed the minimum level of sunlight recommended by the BRE. Therefore overall, the daylight performance of the proposed development is considered to be acceptable.
  4. Of the 30 units 100% are either dual or triple aspect and as such the arrangement of the accommodation is considered to be of a very high quality.
  5. In terms of overshadowing of gardens and open spaces BRE Guidance states that for a garden or amenity area to appear adequately sunlight throughout the year at least half of the area should receive at least 2 hours of sunlight on 21st March.
  6. The communal amenity space proposed in the scheme is located on the eastern elevation at first floor and above and through a large roof garden. Additionally two private balconies are proposed on the fourth floor. The submitted report tested the degree of overshadowing based on two scenarios, the first being the existing arrangement of the surrounding sites, and the second envisioning the LLDC Hackney Wick Masterplan proposals as developed at the point at which this application was submitted.
  7. The results show that when testing the existing site context all of the proposed amenity spaces meet the BRE criteria for sunlight. The report has also tested the scheme with the expected massing of buildings likely to be proposed within the emerging LLDC Hackney Wick Masterplan and found that the majority of the amenity space will not be unduly overshadowed. In particular the large roof garden will provide ample well lit community amenity space/ playspace, in addition to the private amenity space afforded to future residents.
  8. In this instance, Officers consider that the applicant has appropriately balanced the desire to maximise sunlight to the property whilst providing a good sized private amenity space. This conclusion on sunlight, daylight and overshadowing impacts of the development is also supported by PPDT’s Environmental Consultants.

Noise

* 1. The
  2. NPPF states that the planning system should “prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability”. Likewise, Policy 7.15 of the London Plan relates specifically to reducing and managing noise. It promotes the separation of “new noise sensitive development from major noise sources (such as rail, road, air transport and some types of industrial development)”. Where this is not possible it requires that “any potential adverse effects should be controlled and mitigated through the application of good acoustic design principles”.

* 1. The application site is within close proximity of a number of noise sources including the railway line to the north, surrounding highways and the adjacent scrapyard and a car mechanics to the east. However it should be noted that the adjacent scrapyard does not currently contain a large car crushing plant or any other heavy plant which could cause perceptible vibration on the application site. Likewise, any noise impacts created by this site are likely to cease in the future as the scrapyard site is currently in the process of being sold. Considering that this area has been designated for mixed use residential development it is considered likely that future business operations will have to be compatible with residential use (and Policy B.1 of the LLDCLP). It should also be noted that the nearby Strategic Industrial Location (SIL) area will be retained to ensure that the continued operation of more noisy industrial activities (such as the scrapyard) can be accommodated elsewhere in the LLDC area.
  2. The applicant has submitted a Noise Assessment Report in support of the application. The purpose of the noise monitoring was to provide sufficient acoustic information to undertake an assessment in accordance with British Standard 8233:2014 ‘Guidance on sound insulation and noise reduction for buildings’ and British Standard 4142:2014 ‘Methods for rating and assessing industrial and commercial sound’.
  3. The findings of the report state that the external façade noise levels would have a ‘Significant Adverse Effect’ on occupiers. The report also proposes that it would not be possible to reduce the external noise levels to having a ‘Low Adverse Impact’ because of the nature of the noise sources and the multi-storey nature of the development. However, BS4142 acknowledges that it is not always possible to mitigate against external noise levels and that other standards (e.g. BS8233) can be applied.
  4. As such, the report suggests that mitigation measures be undertaken to ensure that there is no significant harm to the amenity of residential occupiers. The mitigation measures include ensuring that the fenestration is closed acoustic double glazing and that mechanical ventilation is installed to ensure that windows can remain shut if required. Notwithstanding these requirements it is proposed that the fenestration will be openable, i.e. not fixed shut, so that residents will have access to natural ventilation if desired.
  5. In terms of the potential impact of the proposed commercial units it was considered that noise egress from the commercial development would be 60 dB LAeq,T although in practice, it was suggested that the noise egress is likely to be much less (this assumption is based upon noise surveys at similar developments). The commercial units are also expected to be operational during the daytime only.
  6. The separating floor between the commercial and residential uses would consist of a 0.25 metre thick slab with a 0.15 metre build up of acoustic installation which is considered to mitigate against any potential noise disturbance from the commercial units to the neighbouring residential units.
  7. PPDT Officers and PPDT’s Environmental Consultants have assessed the submitted documents and consider that a noise level of at least 5dB below the BS8233 level would be appropriate for this site. BS8233 recommends a 30dB internal limit for daytime (resting) and therefore in the absence of a BS4142 assessment being undertaken it is considered that a condition should be imposed to secure more stringent internal limits than recommended by BS8233. As such it is considered that an internal limit of 25dB should be secured by way of a condition.
  8. Therefore, it is considered that with the suggested mitigation measures the proposal will not result in harmful noise impacts for neighbouring occupiers and it is acknowledged that there is a strong likelihood that the existing noise impacts will be reduced in future as the adjoining businesses are relocated.

Privacy

* 1. Policy 3.5 of the London Plan and baseline standard 5.0 of the Mayor’s Housing SPD set out the view of the home as “a place of retreat” (London Plan paragraph 3.39). Section 5.1.1 of the Mayor’s Housing SPD states that habitable rooms should have an adequate level of privacy in relation to neighbouring property and the street and other public spaces.
  2. Within the proposed development the proposed units are located at first floor level and above and therefore will not experience any privacy conflict at street level. The application building is sited approximately 17.8 metres from 52-541 White Post Lane to the west, 14.7 metres from the Lord Napier Public House to the north and 5.5 metres from the existing commercial sites to the east. It is considered that the separation distances from the application building to the neighbouring sites will be sufficient to ensure that there is no detrimental overlooking impacts both from, and into, the site.
  3. There are no internal conflicts between proposed units within the building and overall, all units are considered to have good outlook and acceptable levels of privacy achieving compliance with the aims and objectives of policies.

Play Equipment

* 1. London Plan Policy 3.6 Children and Young People’s Play and Informal Recreation Facilities outlines that development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.
  2. Based on the guidance set out in the Mayor’s SPG and using the relevant predicated child yields, the proposal should provide 56m2 of play space based on 3 children under the age of 5, 2 children between 5 -11 and 1 child aged 12 years or over.
  3. The proposed play area on the roof will be bounded by metal balustrade fencing and a roof parapet which will be set back 1 metre from the edge of building. This will ensure that the amenity area is safely enclosed.
  4. The proposal exceeds this requirement and proposes 95m2 of playspace. The playspace will comprise a 0-4 play zone with elements of 5-11 play and will include sensory planting, grassed banks, balance beams, a sand pit, stepping logs, musical chimes and moveable seating. This is therefore a welcome feature of the development, exceeding the requirements of both London Plan Policy 3.6 and the expected requirements of future residents.

**Design and impact on heritage assets**

* 1. The NPPF, London Plan and all adopted and emerging local policy documents require the highest standard of design and architecture in new developments. Policies within the LLDC LP require proposals to be designed to respond to heritage assets and where possible reinforce and celebrate their historic significance. Sub Area 1 policy 1.2 notes that proposals will be acceptable where amongst other things they:
* Reinforce local distinctiveness by incorporating high-quality and distinctive architecture that uses durable and suitable materials which reference the area’s industrial past (criterion 1)
* Create new open spaces that complement the identity of the area (criterion 3)
* Allow for future changes in use through flexible design (criterion 4)
  1. Policy 7.6 (Architecture) in the London Plan states that buildings should be of the highest architectural standard and of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.
  2. Policy BN.1 (Responding to Place) of the LLDC Local Plan describes that development will be considered acceptable where it responds to the following principles: Landscape and water; urban fabric; architectural and historic context; connectivity; infrastructure; mix and amenity and wellbeing.
  3. The application site is located in Sub Area 1 as defined in the LLDC Local Pan, where the priority for heritage-led regeneration and high quality design is identified. Policies 1.2 (Promoting Hackney Wick and Fish Island’s unique identity and appearance), 1.3 (Connecting Hackney Wick and Fish Island) and 1.4 (Preserving or enhancing heritage assets in Hackney Wick and Fish Island), describe in more detail how high quality design is expected to be achieved. Additionally Policy 1.6 (Building to an appropriate height in Hackney Wick and Fish Island) states that proposals for development greater than 20m above ground level will only be acceptable subject to the provisions outlined within Policy BN.10.
  4. The requirements of Policy BN10 are detailed below:

*Proposals for tall buildings will be considered acceptable where they:*

1. *Exhibit outstanding architecture and incorporate high-quality materials, finishes and details*
2. *Respect the scale and grain of their context*
3. *Relate well to street widths and make a positive contribution to the streetscape*
4. *Generate an active street frontage*
5. *Provide accessible public space within their curtilage*
6. *Incorporate sufficient communal space*
7. *Contribute to defining public routes and spaces*
8. *Promote legibility*
9. *Create new or enhance existing views, vistas and sightlines*
10. *Preserve or enhance heritage assets and the views to/from these, and contribute positively to the setting of heritage assets, including conservation areas.*

*Proposals for tall buildings that are likely to have a significant adverse impact on one or more of the following will be considered unacceptable:*

1. *Micro-climatic conditions (specifically down-draughts and lateral winds over public spaces)*
2. *Impacts to the surrounding area (including open spaces and other buildings and waterways) that relate to:*

*• Overlooking*

*• Daylight*

*• Overshadowing*

*• Light spill/reflection*

*• Wider amenity*

1. *Existing views of landmarks, parkland, heritage assets, waterways, and views along street corridors (in accordance with the policy on Protecting Key Views).*

*Tall buildings should be located within the Centre boundaries outlined within this Local Plan. In order of hierarchy, these are:*

*• Stratford Metropolitan Centre (parts within the Legacy Corporation Area)*

*• Bromley-by-Bow District Centre*

*• Hackney Wick Neighbourhood Centre*

*• Pudding Mill Local Centre*

*• East Village Local Centre.*

* 1. The application building has a proposed height of 6 storeys with a maximum height of between 20.7-21.4 metres (+27.2m AOD or (+28.4 AOD with lift overrun). The development is therefore above the 20m prevailing height for this area as described in policy 1.6. Whilst the application of policy BN.10 is necessary for any application that includes proposed development above the prevailing height for the area in which it is located, this assessment should be undertaken in light of the degree of exceedance and in light of any harm as a result of the exceedance. In relation to the criteria under BN.10, an assessment of the design is set out below.
  2. The application was considered by the QRP on 19 November 2015 and they were “broadly supportive” of the proposals however at the time the proposal included an additional “roof” storey with a distinctive ‘zig-zag’ design. Following comments from the QRP and PPDT Officers the applicant has now amended the design to remove this element. The impact of this has been to reduce the overall height of the building to that which is now proposed, reducing the number of storeys to 6 (from 7) and allowing for the provision of amenity space/ playspace on the roof of the building. Following these amendments comments were sought from the Chair of the QRP who was supportive of these amendments and the proposals overall. A copy of these comments will be included in the Committee Update Report.
  3. The approach to the design massing and scale is supported; the proposed development is broadly compliant with the prevailing height for the area, only exceeding this by 1.4 metres at its highest point. This exceedance results from the desire to create generous floor to ceiling heights within the commercial space. The proposed commercial floor to ceiling heights are 3 metres plus a 0.5 metre exposed service zone. The first floor residential elements of the development will also benefit from this generous floor to ceiling height with all other residential units benefiting from 2.6 metre high floor to ceiling heights. The nature of the commercial offer proposed here (B1 (c) light industrial workshop type space) will benefit from the proposed heights of the workspace design proposed. Similarly, the commercial units will have access to a dedicated and gated commercial yard space which is inspired by traditional working yards and which will enhance the quality of the working environment. The generosity of the floor to ceiling heights and architectural response to activating the roof tops of the buildings is therefore supported by officers.

* 1. In addition, the additional height allows for a small parapet and railings to screen and contain the necessary roof top equipment associated with amenity space and energy efficiency. The proposed metal railings on the roof of the building which bound the proposed roof garden are 1.1 metres in height but have been set back from the edge of the building by 1 metre and as such are not visible from street level on Hepscott Road. The result is that this element of the proposal does not contribute to the perceived height of the overall building thus retaining the 6 storey appearance.
  2. It is also important to note that Policy BN.10 states that “tall buildings should be located within the Centre boundaries outlined within this Local Plan” of which the Hackney Wick Neighbourhood Centre is included. As such the proposed building would be introducing a minimum increase height above the prevailing 20 metre building height in an area within which it is considered more appropriate to do so.
  3. The proposed residential units are high quality demonstrating dual or triple aspects and the majority exceeding the minimum space requirements. Likewise, the proposed amenity space is generous in terms of both private and shared amenity space which ensures that the building will deliver a high quality and spacious scheme.
  4. The architectural expression of the building demonstrates a formal, ‘hard’ exterior shell which fronts Hepscott Road, White Post Lane and Rothbury Road and a ‘soft’ interior back which will face the yard. In terms of materials the building proposes a simple, yet effective material palette comprising of high quality brick on the exterior elevations which alludes to the historic warehouse typology of the surrounding area. Vertical serrated edges are proposed along the chamfered corners of the building to create additional emphasis. Additionally, soldier courses and random bond will be utilised to create further interest and expression. The majority of the brickwork will be finished with light mortar with a darker mortar being used on the horizontal banding between each floor and on the ground floor plinth.
  5. The main material proposed within the ‘soft’ interior is standing seam anodised metal to be painted silver in colour. Silver colour metal balustrades are also proposed throughout the building. The proposed window and door frames will be constructed from brushed aluminium and the proposed service doors will be clad in perforated steel with a powder coated silver finish. The proposed eastern elevation also will create interest and informality through the proposed balconies and walkways which angle away from the building.
  6. It is considered that the building proposes high quality materials, finishes and details which will contribute to the building exhibiting outstanding architecture in accordance with part 1 of LLDCLP Policy BN.10. Further details of materials will be secured by way of condition.
  7. It is considered that the height of the building, although exceeding 20 metres, will respect the scale and gain of the context and emerging schemes. The block will define the existing weak street boundary and will contribute towards increasing permeability of the site which is currently fully enclosed. Therefore, it is considered that the proposal complies with part 2 of LLDCLP Policy BN.10.
  8. It is considered that the scale and massing of the proposed building would be appropriate within the surrounding context and would relate well to the existing street widths. Additionally, the building has been set back from the public highway within the extent of the red line boundary to ensure that the width of the northern footway is increased to 2 metres. This increase in footpath width was provided at the request of PPDT Officers and is considered to improve the quality and usability of the surrounding public realm. The proposal will also create increased active frontages onto Hepscott Road, White Post Lane and Rothbury Road with high levels of passive surveillance. As such it is considered that the proposal complies with parts 3 and 4 of LLDCLP Policy BN.10.
  9. The proposed building effectively increases the amount of public space on Hepscott Road within the red line curtilage of the site. The building is stepped back at the north and north east corner and provides new granite seating and tree planting to enhance the existing public realm. As such it is considered that the proposal complies with part 5 of LLDCLP Policy BN.10.
  10. The proposed building includes a generous entrance lobby with separate dedicated cycle and bin stores located on the ground floor. Likewise, the proposed 443 m2 of shared amenity space comprising of terraces, balconies and the roof garden provide an abundance of communal space for the use of future occupiers. As such it is considered that the proposal complies with part 6 of LLDCLP Policy BN.10.
  11. As mentioned in paragraph 10.67 the proposed building will help to define the active frontages along Hepscott Road and Rothbury Road which also supports the aims of LLDCLP Site Allocation SA1.1. The architecture also enhances these routes through the use of the chamfered corners which identify the key crossroads within the surrounding area and promote legibility. As such it is considered that the proposal complies with parts 7 and 8 of LLDCLP Policy BN.10.
  12. The addition of the proposed building will also help to define key views in the area and enhance sightlines along all of the elevations. This is considered to be a significant improvement from the existing treatment where a chain link fence surrounds the site and offers little to the views in the surrounding area. As such it is considered that the proposal complies with part 9 of LLDCLP Policy BN.10.
  13. The site, although not within a conservation area, is within close proximity to the boundary of the White Post Lane and Fish Island Conservation Area. While the application site is situated outside the Fish Island and White Post Lane Conservation Area it lies adjacent to the conservation area, therefore it is considered appropriate to consider the impact of the proposal on the conservation area in accordance with paragraphs 132 and 137 of the NPPF in addition to the requirement under part 8 of policy BN.15 for such assessment.
  14. Paragraph 132 of the NPPF states that: *"Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting."* considered the impact on the White Post Lane and Fish Island Conservation Area in accordance with paragraphs 132 and 137 of the NPPF Officers have concluded that the design, massing and scale of the proposal are acceptable and as such the proposal would not harm the Conservation Area. The building is stepped on the northern elevation giving the impression that it reduces in height when closest to The Lord Napier Public House and the Hope Chemical Works Wall. Therefore, Officers have also assessed the impact of the proposal on the nearby non-designated heritage assets and are satisfied that the proposal would not adversely affect their setting or their significance thereby achieving compliance with paragraph 135 of the NPPF Policy BN.16 and part 10 of Policy BN.10 of the LLDCLP.
  15. It is considered that as the building will only demonstrate a height of 6no. storeys there will not be any significant micro-climatic conditions created. As such it is considered that the proposal complies with part 11 of LLDCLP Policy BN.10.
  16. The proposal would not give rise to any adverse environmental conditions or impacts on amenity as described in detail in other sections of this report and would not have an adverse effect any existing views of landmarks, parkland, heritage assets, waterways or protected key views. As such it is considered that the proposal complies with parts 12 and 13 of LLDCLP Policy BN.10.
  17. Given the urban nature of the area it is considered appropriate that soft landscaping is predominately confined to private/communal amenity areas. Where trees are proposed within the public realm, they are of a semi-mature medium or small size, providing immediate visual benefit. Semi-mature planting is also proposed to roof terraces, and the proposal also includes an area of brown roof providing character and biodiversity enhancements. Overall, the landscaping proposals are considered appropriate for, and would contribute to, the character of the environment, would enhance the quality of accommodation for future residents and would provide biodiversity benefits. The proposal will remove a large bush to the north west corner of the site however this is not considered to create significant harm as alternative trees will be planted in this area. It is considered necessary to impose a condition to secure further landscaping details prior to works commencing.

Overall, the proposed design is considered to be of excellent quality and to provide an appropriate response to the existing and emerging character of the area therefore, the proposal is found to comply with LLDCLP Policies BN.1 (Responding to Place) and BN.10 (Proposals for Tall Buildings).

**Impact upon neighbouring occupiers**

* 1. As stated in paragraph 10.49 the application building is sited a significant distance from the neighbouring sites and as such it is considered that the proposal will not result in significant overbearing impacts both with the existing arrangement or upon future buildings as further development in the area is approved and commenced.
  2. The submitted Daylight and Sunlight Assessment was carried out for the identified surrounding properties falling within the BRE assessment range. This included the approved development at 52-54 White Post Lane, the Lord Napier building, and buildings B-01, B-02 of the emerging LLDC Hackney Wick masterplan. The result of the daylight assessment shows that the proposed scheme is likely to have a limited impact on the mixed use development at 52-54 White Post Lane and façades of indicative buildings B-01 and B-02, based upon their assumed massing.
  3. In terms of the impacts on daylight, the Vertical Sky Component (VSC) was tested and within 52-54 White Post Lane it was found that only 14 windows out 66 (21%) will be likely to experience a perceptible change in daylight availability due to the proposed development and that these affected windows would only result in a total of 8 rooms which would be likely to be impacted. While there will be an impact on these rooms it is noted that the development at 52-54 White Post Lane has not yet been built and therefore there will be no immediate impact on future occupiers. Likewise, the as the proposal would only have an impact on a total of 8 rooms out of a consented 163 (4.9%) it is considered that the proposal would not result in undue harm to the amenity of these future occupiers.
  4. The results also show that the proposed building will have no impact on the daylight availability of Lord Napier building and Towers A and B of Hackney Wick Hub. Likewise, the sunlight assessment for the identified surrounding buildings indicates that while all the other identified development will have no impact. As such the proposal is considered to be acceptable in terms of its impact on existing and potential future neighbouring occupiers.

**Transport**

Transport Sustainability

* 1. Section 4 of the NPPF seeks to promote sustainable transport and dissuade private transport use. This aim is also supported by Policy T.4 (Managing Development and its Transport Impacts to Promote Sustainable Transport Choices and Prioritise Pedestrians and Cyclists) of the LLDCLP.
  2. The application site is approximately 80 metres southwest of Hackney Wick Overground Station and the 276, 339 and 488 bus services stop on Hepscott Road and Rothbury Road with a frequency of 10-20 minutes.
  3. The site has a Public Transport Accessibility Level (PTAL) of 3/4 (good). As such, the site is considered to be within a sustainable location for the proposed use and no objections are raised in this regard.
  4. It is considered that due to the close proximity of public transport links the application site is located sustainably.

Cycle Parking

* 1. Cycle parking is dealt with under London Plan policy 6.9 which requires developments to provide secure, integrated, convenient and accessible cycle parking facilities in line with minimum standards and provide on-site changing facilities and showers for cyclists. Based on the number/size of residential units and amount of commercial floorspace proposed, the development is required to provide 51 cycle parking spaces. A total of 52 spaces are proposed within the secure cycle parking storage areas in the building. There is sufficient space within the scheme for on-site changing facilities and showers for cyclists of the commercial elements to be provided and this is secured by condition.
  2. It is also noted that there will be no impact on the existing bus stop which is located to the west of the building along Hepscott Road.

Car Parking

* 1. The London Plan sets out maximum car parking standards and notes a desire to strike an appropriate balance between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use. Policy T.8 of the LLDCLP requires car parking to be at a low level appropriate to its location. The proposal is for a car free scheme which is considered appropriate given the moderate PTAL rating and proximity to Hackney Wick Overground Station and Neighbourhood Centre. The applicant has submitted a framework travel plan which sets out measures that would be taken to discourage private car use. A s106 obligation is recommended to restrict eligibility of future residents and commercial occupiers for on street parking permits and secure the submission and implementation of a full travel plan prior to occupation of the development.
  2. The proposal includes provision for 2 off street blue badge spaces within the yard and has also demonstrated that 1 additional blue badge space could be provided to the north of the site within an existing parking bay (if required). It is considered that due to the constrained nature of the site the provision of 2 spaces within the site is acceptable in this instance. Additionally, LBTH have confirmed that the surrounding roads operate a Controlled Parking Zone (CPZ) where Blue Badge holders can park without needing to apply for an additional permit. As such, the additional disabled parking space can be accommodated within the existing on-street parking arrangements.

Delivery and Servicing Arrangements

* 1. Due to the scale and type of development, the majority of delivery vehicles are anticipated to be by motorbike, car or small van; with a larger vehicle, such as a 7.5-tonne box van, used for the occasional bulky goods delivery. An existing loading bay is located on White Post Lane on the northern side of the site, within a short walk of both residential and commercial access points and as such will serve as the main location for servicing of the site. It has also been demonstrated to be possible for some servicing to take place within the yard area to the east of the building. It is proposed that the yard will operate a one way system with entry along White Post Lane and egress onto Rothbury Road.
  2. The servicing associated with the development is relatively low and therefore based on the small number of deliveries expected and size of vehicles likely to make the deliveries proposed arrangement is considered to be acceptable. The applicant has supplied tracking information that demonstrates that this can take place without obstructing the free flow of traffic.
  3. The application proposes residential and commercial bin stores on the ground floor of the building with access from Hepscott Road and within a suitable distance from the loading bay on White Post Lane.

**Sustainability and Energy**

* 1. Policies within both the London Plan and LLDCLP seek a 40% improvement on 2010 Building Regulations for development planned for 2013-2016. LLDC LP policies also require non domestic proposals to achieve a BREEAM “Very Good” rating and demonstrate the highest standard of sustainable design and construction.
  2. The applicant has submitted a an “Energy Assessment” prepared by Price and Myers which concludes that a reduction in carbon dioxide emissions of approximately 51% over 2010 Buildings Regulations can be achieved through a combination of energy efficient design of the building fabric and engineering systems and connection to the District Heating Network. In the event that connection to the District Heating Network is delayed, the applicant proposes an alternative solution using energy efficient measures and on site renewables (air source heat pump and photovoltaic panels) which would allow for a 35% reduction. Both approaches would achieve compliance with the stated policies and are therefore considered acceptable. This would be secured through the s106, requiring the submission of a further information to describe how the proposals comply with policy requirements and what the final selected solution in relation to energy will be for the site. With the incorporation of this s106 requirement relating to energy, the proposal is therefore found to be compliant with LLDCLP policies.

**Contamination**

* 1. The applicant has submitted with the application a report titled ‘Geo-Environmental Desk Study/Preliminary Risk Assessment’ prepared by Jomas. Based on the previous uses of the site, the report recommends a detailed investigation be carried out prior to commencement of development. The PPDT’s environmental consultants have reviewed the report and generally agree with its conclusions recommending conditions be imposed to secure the further investigative work and associated remediation. Subject to the imposition of such conditions, the proposal is considered acceptable in this regard.

**Biodiversity**

* 1. Policy BN.3 (Maximising Biodiversity) of the LLDCLP outlines the importance of protecting and enhancing biodiversity. There are no identified UK Biodiversity Action Plan (BAP) priority or broad habitats present within the application site. Currently, the application site supports open-faced shacks, however these structures are constructed from breeze blocks and metal flat roofs are not considered to be a BAP habitat. The site is also in regular use and is a managed work space and therefore there are no areas of significant vegetation.
  2. Notwithstanding this, some areas of BAP Priority Habitat are located within 1km of site, including:
  + Woodpasture and Parkland was found in Victoria Park, 200 metres to the west.
  + Deciduous Woodland was found 0.7km to the north and in small patches in every direction within 1km.
  + Good quality semi-improved grassland was found 1.5km to the southwest.
  1. As such, the applicant has submitted Preliminary Ecological Appraisal and Bat Survey. The document states that the existing buildings on the site are not suitable to support the roosting of bats or any other protected species or wildlife.
  2. The document identifies that the site has the potential to support nesting birds and as such works should ideally be undertaken outside of the breeding birds season (March-September). A condition will be included to secure that nesting birds are protected. The submitted document was considered by both LLDC Officers and PPDT’s Environmental Consultants and it is considered that the site does not currently accommodate bats and that the proposed development would not be harmful towards this protected species.

**Flooding**

* 1. The site is located within flood zone 3a, which means that there is a 1% or greater chance of the site flooding each year. The site does benefit from flood defences however this does not completely remove the chance of flooding on the site. In order to address this issue the applicant has submitted a Flood Risk Assessment (FRA).
  2. The NPPF aims to steer development to areas with the lowest probability of flooding through the sequential test. The Sequential Test asks the LPA to determine whether it is possible to identify alternative sites that are at no risk or less risk from flooding that are available to meet the development needs within the planning authority area.
  3. In this respect, the Legacy Corporation area is geographically constrained and contains a range of potential development sites, the majority of which have been identified in the LLDC LP as being available for development, with many of these benefiting from planning permission for development. The strategic nature of this London Plan Opportunity Area also means that the available land is required for delivery of new development to meet the growth needs of the wider east London area and contribute significantly to meeting the growth needs of London as a whole. It is noted that in order to meet or exceed the Local Plan housing target, as required by the London Plan, new residential development is required on sites outside of the site allocations. Given the housing targets set out in London Plan and in turn that are attributed to Sub Area 1, and that a large proportion of Sub Area 1 is also affected by flood risk, it is considered that there are no reasonable alternative sites where the development proposed could be provided and enable compliance with wider objectives of the LLDC LP and London Plan. On this basis, the sequential test is considered to have been passed.
  4. The NPPF goes on to note that if the sequential test is passed, the exception test should be applied. For the exception test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
  5. In respect of the first requirement, it is considered that the proposal would provide wider sustainability benefits that outweigh the flood risk. The development would contribute towards the achievement of the housing target for the LLDC area and will also provide a significant amount of employment floorspace which will be of benefit to the local economy amongst other things.
  6. The applicant has prepared a FRA which addresses the second requirement of the exception test, and demonstrates that the development will be safe for its lifetime taking into account the vulnerability of its users. The proposal has been designed to address flood risk with minimum finished floor levels across the site set 300mm above the 1 in 100 year plus climate change flood level at the site (4.98m AOD or above). Sleeping accommodation for the residential units is located above the in-channel 1 in 100 year floor level plus climate change (6.28 AOD or above).
  7. The FRA states that floodplain volume will be balanced by lowering the external ground levels in the northeast corner of the site which will increase the capacity of the floodplain by 2m3. The EA insists on floodplain balancing being on a like‐for‐like basis and this will be the case as there is an increase in both of the 150mm deep bands.
  8. All steps and ramps within the floodplain will be open tread in order to minimise the displaced volume of flood water. The proposal also allows for safe refuse in the event of the breach of existing flood defences, and if time allows safe access and egress for all users of the buildings.
  9. The Flood Risk Assessment and Flood Response Plan have been reviewed by the Environment Agency and PPDT’s Environmental Consultants and both are considered to be acceptable. Subject to appropriate mitigation secured through conditions, Officers are satisfied that the proposal passes both the sequential and exception tests and presents wider sustainability benefits which outweigh flood risk and would therefore meet the requirements of relevant Local Plan policy.

**Planning obligations**

* 1. Policy 8.2 of the London Plan advises that planning obligations should be secured to address strategic and local priorities. This is reinforced by the Legacy Corporations approved draft guidance on Planning Obligations, which sets out in detail the type of development that will be prioritised for S106.
  2. It is considered that the following matters should be secured through a s106 legal agreement:
* Construction
  + The Development shall be constructed in accordance with the National Considerate Constructors Scheme.
* Affordable housing:
  + Secure agreed number, mix and affordable rent levels;
  + Review mechanism which will be triggered in the event of a delay to the start of construction and subsequent progression of the development. Delivery linked to market housing.
* Transport:
  + Obligation to submit, implement, monitor and review travel plan;
  + Secure a contribution towards the provision of sustainable transport;
  + Provide membership to a car club;
  + Restriction on eligibility of future residents and commercial occupiers for parking permits;
  + Ensure that additional Blue Badge provision can be provided should there prove to be demand for extra spaces either on-street or on-site.
  + Secure Blue Badge parking space relocation once the neighbouring site to the east is redeveloped in line with the emerging Masterplan proposals.
* Design Monitoring
  + In the event that the original architect is not retained to oversee the design quality of the development a financial contribution will become payable to the LPA as a contribution towards the LPA’s costs in supervising the design quality of the development;
* Sustainability
  + Reasonable endeavours to secure extension of Olympic Park district heating and cooling network to the development site, and thereafter obligation to secure connection of all buildings; and in the event that this cannot be achieved submit details of alternative measures by which equivalent carbon savings can be achieved;
  + Reasonable endeavours to encourage occupiers to reduce their energy usage
* Employment and training:
  + Obligations to promote employment opportunities arising from development via local labour schemes,
  + Maximise recruitment of local people and to secure London Living Wage
* Employment workspace:
  + Delivery of employment floorspace to shell and core linked to occupation of residential floorspace;
  + Requirement for workspace strategy to ensure employment floorspace is designed and managed to meet the needs of small local companies and businesses

**Community Infrastructure Levy (CIL)**

* 1. The site is liable for both Mayoral and LLDC CIL which based on the current proposals results in mandatory contributions as follows:

Mayoral CIL: £ 73,640

LLDC CIL: £ 126,240

Total CIL contribution: £ 199,880

1. **HUMAN RIGHTS & EQUALITIES IMPLICATIONS**
   1. Members should take account of the provisions of the Human Rights Act 1998 as they relate to the application and the conflicting interests of the Applicants and any third party opposing the application in reaching their decisions. The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.
   2. In addition 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 Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and Members must be mindful of this duty inter alia when determining all planning applications. Specific matters that officers have addressed relate to accessibility, the provision of disabled parking bays and the tenure and bedroom mix of housing proposed. In particular Members must pay due regard to the need to:

* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and;
* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
  1. Officers are satisfied that the submitted details have taken into account the issues above when assessing the application.

1. **CONCLUSION**
   1. The principle of redeveloping this site for a new mixed use development is supported in relevant LLDC Local Plan policies, and the scheme will maximise the use of previously developed land making a valuable contribution to both local housing needs and the local employment offer. The proposal would result in an increase in job density on the site and would provide flexible B1(c) work space which could accommodate small and medium enterprises and/or creative industries, a typology which is suitable for Hackney Wick. The existing business on the site will cease to operate but the proposal will not result in a significant loss of employment work space.
   2. The proposal will re-provides 94% of employment floorspace with high density employment use of the site. It will also provide much needed housing including 23% affordable housing, achieving the optimum potential for the site along with the optimum viable quantum of affordable housing possible.
   3. The applicant has successfully demonstrated that the quality of accommodation would be high, exceeding minimum quality standards in many cases. The proposal successfully optimises the capabilities of the site and will deliver much needed housing units of a suitable standard, meeting the needs of future occupants and the housing market more generally. The urban design, layout, building height, scale and bulk and detailed design of the scheme are considered acceptable. The impacts of the development on the amenity of existing and future neighbouring properties in terms of loss of light, outlook and privacy have been assessed and considered to be compliant with London Plan and Local Plan polices.
   4. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Director of Planning Policy and Decisions) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

**CONDITIONS**

1. **Time limit**

The development shall be commenced before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1991

1. **Works in accordance with approved details**

Unless minor variations have been agreed by the Local Planning Authority and to the extent that it does not deviate from this permission, the development shall be carried out in accordance with the following drawings and documents:

* Proposed Block Plan (drawing no. 1614\_DWG\_00\_102 rev A);
* Proposed Ground Floor Plan (drawing no. 1614\_DWG\_00\_200 rev H);
* Proposed First Floor Plan (drawing no. 1614\_DWG\_00\_202 rev F);
* Proposed Second Floor Plan (drawing no. 1614\_DWG\_00\_203 rev F);
* Proposed Third Floor Plan (drawing no. 1614\_DWG\_00\_204 rev F);
* Proposed Fourth Floor Plan (drawing no. 1614\_DWG\_00\_205 rev F);
* Proposed Fifth Floor Plan (drawing no. 1614\_DWG\_00\_206 rev E);
* Proposed Roof Plan (drawing no. 1614\_DWG\_00\_207 rev E);
* Proposed Section AA (drawing no. 1614\_DWG\_00\_230 rev D);
* Proposed Section BB (drawing no. 1614\_DWG\_00\_231 rev C);
* Proposed Section CC (drawing no. 1614\_DWG\_00\_232 rev C);
* Mezzanine Bay Study (drawing no. 1614\_DWG\_00\_233 rev C);
* Proposed Commercial Ground and First Floor Section DD (drawing no. 1614\_DWG\_00\_236);
* Proposed Parapet Detail (drawing no. 1614\_DWG\_00\_237);
* Proposed West Elevation (drawing no. 1614\_DWG\_00\_250 rev E);
* Proposed North and South Elevations (drawing no. 1614\_DWG\_00\_251 rev E);
* Proposed East Elevation (drawing no. 1614\_DWG\_00\_252 rev F);
* Proposed North West and South West Elevations (drawing no. 1614\_DWG\_00\_253 rev C);
* Landscape Masterplan (drawing no. 15.164-P-200 rev I);
* Landscape Masterplan (drawing no. 15.164-P-200 rev J);
* Combined Street Scene (drawing no. 15.164-P-201 rev G);
* Floor Plans to Private and Communal Landscape (drawing no. 15.164-P-202 rev A);
* Site Layout Car Swept Path Analysis (drawing no. W540-009);
* Site Layout Service Vehicle Swept Path Analysis (drawing no. W540-010);
* Site Layout Service Vehicle Swept Path Analysis (drawing no. W540-010 rev A);
* Daylight and Sunlight Assessment (dated 29th February 2016);
* Energy Strategy Report (dated 8th March 2016);
* Design and Access Statement (rev B dated 15th February 2016);
* Detailed Accommodation Schedule (dated 27th January 2016);
* Planning Statement (dated February 2016);
* Affordable Housing and Financial Viability Review (dated February 2016);
* Affordable Housing Appraisal Summary (dated 12th February 2016);
* Transport Statement (ref no: W540-01E, dated February 2016);
* Technical Note (ref no: W540-05, dated December 2015);
* Framework Travel Plan (ref no: W540-02E, dated February 2016);
* Delivery and Servicing Plan (ref no: W540-03B, dated February 2016);
* Air Quality Assessment (dated May 2015);
* Arboricultural Survey (dated 27th February 2015);
* Detailed Archaeological Assessment (dated April 2015);
* Built Heritage Statement (dated July 2015);
* BREEAM 2014 Pre-Assessment Report (version 1.2, dated 8th February 2016);
* Flood Risk Assessment (version 3, dated 5th November 2015);
* Detailed UXO Threat Assessment (dated 5th March 2015);
* Sustainability Statement (dated 5th February 2016);
* Preliminary Ecological Appraisal (dated November 2015);
* Geo-Environmental Desk Study/ Preliminary Risk Assessment Report (dated December 2015);
* Employment Strategy Report (dated July 2015);
* Construction Management Plan (dated December 2015);
* Noise Assessment (dated 30th July 2015);
* Noise Certificates (no. 953910)
* Policy B.1 Note (version 2, dated February 2016);
* Letter from A Neale & Sons (dated 1st February 2016);

and the description of development contained in the application and any other plans, drawings, documents, details, schemes or strategies which have been approved by the Local Planning Authority pursuant to these conditions.

Reason: To ensure that all works are properly implemented and retained.

1. **Notice of Commencement**

The development shall not be commenced until written notice of intention to commence the development has been given to the Local Planning Authority. The notice required by this condition shall only be given where there is a genuine prospect of development being commenced within 21 days of the notice and the notice shall confirm and provide evidence that this is the case.

Reason: To ensure satisfactory compliance with this planning permission.

Pre-Commencement Justification: To ensure that the development complies with all relevant conditions prior to works commencing on site.

1. **Land Use**

Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) the commercial premises hereby approved shall only be used for the purposes specified in the application (being use class B1(c) as defined in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended at the date of this permission). The yard space shall only be used in a manner ancillary to the approved employment use and for no other purpose.

Reason: To ensure a suitable quantum of workspace on the site.

1. **Residential standard- internal noise levels**

All residential premises shall be designed and constructed to attain to the following internal noise levels to mitigate activities from the adjacent scrap yard:

Bedrooms- 25dB LAeq,T\* and 45dB LAfmax

Living rooms- 25dB LAeq, \*

\* Daytime 16 hours between 07:00-23:00.

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

1. **Sound insulation and noise mitigation details - Residential**

Prior to the installation of acoustic insulation measures for the development hereby approved details shall have been submitted to and approved in writing by the Local Planning Authority for a scheme of acoustic insulation and any other necessary means of ventilation provided. The scheme shall include a glazing specification for all windows to ensure a good standard of internal noise can be achieved during day time and night time in accordance with the guideline levels of BS8233 1999: "Sound insulation and noise reduction for buildings – code of practice" or an equivalent standard. The residential units hereby permitted shall not be occupied until the noise attenuation scheme, including glazing specification, has been implemented in accordance with the approved scheme and thereafter permanently retained.

Reason: To ensure an adequate standard of residential amenity.

1. **Sound insulation and noise mitigation details – Residential and Non- Residential**

The Development shall not be occupied until details of the proposed sound insulation scheme to be implemented between the residential accommodation and any non-residential uses have been submitted to and approved in writing by the Local Planning Authority. Details should include airborne and impact sound insulation. The Development shall not be occupied until the noise mitigation measures approved as part of the sound insulation scheme have been installed. The approved scheme is to be completed prior to occupation of the Development and thereafter permanently retained.

Reason: To protect the amenity of future occupants and/or neighbours

1. **Refuse storage**

Before the first occupation of the buildings hereby permitted, the refuse storage arrangements shown on the approved drawing/s shall be provided and made available for use by the occupiers of the buildings and the facilities provided shall thereafter be retained for the life of the development and neither they nor the space they occupy shall be used for any other purpose.

Reason: To ensure that that the refuse will be appropriately stored within the site in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance.

1. **Construction Management Plan**

The development shall not be commenced until a construction management plan (CMP), has been submitted to and approved by the Local Planning Authority. The Construction Management Plan shall be in accordance with all relevant legislation in force and substantially in accordance with all policy adopted and best practice guidance published at the time of submission. The CMP shall include as a minimum the following information:

* The arrangements for liaison with the relevant highway authorities;
* The arrangements for the temporary or permanent relocation of bus stops (if required)
* The parking of vehicles of site operatives and visitors;
* The loading and unloading of plant and materials including a construction logistics plan;
* The storage of plant and materials use in constructing the development;
* The erection and maintenance of security hoardings;
* Measures to control the emission of dust and dirt during construction;
* A scheme for recycling and disposing of waste resulting from demolition and construction work;
* Dealing with complaints and community liaison;
* Attendance as necessary at the LLDC Construction Co-ordination Group
* Details of routes and access for construction traffic. Including lorry holding areas; and
* Guidance on membership of the Fleet Operator Recognition Scheme and implementation of vehicle safety measures and driver training including cycle awareness and an on road cycle module.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction of the development uses best practicable means to minimise adverse environmental impacts

Pre-Commencement Justification: To ensure that the amenities of local residents and occupiers of other buildings are not adversely impacted as a result of works needed to facilitate the construction of the site.

1. **Material samples**

No above ground works shall take place until material samples and sample-panels of all external facing materials (including any hard landscaping materials, mortar and bond) to be used in the construction of the external surfaces of the building hereby approved 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: To ensure the satisfactory appearance of the development

Pre-commencement Justification: To ensure that the development will not have an adverse impact on the character of the surrounding area in terms of the appropriateness and suitability of the external materials used.

1. **Detailed drawings**

Prior to commencement of the development the following detailed drawings including sections (at a scale to be agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority:

* Commercial façade details (ground level commercial unit fronts and entrances): Elevations and sections through units, including details of doors, windows, canopies security shutters and areas for signage
* Residential façade details: Elevations and sections annotated with materials and finishes of all windows (including reveals and sills), entrances, external bin stores, balconies, and balustrades, pipework and parapets;
* External lighting, in particular to Yard; and
* Gates to Yard.

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

Reason: In order to ensure a high quality of design and detailing is achieved.

Pre-commencement Justification: To ensure that the development will not have an adverse impact on the character of the surrounding area in terms of the appropriateness and suitability of the external materials used.

1. **Signage**

Prior to the commencement of the development, detailed drawings of signage to be displayed for both the residential and workspace uses in the development, are to be submitted to the Local Planning Authority for approval in writing. The signage shall display identification and directions to the different uses on the site.

The signage shall be implemented as approved and thereafter retained throughout the life of the development.

Reason: To ensure appropriate legibility to this space, in the interest of public amenity and wayfinding.

1. **Deliveries and servicing management plan**

The development shall not be commenced until a delivery and servicing management plan (DSMP) detailing how all elements of the site are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The DSMP shall be prepared in accordance with TfL's online guidance on delivery and servicing plans found at <http://www.tfl.gov.uk/info-for/freight/planning/delivery-and-servicing-plans#on-this-page-1> or such replacement best practice guidance as shall apply at the date of submission of the DSMP. The approved DSMP shall be implemented from first occupation and thereafter for the life of the development.

Reason: In the interests of highway and pedestrian safety.

Pre-Commencement Justification: To ensure that the delivery and servicing arrangements are acceptable and will not adversely impact on highway or pedestrian safety.

1. **Cycle Storage and facilities- details to be submitted**

No above ground works shall take place until details (1:50 scale drawings) of the facilities to be provided for the secure storage of cycles (for both residential and commercial elements) and on site changing facilities and showers (for the commercial element) 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 and the facilities provided shall be retained for the life of the development and the space used for no other purpose.

Reason: In order to ensure that satisfactory secure cycle parking and facilities for cyclists are provided and retained.

Pre-Commencement Justification: To ensure that on site changing facilities and storage are provided for the development in line with London Plan Policy 6.9 (Cycling).

1. **Renewable energy**

The development shall be constructed and operated in accordance with the submitted Energy Strategy Report (dated 8th March 2016), and achieve reductions in regulated CO2 emissions through the use of on-site renewable energy generation sources approved as part of this development.

Reason: To ensure a high standard of sustainable design and construction.

1. **BREEAM**

Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) which demonstrates that a minimum code 'excellent' rating has been achieved shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. Before the first occupation of any commercial premises hereby permitted, a certified Post Construction Review (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards above have been met.

Reason: To ensure that high standards of sustainability are achieved.

1. **Landscaping Plan (including roof terraces)**

Before any above ground work hereby authorised begins, the following information shall be submitted to and approved in writing by the Local Planning Authority:

* detailed drawings 1:50 and 1:10 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings and roof terrace areas (including boundary treatments, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping);
* details of all existing trees on and adjacent to the land, and details of any to be retained, together with measures for their protection, during the course of development;
* planting schedules;
* species mix;
* details of biodiversity enhancements (bird and bat nesting boxes etc).

The planting, seeding and/or turfing shall be carried out as approved in the first planting season following completion of building works comprised in the development and any tree or shrub that is found to be dead, dying, severely damaged or diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS:4428 Code of practice for general landscaping operations, BS:3996 Nursery stock specification, BS:5837 Trees in relation to construction and BS:7370 Recommendations for establishing and managing grounds maintenance organisations and for design considerations related to maintenance.

Reason: In order that the Local Planning Authority may ensure that the design and details are in the interest of the special architectural qualities of the existing building and the public spaces around it.

1. **Piling method statement**

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for impact on ground water, damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure and some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

1. **Contamination**

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A site investigation scheme, based on a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer- term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented in full as approved.

Reason: To protect the water environment, including groundwater. The desk study indicates the potential presence of contamination from the previous uses.

Pre-commencement Justification: Remediation works should be completed prior to the use commencing on the site to ensure a safe environment for employees and surrounding residents/ occupants.

1. **Verification report**

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, a maintenance timetable and arrangements for contingency action arising from the monitoring, as identified in the verification report. The long-term monitoring and maintenance plan shall be implemented in full as approved.

Reason: To protect the water environment, including groundwater from pollution and/or further deterioration.

Pre-commencement Justification: Remediation works should be completed prior to the use commencing on the site to ensure a safe environment for employees and surrounding residents/ occupants.

1. **Unexpected contamination**

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 has been submitted to and approved by the Local Planning Authority in writing detailing how this unsuspected contamination shall be dealt with . The remediation strategy shall be implemented as approved.

Reason: To protect the water environment, including groundwater.

1. **Air Quality**

Before any work hereby authorised begins, an Air Quality Report detailing the proposed methods to minimise future occupiers’ exposure to air pollution shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given and the approved scheme shall be implemented prior to occupation of the development and shall be permanently maintained thereafter.

Reason: To ensure that end users of the premises do not suffer a loss of amenity by reason of pollution.

Pre-Commencement Justification: To ensure that the amenities of future residents and are not adversely impacted by air pollution.

1. **Flood risk**

The development must be carried out in accordance with the following mitigation and resilience measures detailed in the approved Flood Risk Assessment (FRA) ‘Flood Risk Assessment Drainage Report, 1-2 Hepscott Road, Fish Island, London, E9 5HA, 5792/2.3F, Fourth Issue, December 2015’ and the compensatory flood storage measures detailed within the FRA.

Reason: To ensure that the proposed development and future occupants are adequately protected from flooding.

1. **Accessible housing**

90% of the residential units hereby permitted shall be designed and constructed in accordance with Optional Requirement M4 (2) Category 2 of Part M of the Building Regulations.

10% of the residential units hereby permitted shall be designed and constructed in accordance with Optional Requirement M4 (3) Category 3 of Part M of the Building Regulations (split proportionately so that 10% of each of the following tenures of residential units shall be so provided: market housing units, intermediate units, social rented Units and affordable rented units; and 10% of each of the following sizes of residential units shall be so provided: one, two and three bedroom units).

The actual number of units to be provided in accordance with this condition will be the number of whole units that is as near as arithmetically possible to the specified percentage and 0.5 or above shall be rounded up to the nearest whole.

Reason: To ensure adequate accessible housing is provided

1. **Archaeology**

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.

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. 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: In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied.

Pre-Commencement Justification: To ensure that any archaeological interest are identified and protected before development is commenced.

1. **Nesting Birds**

Prior to commencement of works, including demolition, hereby authorised begins, an updated Ecological Appraisal report, shall be undertaken and the findings of the survey and any recommendations, including, where the survey encounters nesting birds, a strategy outlining the most appropriate method for dealing with the nesting birds, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Natural England and / or the London Wildlife Trust.

Reason: To ensure the proposal protects biodiversity.

Pre-Commencement Justification: To ensure that the development does not have an adverse impact on nesting birds which may be present on the site.

**INFORMATIVES**

1. **Construction code of conduct - Impacts on BAP habitats**
2. **Lighting – Impact on Protected Species**
3. **Major Events - Public Notices**
4. **Species-rich Grassland**
5. **Landscaping schemes**
6. **Landscape-scale legacy for LLDC- wide applications**
7. **Protected species**
8. **Priority Species**

**Appendices attached to this report:**

1. Location Plan and Site Context

2. Proposed Site Layout

3. Proposed East and West Elevations

4. Proposed North and South Elevations

5. Site Allocation SA1.1

6. Hackney Wick and Fish Island and White Post Lane Conservation Area

7. Indicative Images

8. Proposed Floor Plans