

18 November 2015

97-137 Hackney Road, London, E2 8ET

in the London Borough of Hackney

planning application no. 2015/3455

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of all existing buildings and construction of three replacement buildings ranging in height from ground plus four storeys to ground plus eight storeys, above shared basement. Proposed mix of uses to include a maximum of 183 residential units (Class C3), 15,178 sq.m. (GIA) of employment floorspace (Use Class B1), and 4,570 sq.m. (GIA) of flexible commercial/retail space at basement and ground floor levels (Use Classes A1-A4, and B1), along with associated landscaping and public realm improvements, parking provision, plant and storage, and other works incidental to the proposed development.

The applicant

The applicant is **Regal Homes** and the architect is **Allford Hall Monaghan Morris**.

Strategic issues

The principle of the employment-led mixed-use redevelopment of this site is supported. However, there are a number of outstanding strategic planning concerns relating to **employment, affordable housing, urban design, heritage, climate change** and **transport**.

Recommendation

That Hackney Council be advised that, whilst the principle of the proposal is supported, the application does not comply with the London Plan, for the reasons set out in paragraph 74 of this report; but that the possible remedies also set out in this paragraph could address these deficiencies.

Context

1 On 8 October 2015 the Mayor of London received documents from Hackney Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 18 November 2015 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under the following Categories of the Schedule to the 2008 Order:

- Category 1A: *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*
- Category 1B: *“Development (other than development which only comprises the provision of houses, flats, or houses and flats), which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 sq.m.”.*
- Category 1C: *“Development which comprises or includes the erection of a building more than thirty metres high and outside the City of London”.*
- Category 3E: *“Development which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated and comprises or includes the provision of more than 2,500 sq.m. of floorspace for a use falling within Use Classes A1-A4”.*

3 Once Hackney Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The application site comprises three separate urban blocks and has a total area of 0.78 hectares, bound to the east by Hackney Road, to the north by Cremer Street and to the west by Long Street. It has an established internal street network comprising Gorsuch Street and Gorsuch Place. The site consists of existing low rise, one to four storey warehouse style buildings providing a mix of light industrial accommodation, along with a car park and open yard. Many of the buildings on site are empty, of poor quality or derelict, although Cremer Street Studios provides short term space for small businesses.

6 Hoxton Station (London Overground) is 60 metres away and Hackney Road is served by buses 26, 48 and 55. The site has a public transport accessibility level of five/six, on a scale where one is the lowest and six is the highest. In addition, two TfL cycle hire locations are within 250 metres of the site. The nearest section of the Transport for London Road Network (TLRN) is the A10 Kingsland Road which is approximately 180m from the site.

7 The site is a designated ‘priority employment area’ (PEA) in the London Borough of Hackney, Core Strategy and is within the City Fringe Opportunity Area. Part of the site is located within the Hackney Road Conservation Area and a number of listed buildings are close by, including the Grade I listed Geffrye Museum, to the north. The site is approximately 300 metres from Hoxton Street Local Shopping Centre.

8 To the west of the site, along the opposite side of Long Street, are a series of railway arches occupied by a mixture of uses. To the south of the site are two to four storey buildings with commercial uses on the ground floor and some with residential on the upper floors. To the north, beyond Cremer Street are residential blocks of between six and seven storeys. Hackney Road comprises a mix of uses, with building height generally ranging between two and four storeys.

Details of the proposal

9 The proposal is for a mixed use development as described above. In summary, it would comprise three separate buildings ranging between five and nine storeys, generally following the existing blocks of the site, with Gorsuch Street and Gorsuch Place retained as primarily pedestrian and cycle routes.

10 In terms of the mix of uses, 15,178 sq.m. of Use Class B1 employment floorspace is proposed. This would primarily be located within the nine storey block running along the western site edge (Block A), although an element of affordable workspace would be located in Block C. A further 4,570 sq.m. of flexible commercial/retail space is also proposed and this would be located in Blocks B and C, with the Use Class A1/A2/A3/A4 retail space sited along Hackney Road. Flexible Use Class B1/A1/A2/A3/A4 space would also be located within Block B, fronting Gorsuch Street and Cremer Street. Within this flexible space, the A1 space would be limited to 1,500 sq.m., the A2 space to 500 sq.m., the A3 space to 1,500 sq.m., the A4 space to 1,000 sq.m. and the B1 space to 2,000 sq.m.

11 183 residential flats would be located on the upper floors of Blocks B and C, each having private balconies, with shared gardens located above the ground floor uses. 54 of these would be one bedroom, 70 would be two bedroom and 59 would be three bedroom.

12 Cycle storage would be located at basement and ground floor levels, with additional stands within the public realm areas. Gorsuch Street and Gorsuch Place would be stopped up during construction, but would be reinstated as part of the development as primarily pedestrian and cycle routes, with some limited surface car parking and servicing.

Case history

13 The applicant met with GLA officers at the pre-application stage on 22 July 2015. Overall, from the discussions had with the applicant at that stage, the principle of a mixed use development was considered to be acceptable subject to the balance of land uses being weighted towards B1 use as opposed to residential use.

14 The applicant was requested to submit a financial viability assessment to justify the proposed quantum of affordable housing and this should be independently scrutinised by consultants appointed by Hackney Council. This provision should also be subject to a viability re-appraisal. The applicant was also advised to clarify the residential density as well as calculating the need for children's play space.

15 The overall urban design approach was supported, subject to clarification over footway widths, unit aspect, floor to ceiling heights and active frontages. The scale and form was broadly supported, subject to the applicant demonstrating no negative impacts on heritage assets. Guidance was also including in relation to energy and transport matters.

Strategic planning issues and relevant policies and guidance

16 The relevant issues and corresponding policies are as follows:

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|----------------------|--|
| • Mix of uses | <i>London Plan; Draft City Fringe Opportunity Area Planning Framework</i> |
| • Employment | <i>London Plan; Land for Industry and Transport SPG; Draft City Fringe Opportunity Area Planning Framework</i> |
| • Town centres | <i>London Plan; Town Centres SPG</i> |
| • Housing | <i>London Plan; Housing SPG; draft Interim Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context, SPG</i> |
| • Affordable housing | <i>London Plan; draft Interim Housing SPG; Housing Strategy;</i> |
| • Urban design | <i>London Plan; Shaping Neighbourhoods: Character and Context, SPG; draft Interim Housing SPG;</i> |
| • Inclusive design | <i>London Plan; Accessible London: achieving an inclusive environment SPG</i> |

- Climate change *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*
- Transport *London Plan; the Mayor's Transport Strategy; Land for Industry and Transport SPG*
- Crossrail *London Plan; Mayoral Community Infrastructure Levy; Crossrail SPG*

17 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Hackney Core Strategy (December 2010) and Development Management Policies (July 2015), as well as the London Plan (Consolidated with Alterations since 2011). The draft Minor Alterations to the London Plan (2015) and the National Planning Policy Framework and Technical Guide to the National Planning Policy Framework, are also relevant material considerations.

18 The Hackney Site Allocations Local Plan (SALP) contains specific guidance pertaining to the site and consultation has recently taken place on post submission modifications (post examination in public). Given the advanced stage in the planning process, significant weight can be attached to this document.

Principle of mixed use development

19 The main policy considerations for this site are the appropriate mix, balance and compatibility of uses given the PEA designation of the site and the location within the City Fringe Opportunity Area (CFOA). London Plan policy 2.13 states that development in Opportunity Areas is expected to maximise residential and non-residential densities and to contain a mix of uses. Officers are aware that Hackney Council is seeking to maximise the provision of office floorspace on the site and the Hackney SALP allocation states that there is some scope for residential and some small scale retail on the Hackney Road frontage, provided that the development is predominantly for employment use. This is a view supported by the objectives of the draft City Fringe Opportunity Area Planning Framework (OAPF). The principle of an employment-led mixed use development of the site is therefore supported, subject to the balance of proposed uses being weighted towards employment. This matter is discussed in more detail below.

Employment

20 The site does not fall within the Central Activities Zone (CAZ), but as discussed is located within the CFOA, as identified in the London Plan, and the Shoreditch PEA. London Plan policy 4.10 deals with new and emerging economic sectors. Policy 4.2 encourages the renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility, seeking increases in current stock where there is evidence of sustained demand for office based activities. London Plan Policy 2.13 deals with development in Opportunity Areas and the draft City Fringe OAPF identifies the potential for economic growth particularly that associated with the digital-creative sector in what has become known as Tech City. Start-up businesses have played a critical role in the establishment of this cluster and continue to attract inward investment and corporate relocations to the area.

21 The site is located within the "inner core" of Tech City, where demand for office space has been increasing. This is as a result of growth in tech related businesses but also high growth in financial and business services now competing for limited space in the area. Rents have been rising and many smaller businesses and start-ups have been displaced as a consequence of high demand and a constrained office market. The draft City Fringe OAPF envisages the continued expansion of employment floorspace in the inner core area to support London's critical mass of financial and business services and the continued growth of the digital-creative sector in Tech City.

Existing and proposed land use/ floorspace

use	existing GIA (sq.m.)	proposed GIA (sq.m.)	% of total scheme
employment B1	7,249	15,178	39.0
flexible B1, A1-A4	N/A	4,570	11.8
residential C3	N/A	19,091	49.2
total	7,249	38,839	100.0

Table 1: summary of existing and proposed floorspace by land use

22 Given the location of the site within the City Fringe inner core and PEA, it is important to ensure that the balance of land uses is weighted towards employment and this was raised by GLA officers at pre-application stage. Therefore whilst the proposed employment floorspace proposed represents a significant uplift in both quantity and quality compared to the existing situation on site, which is welcomed, the scheme would still be predominantly residential and retail. The applicant should therefore demonstrate that the maximum viable amount of B1 space is provided across the scheme and should commit more of the proposed flexible floorspace to employment use.

23 It is understood from the Council that there is an acute need for affordable employment and managed workspace for micro, small and medium companies in the Borough. Local Plan Policy DM16 requires that 10% of new employment floorspace is provided as affordable, whereas the scheme only provides 555 sq.m. The applicant should therefore increase the provision of affordable workspace where viable to do so. GLA officers understand that the viability work is ongoing and would like to be kept updated on this aspect. The Council should secure the affordable workspace provision with the applicant through the S.106 agreement, including details of commercial terms between the applicant and the Council registered workspace provider.

24 It is noted that the scheme layout has been designed so that the office space in Block A can be flexibly divided to respond to market demand and this is strongly supported.

Town centres

25 London Plan Policy 4.7c is relevant to this proposal as retail floorspace is proposed, which could result in a maximum Use Class A floorspace of 4,500 sq.m, 1,500 sq.m. of which could be A1 retail. The Council will need to be satisfied that the proposed retail uses will not have a significant adverse impact on nearby town centres. It is noted however from the applicant's Retail Statement that there is a significant unmet need for retail floorspace in Hackney and the proposal would provide walk-to shopping facilities for residents and workers.

26 Furthermore, the proposed flexible retail units are recognised as being important in supporting the continued role of Tech City as a vibrant business quarter, providing informal networking opportunities and potential "third space" provision for start-ups. They would also contribute to place-making objectives and attract trade to the site. Therefore these uses are supported in strategic terms. Nonetheless, as set out in paragraph 22 the applicant should address concerns over the quantum of employment use across the scheme.

Housing

Proposed residential mix

27 The application proposes 183 residential units in total, with the mix set out in Table 2, below. The Council should confirm that the proposed housing mix meets local requirements.

unit type	number	% of total scheme
1 bed	50	27.3
2 bed	74	40.5
3 bed	59	32.2
total	183	100.0

Table 2: proposed unit mix

Affordable housing

28 London Plan Policy 3.12 requires councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. The proposal currently includes 23 affordable units, which represents 12.5% of overall housing provision (11.8% when measured by habitable room). The applicant has submitted a financial viability report in support of its proposals, which is being independently assessed by the Council. Given sales values in this location, the figure appears low and the applicant is encouraged to increase it. It is not therefore possible at this stage to determine whether the application provides the maximum reasonable amount of affordable housing in accordance with London Plan Policy 3.12.

29 London Plan Policy 3.11 establishes a strategic target that 60% of affordable housing provision be for social housing (comprising affordable rent and social rent), and 40% for intermediate provision. The affordable housing is currently split roughly 60:40, when measured by units, which is in accordance with strategic policy, and is therefore acceptable.

30 London Plan Policy 3.8, together with the Mayor's Housing SPG, seeks to promote housing choice and a balanced mix of unit sizes in new developments. London Plan Policy 3.11 establishes that strategic priority be afforded to the provision of affordable family homes (3+ bedroom). The proposal, as currently submitted, includes 59 family units, equating to 32% of overall housing provision. The current provision of affordable family housing is 6 units, equating to 26% of the total affordable provision by unit. In accordance with strategic policy, the applicant and the Council are requested to prioritise family affordable housing provision when considering the overall viability position and, where possible, increase the provision of 3 bed affordable units.

Density

31 London Plan Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in the London Plan and public transport capacity. London Plan Table 3.2 provides the density matrix in support of this policy. The site is regarded as having a 'central' setting with a high public transport accessibility level. The London Plan indicative residential density for this site is 650-1,100 habitable rooms per hectare.

32 The proposed development would have a density of 1,735 habitable rooms per hectare and this has been calculated based on the net residential site area. The density would be above the indicative ranges, although given the highly accessible and central nature of the site, a high density scheme would not necessarily be a concern. It is noted that the Mayor's supplementary planning guidance 'Housing' makes it clear that high density proposals need to be of the highest design quality, amenity and contribute to local place making. These matters are addressed in the following sections.

Housing quality

33 London Plan Policy 3.5 promotes quality in new housing provision, with further guidance provided by the Mayor's Housing SPG. All of the units meet the Mayor's minimum space standards for internal space and amenity space, which is welcomed. The number of dual aspect units have been maximised, floor to ceiling heights would exceed 2.5 metres and the scheme achieves an efficient core to unit ratio. Overall the quality of the residential units is high, although concerns are raised in respect of some of the north facing single aspect units, in the urban design section of the report below.

Children's play space/amenity space provision

34 London Plan Policy 3.6 seeks to ensure that development proposals include suitable provision for play and recreation. Further detail is provided in the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation', including a benchmark of 10 sq.m. of usable space to be provided per child, with under-5 child playspace provided on-site. It is anticipated that there will be approximately 39 children within the development of which 21 will be within the 0-5 age range.

35 At the pre-application stage, the applicant was asked to include a playspace strategy, including a review of existing facilities in the immediate area. The applicant proposes to provide 250 sq.m. of play space for the 0-5 age range within the courtyard gardens of the residential blocks. The play space will include informal features such as timber playboards and boulders in a suitable setting. This is supported and the Council should secure the details by condition.

36 None of the submitted documents include a full audit of surrounding play areas to cater for children older than 5. The applicant should carry out this exercise to demonstrate that there are adequate facilities in the area to meet the demand expected from the development, having regard to benchmark walking distances set out in the Mayor's SPG. If the audit identifies that improvements are required to nearby play areas, the Council should secure an appropriate contribution.

Urban design

37 Good design is central to all objectives of the London Plan, and given the scale and density of the development, its design needs to be of an outstanding quality. The proposed scheme has been commented on at pre-application stage, and whilst the majority of concerns have been addressed and the scheme is strongly commended, there remain outstanding concerns that need to be addressed.

Layout and public realm

38 The overall arrangement of blocks, with well-defined building lines, good levels of active frontage and definition between public and private space is supported. The reinstatement of Gorsuch Place and Gorsuch Street to provide an area of shared public realm is welcomed and this area is well animated by commercial uses. There would be some vehicular access to the scheme, to enable servicing and access to some of the blue badge parking bays. Vehicle access would however be restricted from Hackney Road by bollards and from Cremer Road by tree planting, with the only access being from the south off Long Street. Furthermore, the landscaping strategy set out in the Design & Access Statement demonstrates that there would be clear delineation of the carriageway and parking bays through a change in surface materials. Planting and street furniture would be positioned sensitively, so as not to clutter the public realm, and there would be adequate space for pedestrian movement and cafe seating. The approach to the public realm is therefore supported and the Council is requested to secure details of the proposed hard and soft landscaping by condition.

39 At pre-application stage, GLA officers advised that the applicant should ensure that the footpath along the Hackney Road edge was of adequate width, having regard to the established footway widths to the north and south of the site. Having reviewed the detailed design, the building projects up to the site boundary with the footway in most places and although the recesses in the building lines provide some relief, the footway widths are tight in some areas. This is particularly evident to the north of the bus stop. The applicant should investigate whether the building can be set back further along Hackney Road, or the recess increased, to ensure that adequate footway widths are provided.

Residential quality

40 The residential quality of the scheme is generally of a high standard, with core entrances distributed across the site to achieve efficient core to unit ratios, whilst appearing legible and accessible from street facing edges, with through access provided to the residential courtyards at podium level. All units would exceed 2.5 metre floor to ceiling heights and corridor widths would be at least 1.5 metres. The proportion of dual aspect units is high, however there are concerns over three of the north facing units, C1.01.03, C1.02.03 and C1.03.03. These are single aspect, north facing flats that perform particularly badly according to the Daylight & Sunlight Assessment, in view of their location in a tight part of the scheme. The applicant is requested to address this, either by revisiting the layout in this area or by exploring how the quality of these units could be improved, given the high density nature of the scheme.

Form, massing, building height and heritage

41 The form and massing of the development is broadly supported. The positioning of the taller commercial building adjacent to the railway line is an appropriate response and the submitted visuals demonstrate that the scale along Hackney Road, and within the scheme itself, would be in keeping with their context. The height of the development does not raise any strategic concerns in terms of impact on strategic views and the Microclimate Assessment demonstrates that all external areas would be suitable for their intended purpose.

42 The site is close to the Grade I listed Geoffrey Museum and is within the Hackney Road Conservation Area. At pre-application stage, the applicant was requested to provide a detailed assessment of the visual impact of the proposal on nearby heritage assets, to demonstrate compliance with London Plan Policy 7.8. The Heritage & Townscape Appraisal that accompanies the application includes a number of verified views. The development would be visible behind the Geoffrey Museum Almshouses in views to the south from the gardens and would therefore affect the setting of the listed building. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” and in relation to conservation areas, special attention must be paid to “*the desirability of preserving or enhancing the character or appearance of that area*”.

43 At pre-application stage, GLA officers requested further information on the potential visual impact on the impact on the setting of this important heritage asset. It is understood that Historic England and the Council have requested some additional views, including winter views, in order to better understand the visual impact. The applicant is therefore requested to provide this information to GLA officers to enable further assessment.

Architecture and materials

44 The architectural approach is strongly supported, with ground floors delineated from upper floors and a simple, ordered configuration of windows and recessed balconies. The predominant use of high quality brickwork of varying tones is welcomed and the use of contrasting concrete to accentuate entrances would improve legibility. The proposal to utilise a

light glazed brick in the courtyard areas is supported and the overall palette of materials will ensure ease of maintenance and building longevity. The varied building line at ground floor level, punctuated by splayed recesses, will contribute positively towards the creation of a welcoming and human-scaled environment. The detailing and build quality will however be critical to achieving the highest possible standard of architecture and the Council is encouraged to secure key details to ensure this is achieved and built through, as well as securing the retention of the architects during detailed design phases.

Inclusive design

45 In accordance with London Plan Policy 3.8, the applicant has confirmed that all of the residential units will meet Lifetime Homes standards, and that more than 10% of the units will be designed to be fully adaptable and adjustable to wheelchair users. As set out in the Mayor's Housing Standards Policy Transition Statement, the Council should secure compliance with building regulations M4 (2) and M4 (3) by condition.

46 Furthermore, the Design and Access Statement confirms that inclusive and convenient access for all will be achieved throughout the development, with all public realm spaces designed to ensure inclusive access with level, wide and smooth surface approaches and minimal obstacles. Level access will be provided to all non-residential uses, within all buildings and to external amenity areas. This is supported, and the Council should secure details of landscaping and site levels by condition, to ensure that inclusive design objectives are met.

Climate change – adaption

47 The proposal includes a number of measures in response to strategic policies regarding climate change adaptation, which are welcomed. Measures proposed include sustainable drainage measures, use of low energy lighting and energy efficient appliances, high levels of insulation, low water use sanitary-ware and fittings, and green/blue roofs.

Climate change - mitigation

Energy efficiency

48 The applicant has broadly followed the London Plan energy hierarchy to reduce carbon dioxide emissions, and a range of passive design features and demand reduction measures are proposed. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and heat recovery ventilation.

49 The demand for cooling in the non-domestic uses will be minimised through solar control glazing and purge ventilation. The applicant should provide quantifiable evidence to demonstrate how the above measures have minimised the cooling demand for the non-domestic spaces. It was noted that the cooling consumption of the actual building is significantly higher than that of the baseline. The applicant should therefore investigate further measures to reduce the energy consumption and maximise the carbon emission savings.

50 For the residential dwellings the applicant's strategy for reducing the risk of overheating is through shading from balconies and cross ventilation. The applicant has stated all dwellings are within the Part L overheating requirements and has provided the results of a single typical SAP sheet. It should be noted that a single SAP sheet is not sufficient evidence to demonstrate compliance with London Plan Policy 5.9 and dynamic overheating modelling in line with CIBSE Guidance TM52 and TM49 is required. Part L compliance data sheets for a range of dwellings should be provided to demonstrate that there is only a slight risk of high summer temperatures, including dwellings with any ventilation restrictions posed by, for instance, local air quality/noise

issues, single storey ground floor apartments and single aspect units. If the modelling outputs show a medium risk, further passive measures in line with Policy 5.9 should be integrated to reduce the risk of overheating. The applicant should outline the assumptions used (i.e. windows opened or closed) and any additional passive measures required.

District heating and renewables

51 The applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant has, however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available. The Council should secure this by condition or S.106 obligation.

52 The applicant is proposing to install a site heat network. The applicant has confirmed that all apartments will be connected to the heat network. The applicant has also stated that all non-domestic building uses will be provided with capped connections to the site heat network to allow the occupier the option of connection. Given the scale of the non-domestic element of the development the applicant should commit to connecting the non-domestic uses in the first instance for both the heating and hot water systems. The site heat network will be supplied from a single energy centre. Further information on the floor area and location of the energy centre should be provided by the applicant.

53 The applicant is proposing to install a $37 \text{ kW}_e / 68 \text{ kW}_{th}$ gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. The applicant should provide information on the management arrangements proposed for the system, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.

54 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 300 sq.m. of roof mounted photovoltaic (PV) panels (57kWp). A roof layout plan has been provided.

55 For the purposes of the modelling the applicant has assumed that the non-domestic uses will use air source heat pumps (ASHP) for space heating rather than the heat network. The applicant has stated that this assumption has been made based on the VRF heating being a more energy intensive approach and offers a conservative approach. The applicant also states that it is likely that a reasonable proportion of the occupiers will connect to the heat network. The savings from the ASHPs are quite substantial and the heat load assumption of the non-domestic uses is substantially larger than that of the domestic element. The applicant should therefore provide further information on what provisions will be made in the energy centre to ensure there is sufficient generation capacity to enable the carbon performance currently predicted to be maintained. As outlined above the applicant should commit to the non-domestic element being connected to the heat network in order to ensure that the whole development is connection ready, should a district heating network become available. The CHP should be resized accordingly, if appropriate. The applicant should provide carbon emission figures with the non-domestic elements connected to the CHP heat network.

Summary

56 Overall the measures proposed result in a 35% reduction in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development, which would meet the London Plan Policy 5.2 target. However, the applicant should fully address all comments made above before compliance with London Plan energy policy can be verified.

Flooding

57 The site is within flood zone one, although it is also shown to be at some risk of surface water flooding, with other areas close by being at greater risk. The submitted Drainage Strategy sets out a number of measures to deal with surface water, including blue roofs, green roofs and underground attenuation tanks. These measures together would restrict surface water run-off to greenfield rates in accordance with London Plan Policy 5.13. Given the nature and location of the proposals this approach is considered to be acceptable in terms of the sustainable drainage hierarchy contained in Policy 5.13 and should be secured by the Council by an appropriate planning condition.

Transport

Trip generation and modal split

58 The methodology used to calculate the trip generation is not considered to be appropriate and should be revisited. All mode trip generation should first be derived from TRICS for both existing and proposed land uses, and the mode share then determined using Census data. The total number of trips for both existing and proposed land uses does not reflect the likely trip patterns. Whilst the trip generation should be recalculated to assess the impact on public transport, TfL accepts the development would be unlikely to have a significant impact on the local highway network given that it is car free. Further comments on the impact of the development on the bus and rail networks will be provided once the trip generation has been revised.

Parking

59 TfL welcomes the car-free nature of the scheme with six disabled vehicle parking spaces and two car club spaces. It is understood that the Hackney Council's car club operator Zip Car has been consulted, and confirmed that two additional car club spaces could be provided within the proposed site. TfL requests provision of 3 years' free membership to all residential units at first occupation, to reduce reliance on private vehicles. This should be included in the S106 agreement.

Cycling

60 TfL is satisfied that the cycle parking proposed would accord with the London Plan. TfL also welcomes that the basement cycle parking areas would be accessible from the core of each building by lifts and stairs with cycle ramps provided. To encourage cycling, staff showers, lockers and on-site changing facilities must be provided for staff in order to fully comply with the London Plan Policy 6.9. Cycle facilities should be secured by the Council by condition.

61 As two nearby docking stations are close to capacity, TfL requests £200,000 toward a new cycle hire station within or close to the proposed development. The proposed development would be likely to considerably increase demand for cycle hire in the local area. TfL will investigate suitable locations in close proximity to the site and requests further discussions on this matter between the applicant, Council and TfL prior to determination. The applicant is encouraged to consider including space for a docking station within the development, if feasible.

Public transport

62 The existing bus cage adjacent to the site on Hackney Road partially conflicts with the proposed vehicular access point for the development. Given the high number of movements likely to be generated by the development, this arrangement would not be acceptable in

principle to TfL from a bus operations perspective. TfL requests to be consulted on the detailed access arrangements for the development and during construction and occupation.

63 TfL requests a S106 contribution of £15,000 for a bus stop enhancement on Hackney Road (Hoxton station stop HG), which will directly serve residents of the site, and for footway improvements to ensure sufficient kerb space for waiting bus passengers and step free access.

Pedestrian and cycle environment

64 TfL welcomes the submission of a Pedestrian Environment Review Survey (PERS) audit and the provision of the Gorsuch Street pedestrian access to Cremer Street. Additional signage should be provided identifying both the pedestrian and cycle link to the railway station and also the link into the site to access proposed landscaped open space. This should be secured by the Council by condition.

65 TfL requests a Cycling Level of Service (CLOs) assessment to be undertaken in order to identify where mitigation may be needed to improve the cycle network, especially on Hackney Road. In the event that the audits identify necessary improvements then these should be secured through legal agreement and/or condition.

Travel planning, access and servicing

66 A full Delivery and Servicing Plan (DSP) should be secured by the Council by condition. The development must be managed and its landscaping designed so as not to interfere with any operational needs of the nearby station and archway units. Additionally, TfL has requested a DSP for an adjacent site: Cremer Business Centre (LBH ref no. 2015/1996). As planning conditions are likely to secure DSPs for both applications, TfL suggests that a joint DSP should be prepared so that businesses around the proposed site can share the stopped up highway, Gorsuch Street and Gorsuch Place, for deliveries and servicing purposes.

67 TfL welcomes the commitment to prepare a full Construction Logistics Plan (CLP) post submission. The CLP should be secured by condition by the Council and discharged in consultation with TfL due to the close proximity of the TLRN (Kingsland Road). TfL requests further details on whether temporary or permanent removal or relocation of the bus stop is required. TfL also reminds the applicant that temporary bus stop arrangements must be made as close to the existing bus stop location as possible.

68 A travel plan should be secured, enforced, monitored and reviewed as part of the S106 agreement. This should be drafted in accordance with TfL guidance.

Community Infrastructure Levy

69 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3 toward the funding of Crossrail. The proposed development is within the Local Borough Hackney where the Mayoral charge is £35 per square metre gross internal area.

Summary

70 In summary, given the high accessibility and car-free (other than disabled parking) nature of the development, it is unlikely to have a significant impact on the surrounding highway network. However, TfL wishes to raise detailed issues relating to the trip generation, cycle facilities, cycle hire, pedestrian and cycle access and bus facilities enhancements. Car club memberships, CLP, DSP and travel plan should all be secured by condition or through the S106 agreement.

Local planning authority's position

71 The Council is currently reviewing the various technical assessments undertaken by the applicant, in particular the viability work, with a view to achieving the maximum level of employment space and affordable office/housing. Further views have also been requested as part of the visual impact assessment.

Legal considerations

72 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

73 There are no financial considerations at this stage.

Conclusion

74 London Plan policies on Opportunity Areas, employment, town centres, housing, urban design, playspace, heritage, inclusive design, climate change and transport are relevant to this application. The principle of the employment-led mixed-use redevelopment of this site is supported. However, a number of strategic concerns are raised, and consequently the application does not accord with London Plan Policy:

- **Employment:** the applicant is encouraged to commit more of the flexible space to employment, to ensure the maximum viable quantum of employment space and affordable business space, in accordance with London Plan Policies 2.13, 4.10 and draft City Fringe Opportunity Area Planning Framework.
- **Housing:** it is not possible at this stage to determine whether the proposal provides the maximum reasonable amount of affordable housing, in accordance with London Plan Policy 3.12, although the provision appears to be low. The applicant should also address concerns raised in regard to playspace.
- **Urban design:** the design quality of the scheme is generally high, but the applicant should seek to address outstanding concerns relating to residential quality and public realm, to ensure compliance with London Plan policies 3.5 and 7.5.
- **Heritage:** the applicant should submit further details to enable assessment of the visual impact to the setting of heritage assets, in accordance with London Plan Policies 7.7 and 7.8.
- **Climate change:** the energy strategy does not accord with London Plan policies 5.2, 5.6 and 5.9. Further information regarding energy efficiency, overheating, future connection to a district heat network and the site-wide heat network is required.

- **Transport:** in accordance with London Plan policies 6.1, 6.2, 6.3, 6.4, 6.5, 6.7, 6.9, 6.10 and 6.13 the applicant should address concerns relating to trip generation, provide a cycle hire contribution and address concerns about pedestrian and cycle access. Bus facilities enhancements should also be provided. Furthermore, car club memberships, construction logistics plan, delivery and servicing plan and travel plan should all be secured by condition or through the S106 agreement.

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