

Former Downsview School, Tiger Way

in the London Borough of Hackney

planning application no. 2016/0307

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 existing buildings and the construction of a co-located development comprising a new 2-form entry primary school and nursery (class D1) at ground and first floors; with 90 residential units above (class C3) comprised of a part-four, part-eleven and part-fourteen storey building; provision of vehicular and pedestrian access, disabled car parking, mini-bus parking, cycle parking, plant, landscaping, amenity and open space, multi-use games area and ancillary associated development.

The applicant

The applicant is **Hackney BSF** and the architect is **Hawkins Brown**.

Strategic issues

Although the scope of the scheme is broadly acceptable, further discussion is needed with regards to **housing, urban design, energy & flood risk** and **transport** before the proposal can be recognised as being in full compliance with relevant London Plan policies.

Recommendation

That Hackney Council be advised that while the application is broadly acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 82 of this report; but that the possible remedies set out in paragraph 82 of this report could address these deficiencies.

Context

1 On 8 February 2016 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 20 March 2016 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 Order 2008:

- Category 1C(c) *“Development which comprises or includes the erection of a building that is more than 30 metres in height”*

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 former Downsvie School is located alongside the edge of Hackney Downs, at its north east corner and is bound by Tiger Way to the north and Downs Road to the south. A narrow plot containing a former public house defines the site’s eastern boundary and the southern section of the neighbouring Nightingale Estate adjoins the site to the west. The school is made up of a collection of single storey buildings which are currently lying empty, as pupils and staff were relocated to a new school facility within the existing Wordsworth School in Stoke Newington in 2014. The school’s immediate setting is influenced by the open space of Hackney Downs immediately to the south of the site and is predominantly surrounded by low-rise residential development.

6 The site is less than 500m from Lower Clapton Road to the east, which forms part of the Transport for London Road Network (TLRN). The closest part of Strategic Road Network is Cricketfield Road/Downs Road, approximately 250m away. The A10 is also less than 1km to the west. Part of the site area has a PTAL rating of 5 (very good), however the majority of the site falls within a PTAL area of 3 (moderate), based on a scale from 1a to 6b where 1a is the lowest.

7 There are two bus services available within walking distance, the 56 via a short walk from Cricketfield Road/Downs Road and the 498 from Lower Clapton Road. A number of other services are available from other bus stops on Lower Clapton Road. The nearest rail stations are Hackney Downs and Clapton. Both stations are served by London Overground services and Hackney Downs is also on the London to Hertford East line.

8 West of the site runs the Cycle Superhighway 1 (CS1) route, which, once completed, will provide a high quality connection between White Hart Lane in Tottenham and Liverpool Street Station. Additionally, Transport for London and Hackney Council are working together towards the implementation of a Quietway route that will run further east to the site and will link St Pancras to Walthamstow.

Details of the proposal

9 The applicant seeks full planning permission for a co-located development to include the relocation of the neighbouring Nightingale Primary School (a single form entry school) and its expansion to create a new two form entry primary school to accommodate up to 420 pupils, with a nursery to accommodate up to 50 children. The proposed two-storey school is to be located and accessed along the northern edge of the site from Tiger Way and includes the provision of rooftop playspace. The residential element which comprises 90 private market units, is located above the southern portion of the school and is made up of a four storey element fronting onto Hackney Downs, with two pavilion blocks above of eleven and fourteen storeys in height. A basement level, accessed from Downs Road, includes plant, refuse stores and 147 cycle spaces.

10 Hackney Council has made this application in tandem with another school and residential co-location scheme on Nile Street close to City Road (application reference 2016/0300). This application is also referable to the Mayor (refer to GLA report D&P/3532). As discussed below, these schemes are linked financially, and share a viability assessment.

Case history

11 A pre-application meeting was held at City Hall on 9 January 2015, with the pre-application report that followed concluding that the principle of a residential enabling development to provide new and expanded school facilities is strongly supported.

Strategic planning issues and relevant policies and guidance

12 The relevant issues and corresponding policies are as follows:

- Educational facilities *London Plan; Social Infrastructure SPG;*
- Housing *London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG;*
- Affordable housing *London Plan; Housing SPG; draft Interim Housing SPG; Housing Strategy;*
- Density *London Plan; Housing SPG;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Inclusive access *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Sustainable development *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 and parking *London Plan; the Mayor's Transport Strategy;*
- Crossrail *London Plan; and, Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG.*

13 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 2010 Hackney Core Strategy; 2015 Development Management Local Plan; 2015 Hackney Policies Map; and, London Plan (Consolidated with Alterations since 2011).

14 The following are also relevant material considerations: National Planning Policy Framework, Technical Guide to the National Planning Policy Framework and National Planning Practice Guidance.

Principle of development

15 The National Planning Policy Framework and Government Policy Statement on Planning for Schools Development emphasise that great importance should be attached to the delivery of a sufficient choice of school places to meet the needs of existing and new communities. London Plan Policy 3.18 (Education facilities), confirms that the Mayor strongly supports the provision of new schools in response to local need. This policy also makes clear that development proposals that co-locate schools with housing should be encouraged in order to maximise land use and reduce costs.

16 Based on the information submitted (and pre-application discussions with the Hackney Council Education Department) it is evident that there is a clear demand for the nature of educational provision proposed in this case. Furthermore, GLA officers understand that the proposals are backed by the Learning Trust (which runs Hackney Council's education service), and have the in principle support of the Local Planning Authority. Accordingly, in line with London Plan Policy 3.18 (which supports the provision of new educational facilities to meet demand, and also promotes the co-location of schools and housing), and Policy 3.3 (which seeks to increase housing supply in the capital), the principle of the proposed development is strongly supported in strategic planning terms.

Educational facilities

17 It is understood that the new school is to be delivered as part of phase 3b of the Building Schools for the Future (BSF) programme and there is currently a funding shortfall of approximately £40million across all phases of the programme. It was confirmed at pre-application stage that Hackney Council is not in a position to bridge the remainder of funding required to deliver the new school and residential development is needed to financially enable this.

18 The existing school buildings on the site have been vacant since 2014, when pupils were transferred to a new school – The Garden Special Educational Needs School which forms part of Wordsworth School in Stoke Newington. The proposal would therefore present the opportunity to expand and relocate the existing single form entry Nightingale Primary School from the neighbouring Nightingale Estate.

Play and games spaces

19 The applicant has provided a briefing diagram which is derived from the Department of Education's Building Bulletin 103 (BB103). This sets out the floor areas of the required educational facilities for a 420 pupil school (including nursery) and has been tailored following consultation with the school and Hackney Council planning officers in order to reflect local needs for primary school provision. This results in a total gross area of 2,657 sq.m. and includes the nursery accommodation, primary school teaching spaces, staff facilities, school halls and spill out spaces, storage and ancillary facilities. It is noted that this does not include outdoor play and sports facilities and the applicant's design approach is to work within the spatial constraints of the site to optimise both the quality and quantum of internal floor space while utilising the remaining site area to deliver a range of defined outdoor play and teaching spaces. The content of BB103 makes provision for the delivery of new schools on spatially constrained sites and requires that a flexible approach be implemented to the site area and management of its scope of use, with specific consideration being given to providing the following, in order of priority:

- Space for hard informal and social area including outdoor play space to be immediately accessible from nursery and reception classrooms;
- Provision of hard outdoor physical education (PE) space to allow some PE or team games to be played without going off site, ideally in the form of a multi-use games area (MUGA) that can also be used as hard informal and social space;
- Provision of soft informal and social space for a wider range of outdoor educational opportunities and social space;
- And finally, some soft outdoor PE space.

20 The applicant intends to meet these requirements through the provision of a range of ground level and rooftop play and teaching spaces, including a 590 sq.m. MUGA, two 620 sq.m.

flexible playspace areas (including one at roof level) for the primary school and a 352 sq.m. playspace for the nursery element. The total amount of proposed play and outdoor teaching space is 2,487 sq.m. The planning submission includes further detail on the design and landscaping approach for each individual space and this demonstrates the potential for an innovative series of well-conceived spaces which could support a welcome range of educational and play related activities on this spatially constrained site. Notwithstanding this, the applicant should confirm that the quantum of play and recreation space provided is sufficient to support the requirements of a 420 pupil primary school, as set out in BB103 and the Council's best practice guidelines. Should off-site play provision be necessary, the applicant should provide details on how this arrangement can be secured as part of the planning application and include details and scope of any necessary upgrade works to the neighbouring Hackney Downs.

Multiple use of facilities for community and/or recreational use

21 In accordance with the principles of London Plan Policy 3.18, the applicant has confirmed that the new MUGA and adjoining ground floor community facility will be made available for community use outside of core school hours. This is welcomed and has potential to generate some valuable revenue for the school, as well as supporting local recreation in the area, most notably the emerging redevelopment of the Nightingale Estate. GLA officers would welcome further detail on the scope of this before the scheme is referred back to the Mayor at Stage Two.

Housing

22 The proposal comprises 90 residential flats as enabling development for the school expansion. The table below sets out the proposed unit mix.

Unit type	Private market	%
One-bedroom	35	39
One/two bed	8	9
Two-bedroom	36	40
Three-bedroom	11	12
Total	90	100

Affordable housing

23 No on-site affordable housing is proposed as part of this scheme. As discussed in paragraph 10, the application has been submitted in tandem with another school and residential colocation scheme on Nile Street close to City Road. These schemes are linked financially, and share a viability assessment. In both cases, the role of the residential component of the proposed development is to financially enable delivery of new educational infrastructure.

24 Based on the submitted viability assessment it appears that the scheme at Nile Street would generate a relatively healthy financial surplus. However, it is noted that this scheme (Tiger Way) is considerably less viable, and currently shows a significant financial deficit. Accordingly the applicant proposes to rely on surplus from Nile Street to cross-subsidise this scheme at Tiger Way. Notwithstanding this arrangement, based on the viability case presented, it appears that there would still be a degree of overall surplus (supported by strong private sales values at Nile Street).

25 It is accepted that the proposed cross-subsidy of educational infrastructure presents a genuine constraint on the delivery of affordable housing in this case. However, as discussed with the applicant at pre-application stage, any financial surplus beyond that required to enable delivery of the school is subject to the requirements of London Plan affordable housing policy as normal.

26 Notwithstanding this requirement, it is understood that (in view of the significant shortfall in funding for Hackney's BSF programme) the Council seeks to split any surplus partly for affordable housing, and partly as a financial contribution towards the BSF programme. Mindful of the Mayor's priorities for planning obligations (Policy 8.2), and having regard to the nature of this scheme (and its potential to contribute towards the wider objectives of the Hackney BSF programme in accordance with the aims of London Plan Policy 3.18), GLA officers are willing to accept such an approach in principle.

27 The applicant proposes to secure this arrangement by means of an overarching Unilateral Undertaking which would apply jointly to the Nile Street and Tiger Way applications, and would also capture any additional surplus accrued following the delivery of the schemes. Essentially therefore, the proposed affordable housing contribution would be made in the form of a payment in lieu of on-site affordable housing. It is understood that the payment would be pooled to support the delivery of additional affordable housing units as part of Hackney's Estate Regeneration Programme, with a preference for the delivery of additional affordable housing on sites in close proximity to Nile Street and Tiger Way.

28 Having regard to the particular characteristics of this scheme (including the necessary provision of viable private market housing to enable the delivery of on-site educational infrastructure, and the proposed cross-subsidy arrangement between this scheme and that at Nile Street) GLA officers are of the view that this is an exceptional case where affordable housing need not be provided on-site.

29 Notwithstanding this, in accordance with the principles of London Plan Policy 3.12 (and with the objective of establishing the maximum reasonable amount of affordable housing), GLA officers seek further discussion with Hackney Council on the proposed drafting of the Unilateral Undertaking – particularly, the balance of the proposed surplus split, and the nature of the envisaged overage/end point review mechanism.

Mix of units

30 London Plan Policy 3.8 'Housing Choice' provides that new development should 'offer a range of housing choices, in terms of the mix of housing sizes and types' and that account should 'be taken of the needs of particular communities with large families.'

31 In the context of the applicant's objective to ensure the delivery of the new school, it is understood that the proposed unit mix has been designed to meet this objective while also having due regard to the Council's preferred residential mix. This has resulted in a high proportion of one and two bed units (88 per cent overall) and is therefore a departure from the Council's preference for securing a higher proportion of family sized units. However, as set out in the applicant's planning statement, it is noted that the Council's Core Strategy Policy 22 recognises that high density developments may not always be capable of supporting a higher proportion of family sized units due to spatial constraints and limited opportunities to provide the necessary amounts of amenity and children's playspace. It is also noted that the Council's Development Management Policy 22 acknowledges the effects that the inclusion of a high proportion of family sized units can have on scheme viability.

32 Notwithstanding the above, given the absence of on-site affordable tenures, the large amount of green open space opposite the site and the relatively low proportion of family sized units on the connected Nile Street application, GLA officers would welcome further justification on the proposed unit mix and a demonstration of the effects an increase of the proportion of family sized units would have on the scheme's viability.

Children's play space

33 Based on the residential mix above and the methodology of the Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG (2012), GLA officers have calculated an expected child yield of eight. Whilst the Mayor's SPG does not require the on-site provision of children's play space for schemes yielding less than ten children, the applicant intends to make play space provision (in accordance with the 10 sq.m. per child standard) at a communal rooftop area at the fourth floor level. This would be located between the two pavilion blocks, and would overlook Hackney Downs to the south. This arrangement is supported.

Density

34 Given the characteristics of the site, discussed in paragraphs 5 to 8 above, the London Plan density matrix (Table 3.2 in support of London Plan Policy 3.4) would suggest a residential density of between 200 to 450 habitable rooms per hectare for a residential development in this urban location.

35 As advised at pre-application stage, the applicant has calculated a net residential density of 676 habitable rooms per hectare (based on 0.38 hectares of the site area being occupied by residential floorspace). While this figure is significantly greater than the prescribed density range within the matrix, London Plan paragraph 3.28 provides that it is not always appropriate to apply the matrix mechanistically, and other factors should be taken into account when assessing development proposals such as local context, design, social infrastructure and local transport connections. Given the planning benefits relating to the scheme, including the delivery of the new school, high quality of residential accommodation and architecture, and the open setting provided by Hackney Downs to the south, GLA officers are satisfied that the proposed quantum of residential development can be delivered in this context without detracting from the amenity of the school and residential element, or the existing context of the site.

Urban design

Layout

36 As commented at pre-application stage, the proposal presents a rational layout that utilises both street facing edges of the site and responds very well to the challenges of facilitating the school expansion on this spatially constrained site. The positioning of the residential element along the southern edge facing onto Hackney Downs is supported and allows a strong and active building line to be introduced along Downs Road, while utilising the south facing aspect for residential units. The applicant was advised to include individual front door entrances to ground floor duplex units to optimise activity along Downs Road and provide residents with a sense of ownership. While this advice has not been carried forward into the current proposal, it is acknowledged that the level change along this edge of the site would preclude accessible entrances. It is also recognised that the applicant has worked to ensure that the street facing private amenity spaces to these units are designed to provide a degree of privacy by raising them above street level and stepped access is provided to enable alternative access to each unit from Downs Road. This arrangement is therefore acceptable.

37 The applicant was also advised to give consideration to the extent of the setback to the residential lobby area, to avoid creating under-utilised space that could detract from the quality of the wider public realm of Downs Road. While the proposed setback distance helps to delineate the entrance lobby and create a sheltered transition space into the building, the location of the adjoining unit's amenity space and the inclusion of a basement extract within it are questioned. The applicant should therefore explore alternative and less prominent locations for the basement extract as well as means for improving the privacy level of the amenity space, given its proximity to

the main residential entrance. It is also noted that a stair is included within the layout of this particular unit, but is not included at first floor level and the applicant should confirm the correct arrangement.

38 Access to basement car parking and servicing is contained at either end of the building, optimising the amount of active frontage on the public facing edge of the building which is welcomed. Following pre-application discussion the applicant has developed and refined the northern frontage onto Tiger Way, and this now presents a consistent visual language between the entrance points to the school block and the secure fencing to drop-off/playspace zones.

39 The challenges of working within a relatively constrained site to provide efficient and secure school accommodation alongside a residential element are acknowledged and the scheme's layout demonstrates a 'back to back' approach which provides both uses with well-defined street frontages and a sense of privacy and separation. In order to avoid the school completely turning its back onto the open space of Hackney Downs, a 'park room' is included above the residential lobby entrance at first floor level. Ground floor access links between the school and Downs Road are also provided at either end of the residential block. This approach is welcomed.

40 The simple U-shaped layout of the school accommodation, arranged around the central open courtyard drop-off/playspace area, provides a focal point to the school, enables east/west aspects to teaching spaces to be maximised and corridor lengths to be minimised. This is supported and the applicant has demonstrated how the school design meets relevant best practice government school design guidance as part of the planning submission.

Residential quality

41 It is recognised that the proposed dwellings will accord with the minimum space standards of London Plan Policy 3.5. In addition, the scheme is configured to maximise the number of south facing units, with the added benefit of capturing views over Hackney Downs. North facing single aspect units are avoided, which is welcomed. The applicant should however be mindful of the risks of overheating to single aspect south facing units and should indicate how sufficient means of shading and passive ventilation will be designed into the scheme.

42 The first and second floors of residential blocks are setback and aligned with the party wall with the school, with cores positioned along this edge to provide a degree of privacy and separation between uses. This is supported.

43 Residential cores are positioned to achieve core to unit ratios of no more than five units per core, which is welcomed and from third floor and above, the footprint of the pavilion elements enables a high proportion of dual aspect (77 per cent across the scheme). The applicant should confirm that all units achieve a minimum of 2,500mm floor to ceiling height to provide optimise of daylight/sunlight penetration.

Form, massing and townscape analysis

44 The scheme demonstrates a simple and refined massing response to the site and its context with a clearly defined four storey shoulder height along Downs Road and two-storey frontages to the school element, fronting onto Tiger Way. The taller eleven and fourteen storey residential pavilion blocks are positioned alongside the southern edge of the site to mitigate any sense of overbearing onto the school, while also forming an appropriate scale to the park edge. The applicant has undertaken a daylight and overshadowing review to assess the effects of the taller elements on the school amenity spaces and the findings of this have directly determined the location of external play spaces, ensuring they meet and exceed the relevant Building Research Establishment (BRE) guidance.

45 It is noted that Hackney Council defines an area immediately to the west of the site as suitable for tall buildings within its Tall Buildings Strategy. Having regard to this, GLA officers are of the view that the heights of the proposed taller elements would sit comfortably within the emerging context along the northern edge of Hackney Downs and the Nightingale Estate to the north west. The applicant has submitted a townscape, heritage and visual assessment which confirms this and GLA officers are of the view that the well-considered and simple articulation of the blocks will enhance the setting of Hackney Downs and introduce an improved sense of enclosure to its northern edge.

46 It is noted that the proposal falls within the setting of the Grade II-listed Hackney Baptist Church (immediately to the east of the site) and the western portion of the Clapton Pond Conservation Area. Based on the visual assessment provided, and mindful of the statutory duty under Section 66 of the 1990 Planning (Listed Buildings and Conservation Areas) Act, officers are satisfied that no harm would be caused to the significance of these heritage assets.

Architecture and materials

47 The implementation of a layering of high quality facing materials including brickwork, profiled terracotta tiles and coloured PPC aluminium panels to principal facades across the scheme is strongly supported and will assist in providing means of shading to south facing facades as well as ensuring sufficient levels of privacy between uses. This approach will assist in establishing a consistent appearance between school and residential elements, with varying colour tones implemented to denote each use. The Council is encouraged to secure key details such as window reveals, balustrading and samples of materials to ensure the highest quality of architecture is built out.

Inclusive design

48 London Plan Policy 7.2 together with the Accessible London SPG aim to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum). Inclusive design principles, if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and Deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity. An access statement has been provided in support of the application, as well as series of detailed plans and drawings.

49 The school element has been designed to provide a fully accessible environment which is compliant with Approved Document M of the Building Regulations and the Equalities Act 2010. The rational layout, arranged around a central circulation spine with classrooms within two wings provides ease of navigation through the school for pupils with visual impairment or learning difficulties. An accessible lift is provided and is centrally located with direct access from the main school entrance and the principal rooftop play area.

50 With regards to the residential accommodation, the applicant has committed to ensuring all dwellings meet M4(2) and M4(3) of the Building Regulations, which incorporates the key principles and replaces the Code for Sustainable Homes Lifetime Home standards. This should be secured via condition. In addition, 9 units (10%) are indicated as being wheelchair adaptable and are indicated on the plans and distributed across the development to include a range of unit types.

Climate change

Energy efficiency standards

51 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. 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 mechanical ventilation with heat recovery.

52 The applicant has undertaken a dynamic overheating assessment using the CIBSE TM52 methodology for both the residential dwellings and the school. To reduce the risk of overheating the applicant is proposing solar control glazing. The applicant has stated that the CIBSE TM52 recommendation will be met through the passive design measures proposed.

53 The development is estimated to achieve a reduction of 6 tonnes per annum (3 per cent) in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development.

District heating

54 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.

55 The applicant is proposing to install a site heat network. However, the applicant should confirm that all apartments and non-domestic building uses will be connected to the site heat network.

56 The site heat network should be supplied from a single energy centre. Further information on the floor area and location of the energy centre should be provided.

Combined Heat and Power

57 The applicant is proposing to install two 20 kilowatt gas fired combined heat and power (CHP) units 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. A reduction in regulated carbon dioxide emissions of 46 tonnes per annum (25 per cent) will be achieved through this second part of the energy hierarchy.

58 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.

Renewable energy technologies

59 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 180 sq.m. of roof mounted Photovoltaic (PV) panels. A roof layout drawing should be provided to demonstrate that there is sufficient space to accommodate the proposed PV array.

60 A reduction in regulated carbon emissions of 16 tonnes per annum will be achieved through this third element of the energy hierarchy. The applicant should also confirm the size of the array in kilowatt peak (kWp) as the savings appear high relative to the size of the panel area quoted.

Overall carbon savings

61 Based on the energy assessment submitted at Stage One, the table below shows the residual carbon dioxide emissions after each stage of the energy hierarchy and the carbon dioxide emission reductions at each stage of the energy hierarchy.

CO₂ emission reductions from application of the energy hierarchy

	Total residual regulated CO₂ emissions	Regulated CO₂ emissions reductions	
	(tonnes per annum)	(tonnes per annum)	(per cent)
Baseline i.e. 2013 Building Regulations	181		
Energy Efficiency	175	6	3%
CHP	129	46	25%
Renewable energy	114	16	9%
Total		67	37%

62 A reduction of 67 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 37 per cent.

63 The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan. However, the comments above should be addressed before compliance with London Plan energy policy can be verified.

Flood risk

64 The site is located in Flood Zone 1 and so no Flood Risk Assessment is required. However, Environment Agency mapping reveals that part of the site (the existing MUGA at the west of the site) is at high risk of surface water flooding. The adjacent section of Downs Road is also at high risk of surface water flooding, and the remaining surrounding roads are also at risk of surface water flooding.

Drainage

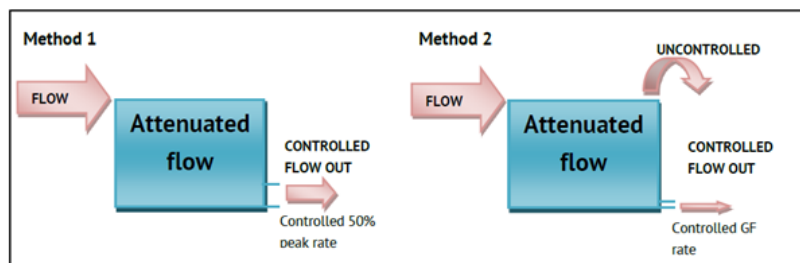
65 Because of the risk of surface water flooding on and adjacent to the site, the application of London Plan policy 5.13 (sustainable drainage) will be particularly important. However, no Drainage Strategy has been submitted as part of this application. The Design and Access Statement (DAS) proposes the inclusion of a biodiverse green roof, in addition to publicly accessible roof spaces for gardening, play and education. These are welcome and should be secured via appropriate planning conditions.

66 Section 7 of the DAS also proposes to reduce both run-off volume and rate (aspiring towards greenfield values with provision for climate change), via:

- Provision of porous surfaces to allow infiltration into the underlying granular soils (although it is unclear how this will work with the proposed membrane and capping layer);
- Provision of green/brown roofs to attenuate run-off; and
- Residual flows to be routed to a below-ground attenuation tank before controlled discharge to public surface water sewers in Tiger Way.

67 Additional potentially suitable options could include the use of 'Blue Roofs' (these retain substantial volumes of water and can be combined with greening), rainwater planters for the

education & growing zone, and the creative use of storm-water in water features and for green roof irrigation. Any tanked attenuation should be designed to meet the Method 2 principle set out in the diagram below:



From Susdrain Factsheet “Designing attenuation storage for redeveloped sites”, by Anthony McCloy
http://www.susdrain.org/files/resources/fact_sheets/01_15_fact_sheet_attenuation_for_redeveloped.pdf

68 Whilst extremely limited in detail, the overall direction is in principle compliant with London Plan policy 5.13. As a result, this aspect of the development should be controlled using an appropriate planning condition worded as follows: “No development shall commence until a sustainable drainage regime, meeting greenfield run-off rates up to the 1 in 100 year storm, has been submitted to and approved by London Borough Hackney Lead Local Flood Authority.”

Transport

69 There are a number of issues with regards to the trip generation methodology contained in the transport assessment (TA) and more detail has been requested. TfL is unable to state whether the capacity of the local public transport services, primarily buses, would not be significantly impacted by this development.

70 At the pre-application stage, TfL requested a pedestrian environment review system (PERS) audit to be included in the TA and welcomes that this has been undertaken. Wayfinding for pedestrians was also raised in the GLA pre-application advice and it is welcomed that the applicant is considering the introduction of fingerpost signage. Contributions towards addressing the recommendations of the PERS audit and delivery of the signage should be included as part of any Section 111 agreement.

71 The applicant has identified existing cycle routes surrounding the site area, however, the applicant has not provided a comprehensive assessment of the quality of the streets/routes and junctions in the local area for cyclists and therefore, due to the nature of the proposal as a new school, TfL suggest the applicant provides a study of ‘cycling level of service’ for access to the site. This assessment will help to identify severance issues and can inform which improvements could be made to provide safer access for those cycling to the site

72 The essentially car-free nature of the site is supported by TfL, as is the lack of vehicular drop-off and pick-up arrangements for the school. However, the TA should demonstrate how London Plan policy 8.3 will be met, which requires 10 per cent of new housing to be wheelchair accessible and for each to have an accessible parking space. The TA should demonstrate potential locations where a further five spaces could be provided. Provision for electric vehicle charging points (EVCPs) should also be provided in line with London Plan policy 6.13.

73 The level of provision of cycle parking spaces in both the new school and the new residential development is in accordance with the minimum standards set out in London Plan policy 6.9. However, as cycle modal share is already significant in the local area (18.7 per cent according to 2011 Census information) TfL strongly encourage the applicant to exceed the London Plan standards.

74 Having reviewed the layout drawings of the proposed residential development, TfL recommend that the applicant reviews the type of parking spaces, the internal and external access to the cycle parking facilities in line with the London Cycling Design Standards (LCDS).

75 Furthermore, to encourage sustainable travel by making cycling a more convenient option, staff showers, lockers and on-site changing facilities should be provided for staff. All cycle parking and facilities should be secured by condition in line with London Plan policy 6.9.

76 In order to further support the sustainable travel aspirations of the development, the use of car clubs in the immediate area is strongly encouraged. The TA and travel plan indicate that there are numerous car club spaces located nearby and TfL requests that the applicant should provide a minimum of three years free membership to all residential units as a means to reduce the reliance on private vehicles, and this should be secured as part of an appropriate planning agreement (it is noted that a Section 106 agreement may not be possible in this case, given that Hackney Council is the applicant).

77 The applicant has provided a draft travel plan for the development. Therefore, in accordance with London Plan policy 6.3 the final travel plan and all agreed measures therein should be secured, enforced, monitored and reviewed as part of the Section 106 agreement. A delivery and servicing plan (DSP) and a construction logistics plan (CLP) should also be secured by condition.

78 The Mayoral CIL applies for any new application and is a charge of £35 per square metre (based on the gross internal floor area) in the London Borough of Hackney. The CIL would be payable on commencement and the collection of the CIL would be administered by the Council who would transfer the payment to the Mayor / TfL. Education uses are, nevertheless, nil rated.

Local planning authority's position

79 Whilst there are still various planning issues to resolve, it is understood that this scheme has the in principle support of the Local Planning Authority. Hackney Council is expected to formally consider the application at a planning committee meeting in June 2016.

Legal considerations

80 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

81 There are no financial considerations at this stage.

Conclusion

82 The proposed residential-enabled school expansion has been well thought out and responds successfully to the challenges and opportunities presented by the site and its context as a result. Notwithstanding this, the application does not yet fully comply with the London Plan and the following issues should be addressed before the application can be fully supported in strategic planning terms:

- Housing: GLA officers would welcome further discussion on the provision of family sized units and the securing of a financial review mechanism to form part of a future Section 106 agreement.
- Urban design: The scheme is well designed and successfully balances the amenity and privacy requirements of the co-located uses. Confirmation is needed on the internal layout of the ground floor residential unit next to the main entrance with further consideration needed for the location of the vent to the basement. The form and architectural approach to the taller elements and the scheme as a whole is supported.
- Climate change: The applicant has broadly followed the energy hierarchy. Sufficient information has been provided to understand the proposals as a whole, however, further revisions and information (as detailed above) are required before the proposals can be considered acceptable and the carbon dioxide savings verified.
- Flood risk: The proposals do not currently comply with London Plan policy 5.13 (sustainable drainage). A detailed drainage regime should therefore be submitted to the London Borough of Hackney to ensure compliance with London Plan policy 5.13.
- Transport: The applicant should address the above issues in relation to cycling, car parking, cycle parking and associated facilities, travel plans, the delivery and servicing plan and construction logistics plan to ensure compliance with London Plan policies 6.1, 6.3, 6.9, 6.13 and 6.14.

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