

**Subject:** Clarnico Quay, Eastwick, Development Parcel 5.3A, Planning Delivery Zone 5 (PDZ 5), Queen Elizabeth Olympic Park (ref: 18/00171/FUL)

**Meeting date:** 24 July 2018

**Report to:** Planning Decisions Committee

**Report of:** Anne Ogundiya, Principal Planning Development Manager

FOR DECISION

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**This report would be considered in public**

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## **1. EXECUTIVE SUMMARY**

- 1.1. The application seeks permission for an interim period for a variety of commercial uses arranged in 5 separate buildings, and envisaged to be in place for a 7-year period. The buildings would be between 2 and 3 storeys in height providing 776m<sup>2</sup> GIA of workshops/studios (B1); 131m<sup>2</sup> GIA of maker/retail space (B1/A1); 417m<sup>2</sup> GIA of shops, cafes and bars (A1/A3/A4); 633m<sup>2</sup> GIA of pop-up shops, food hall and market stalls (A1/A3/A4); 490m<sup>2</sup> GIA event/community space (Sui Generis); 37m<sup>2</sup> GIA of community meeting rooms (D1). The proposals also include a mobile garden, and associated, landscape, cycle parking, 5 accessible parking bays and servicing.
- 1.2. The application site is located within Planning Delivery Zone 5 (PDZ 5), which is part of the Legacy Communities Scheme (LCS) residential led mixed use outline planning permission approved under planning permission reference 11/90621/OUTODA. PDZ 5 comprises eleven Development Parcels of varying size.
- 1.3. The application site relates to Development Parcel 5.3A which is sited to the west of the Copper Box and the south-western end of the Here East development. Development Parcel 5.3A is part of the wider LCS Sweetwater and East Wick development. It is approximately 0.5 ha and is within the final phase of the East Wick and Sweetwater development (Phase 4) which is due to commence circa 2026. The application has been submitted by Make Shift East Wick & Sweetwater Projects and LLDC. The proposals would not adversely affect delivery of LCS development at this plot.
- 1.4. The proposed uses would provide a mix of co-working workshops, a community use unit, food and food/beverage outlets that would act as a stepping stone for businesses currently operating within Hackney Wick and Fish Island and seeking to relocate, or for those looking to locate to the area. The employment offer has been designed to complement that proposed as part of the East Wick scheme and would, amongst other things, seek to nurture small businesses and independents - SMEs + retailers. The proposal is expected to generate up to 250 full time equivalent jobs.

- 1.5. The proposals would be managed by the Make Shift (joint applicant), including overseeing the construction. Make Shift would lease the Mobile Garden to Our Park Life. A management agreement would be in place between Make Shift and LLDC, as landowners.
- 1.6. The key issues to be considered in this application are:
- Compliance and compatibility with the LCS outline planning permission;
  - Scale and urban design, including impact on the setting of the Hackney Wick Conservation Area and the Fish Island and White Post Lane Conservation Area;
  - Impact on neighbouring properties (including hours of operation and noise);
  - Landscape and biodiversity;
  - Commercial impact; and
  - Transport and access arrangements.
- 1.7. In summary, the layout, design, scale and height, appearance, means of access and landscaping of the proposed development are considered to be in accordance with the design principles approved as part of the LCS outline planning permission.
- 1.8. Overall the proposals are considered to help to foster and encourage small businesses within the local area without having an adverse impact on the viability of existing town centre uses. The design is well-thought-out and would result in an attractive interim use and focus for the emerging LCS community. New jobs would be created, the development would provide affordable workspace for start-up businesses and arts groups, and the increased footfall would result in an improved economic outlook for neighbouring businesses looking to relocate within the area. The proposal would also result in positive enhancements to the character and, appearance of the area and would enhance the setting of the adjacent Hackney Wick Conservation Area and the White Post Lane and Fish Island and Conservation Area, which is 38m to the south west of the site. The proposed development is not considered to cause material harm to the amenities of nearby residents both existing and emerging.
- 1.9. The NPPF promotes economic growth (such as new employment and commercial uses), in order to enhance their vitality and to create jobs and prosperity. The London Plan promotes the provision of new employment and cultural development particularly where they, 'address deficiencies in facilities and provide a cultural focus to foster more sustainable local communities.'
- 1.10. The proposals are strongly supported by the LLDC Quality Review Panel. The application demonstrates that the development is acceptable. No objections have been received.
- 1.11. The application is recommended for approval for a temporary period.

## **2. RECOMMENDATIONS**

### **2.1. The Committee is invited to:**

- (a) **APPROVE the application 18/00171/FUL for the reasons given in the report and grant full planning permission subject to the conditions set out in this report.**
- (b) **AGREE TO DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to approve the application subject to the conditions and informatives set out in section 13 of the report including refinements,**

amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers reasonably necessary.

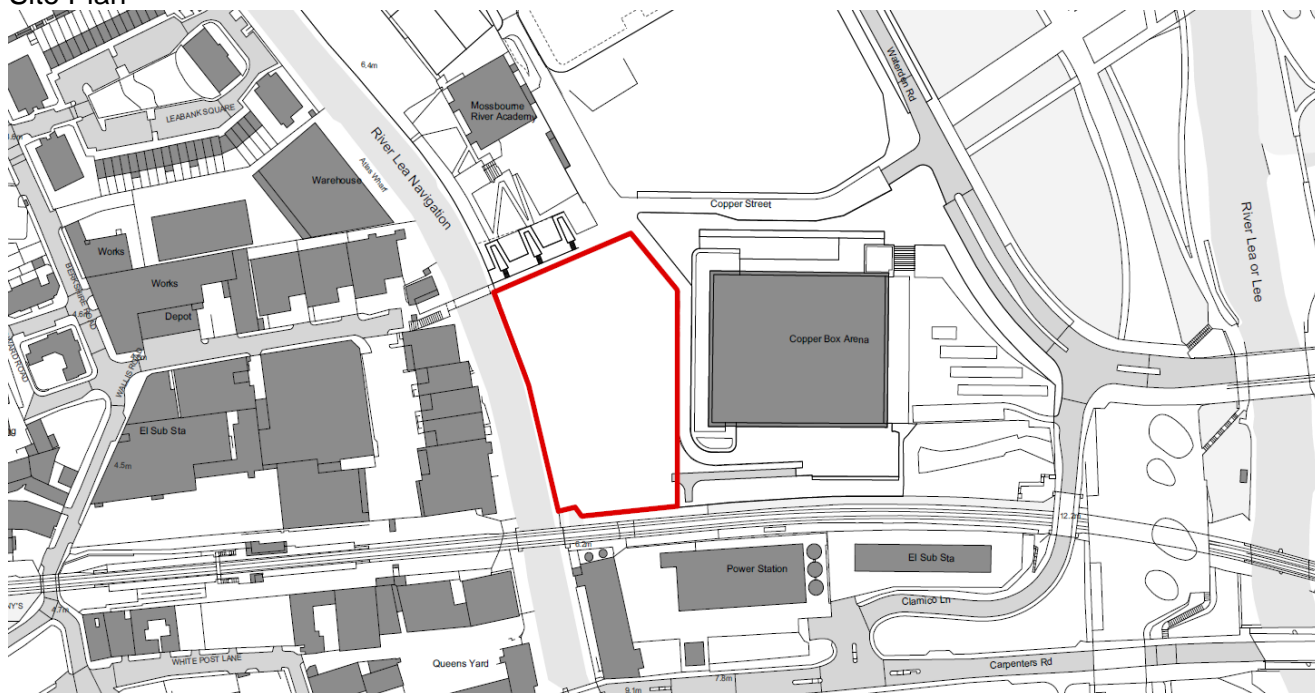
### 3. FINANCIAL IMPLICATIONS

3.1. There are no financial implications

### 4. LEGAL IMPLICATIONS

4.1. The recommendation is that planning permission be granted, subject to conditions.

Site Plan



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**Location:** Clarnico Quay Development Parcel 5.3A, Planning Delivery Zone 5, Queen Elizabeth Olympic Park

**London Borough:** Hackney

**Proposal:** Application for full planning permission for the construction of five buildings between 2 and 3 storeys high providing 776m<sup>2</sup> GIA of workshops/studios (B1); 131m<sup>2</sup> GIA of maker/retail space (B1/A1); 417m<sup>2</sup> GIA of shops, cafes and bars (A1/A3/A4); 633m<sup>2</sup> GIA of pop-up shops, food hall and market stalls (A1/A3/A4); 490m<sup>2</sup> GIA event/community space (Sui Generis); 37m<sup>2</sup> GIA of community meeting rooms (D1); and associated cycle parking, servicing, management, lighting and landscape, a mobile garden, including associated buildings and structures, such as raised planters, storage containers, flexible programming space, boundary treatment and associated infrastructure. The buildings, structures and uses would cease on or before 30th September 2025. No later than 3 months after that date the land would be reinstated in accordance with a scheme which would have been submitted to and approved in writing by the Local Planning Authority.

<b>Applicants:</b>	Make Shift, East Wick and Sweetwater Projects and the London Legacy Development Corporation
<b>Agent:</b>	Quod
<b>Architecture &amp; Design Lead</b>	Carl Turner Architects

## 5. SITE & SURROUNDINGS

- 5.1. The site comprises an irregular piece of land of approximately 0.5ha. It is located within Development Parcel 5.3A of Planning Delivery Zone (PDZ) 5 of the Legacy Communities Scheme., and is located to the south west of East Wick Phase 1, west of the Copper Box Arena and to the east of Canal Park.
- 5.2. PDZ 5 is located within the north-western part of the LCS site and comprises 11 development parcels. It is located to the north west of the Queen Elizabeth Olympic Park within the London Borough of Hackney. PDZ5 measures approximately 16.7 hectares and is bounded to the west by the River Lea Navigation; to the south by the London Overground Railway Line; to the east by the Parklands and to the north by the Eastway. PDZ5 excludes the Copper Box, Press and Broadcast Centres (Here East) and Multi-Storey Car Park.
- 5.3. Waterden Road is the primary access road through the area, with tertiary roads running east to west providing access to the Copper Box and the new primary school in development parcel 5.10. A new north south tertiary road is also located between the school site and Development Parcel 5.5. There are currently two bus stops located on Waterden Road and Hackney Wick Station is located within a short walk of the Wallis Road (H10) Bridge on the western edge of the site.

## 6. RELEVANT PLANNING HISTORY

### **Legacy Communities Scheme (LCS) – 11/90621/OUTODA**

- 6.1. On 28th September 2012, planning permission was granted for the following development on 'Land within The Olympic Park and Land at Pudding Mill Lane; Land at Bridgewater Road; and Land at Rick Roberts Way':
- 6.2. *'Comprehensive, phased, mixed use development within the future Queen Elizabeth Olympic Park, as set out in the Revised Development Specification & Framework (LCS-GLB-APP-DSF-002). The development comprises up to 641,817 m<sup>2</sup> of residential (C3) uses, including up to 4,000 m<sup>2</sup> of Sheltered Accommodation (C3); up to 14,500m<sup>2</sup> of hotel (C1) accommodation; up to 30,369 m<sup>2</sup> (B1a) and up to 15,770 m<sup>2</sup> (B1b/B1c) business and employment uses; up to 25,987 m<sup>2</sup> (A1-A5) shopping, food and drink and financial and professional services; up to 3,606 m<sup>2</sup> (D2) leisure space and up to 31,451m<sup>2</sup> (D1) community, health, cultural, assembly and education facilities, including two primary schools and one secondary school; new streets and other means of access and circulation, construction of open and covered car parking; landscaping including laying out of open space with provision for natural habitats and play space; new and replacement bridge crossings, re-profiling of site levels, demolition and breaking out of roads and hardstanding, utilities diversions and connections; and other supporting infrastructure works and facilities'.*
- 6.3. The quantum of development was to be distributed across seven Planning Delivery Zones (PDZs) and the Revised Development Specification and Framework specifies the floorspace for each use in each of the PDZs.
- 6.4. In respect of Planning Delivery Zone 5 (East Wick) the LCS outline planning permission grants outline approval for a maximum of 116,711m<sup>2</sup> of floor space to include the following m<sup>2</sup> and GEA:

**Table 1 - LCS Planning Permission**

Residential	Retail			Employment		Leisure	Community facilities
C3	A1-A2	A3/A4/A5	A1-A5	B1a	B1 b/c	D2	D1
96,097	1,000	2,850	3,268	5,389	3,612	1,457	6,888

- 6.5. The consent also requires provision of a primary school, two nursery schools, flexible cultural space and flexible community space in PDZ5.
- 6.6. Four door-step play spaces are also to be provided, each with a minimum of 100sqm and jointly providing a minimum of 523sqm within PDZ5. A minimum of 828sqm of Local Play Space shall be provided and two Youth Play Spaces each with a minimum of 500sqm and jointly providing 1,150sqm are also required.
- 6.7. LCS Accelerated Delivery (14/00036/VAR): On 11 August 2014, the LLDC approved the acceleration of the delivery of Planning Delivery Zones 4 and 5 of the LCS through the approval of two applications to (i) vary the outline site wide phasing plan pursuant to condition LCS0.49 of the LCS outline planning permission (14/00035/AOD) and (ii) reinstate the building line of SPDZ 5B through the removal of condition LCS0.290 (Ref: 14/00036/VAR). The latter application was made under Section 73 of the Town and Country Planning Act and effectively resulted in a reissue of the original consent for the LCS scheme, with relevant conditions removed and varied. This had the effect of creating a new planning permission for the LCS scheme and required variations to the s106.
- 6.8. East Wick primary school (14/00464/REM): An application for the reserved matters approval for the first primary school within the outline LCS planning permission, was approved in September 2015 (ref. 14/00464/REM). At the time of this application, a zonal masterplan for PDZ 5 had not been approved. Whilst the conditions of LCS require zonal masterplans for each PDZ to be submitted and approved in advance of any reserved matters application being submitted, schools fall within the definition of 'Excepted Infrastructure' and therefore East Wick primary school was able to be brought forward in advance of zonal masterplans being approved for PDZ 5. The primary school also necessitated non-material amendments to the LCS outline planning permission to allow for a reduction in the minimum height in development parcel 5.10, relocation of local play, alterations to cut and fill and levels, alterations to the parcel boundary for 5.10 and a reduction in the minimum floorspace from 4,912sqm to 3,148sqm (ref. 14/00461/NMA). The school is located within development parcel 5.10 on the western side of PDZ5.
- 6.9. Zonal Masterplan – Planning Delivery Zone 5 – (15/00473/NMA and 15/00472/AOD): The East Wick Zonal Masterplan (ZMP) for PDZ5 was approved in December 2015. These permissions granted non-material amendments to vary certain Site Wide and PDZ5 Parameter Plans, the PDZ5 Design Codes and the Revised Development Specification and Framework approved under the LCS outline planning permission. These included amendments to approved ground and upper floor predominant land uses, maximum and minimum building heights, open spaces and play spaces, access and routes and residential density parameters.
- 6.10. The approved zonal masterplan builds upon the framework set out within the LCS. A key design move approved within the ZMP is the introduction of a new "diagonal link" through East Wick, linking Hackney Wick with the North Park and Velodrome. The diagonal link will establish a key visual connection between the new neighbourhood, the Olympic Park and the City of London and act as a visual wayfinding tool. A walk through the sequence of squares will provide expanding views of the North Park and the legacy buildings as the view gradually opens up. This design intervention necessitated the majority of the changes to the arrangement of uses across the PDZ and the placement of buildings of height.

- 6.11. East Wick - Phase 1 (16/00520/REM): PDZ 5 is located in the north-western part of the LCS site and comprises 11 development parcels. Phase 1 of PDZ5 which is known as 'East Wick' and relates to development parcels 5.5 and 5.9 and Reserved Matters were approved in February 2017 for 302 residential units 1,772.6sqm GIA of retail/leisure (A1-A5), 1,013.1sqm GIA of flexible employment space (B1b/c), a 202.3sqm GIA estate management office (B1a) and a 410sqm GIA nursery (D1), with associated car parking, hard and soft landscaping, public realm, streetscape and associated works. Construction of phase 1 is to commence later this year.
- 6.12. Mobile Garden (17/00012/FUL) – Development Parcel 5.3A: Planning permission was granted in June 2017 for the relocation of a mobile garden in Chobham Manor to East Wick Development Parcel 5.3A, which is the application site for the application currently being considered. The permission consented temporary use of the land (1,036sqm) until 31<sup>st</sup> December 2020 for a community garden comprising raised planters, storage containers, water tanks, flexible programming space, boundary treatment and associated infrastructure. Approval is now being sought to relocate the mobile garden on the lower level of the site, as a result of the proposal for interim uses as part of the Clarnico Quay application.
- 6.13. Canal Park (13/00305/REM): Also relevant was the approval of a reserved matters application for hard and soft landscaping within the Canal Park (ref. 13/00508/REM) in August 2013 which runs along the western edges of PDZ5.
- 6.14. Interim Uses Protocol (13/00087/AOD): Details in relation to the Interim Uses Protocol were approved in April 2013. The Interim Uses Protocol sets out the process for when the protocol is to be used (following an initial consideration of whether the use/event is in itself EIA development), the environmental filters to be applied to the uses and events to determine whether their impact should be mitigated in environmental terms and how mitigation is then to be secured. The protocol also covers monitoring and review (an Interim Use Tracker is to be updated and submitted with each application for interim use/events; a six-month forward programme of events/uses to be provided as part of the Events Management Coordination Framework requirements and the protocol document itself to be reviewed after 6 months and thereafter as agreed.

## **7. APPLICATION PROPOSALS**

- 7.1. The applicant is seeking a temporary seven-year planning permission for the uses set out below, prior to permanent development coming forward as part of the East Wick phase 4 development at Clarnico Quay.
- 7.2. The proposals would be managed by the Make Shift (joint applicant), including overseeing the construction. Make Shift would lease the Mobile Garden to Our Park Life. A management agreement would be in place between Make Shift and LLDC, as landowners. Make Shift design, build and manage new public destinations that house communities of local, independent businesses. They offer support to users and actively connect members. They are the management team behind, 'Pop Brixton' a successful meanwhile use operating from an underused multi-story carpark until 2020 which houses a number of businesses, and 'Peckham Levels' a similar meanwhile use.
- 7.3. Whilst the expected opening hours for the A3/A4 and Sui Generis space would be subject to separate licensing applications the general opening hours are proposed to be as follows:
- Sunday – Wednesday: 7AM – Midnight
  - Thursday – Saturday: 7AM – 1AM

7.4. It is currently proposed that the licensed hours would be:

- Sunday – Wednesday: 10AM – Midnight
- Thursday – Saturday: 10AM – 1AM
- It is proposed that there would be no amplified music after 10PM

7.5. The applicant proposes the following uses to be split between the five building blocks and outside space:

**Table 2 - Summary Area Schedule (GIA)**

Use	Block A	Block B	Block C	Block D	Block E	Outdoor	Total
Shops/Cafes/Bars (A1/A3/A4)	244.3m <sup>2</sup>	-	75.8m <sup>2</sup>	-	96.5 m <sup>2</sup>	-	416.6 m <sup>2</sup>
Pop-up Retail/Food Hall/Market Stalls (A1/A3/A4)	-	458.6 m <sup>2</sup>	-	-	-	174.0 m <sup>2</sup>	632.6 m <sup>2</sup>
Workshops/Studios (B1)	-	-	-	346.8 m <sup>2</sup>	428.8 m <sup>2</sup>	-	775.6 m <sup>2</sup>
Maker/Retail (B1/A1)	-	-	-	38.4m <sup>2</sup>	92.0 m <sup>2</sup>	-	130.4 m <sup>2</sup>
Event/Community Space (Sui Generis)	158.9m <sup>2</sup>	-	330.5m <sup>2</sup>	-	-	-	489.4 m <sup>2</sup>
Community Meeting Rooms (D1)	-	-	-	-	36.7 m <sup>2</sup>	-	36.7 m <sup>2</sup>
BOH/Services	92.2 m <sup>2</sup>	60.5 m <sup>2</sup>	15.5 m <sup>2</sup>	86.4 m <sup>2</sup>	257.1 m <sup>2</sup>	-	511.7 m <sup>2</sup>
Total	496.1 m <sup>2</sup>	519.1 m <sup>2</sup>	421.8 m <sup>2</sup>	471.6 m <sup>2</sup>	911.1 m <sup>2</sup>	174.0 m <sup>2</sup>	2,993m <sup>2</sup>

7.6. Block A (public space and public facilities) would be located to the north-western section of the site and comprise a pub, community hall and two restaurants. Block A houses two floors of private units for hire by artists, designers and small businesses. These are designed as compact dedicated spaces that would offer a semi-permanent home to the area's creative workers. The building would include a steel structure in order to be easily disassembled and reused. The façade would be made up of corrugated metal cladding, clear glass windows and translucent corrugated roof lights. Block A would be heated and insulated and there would be provision for mechanical extract ventilation.

7.7. Block B (food stalls) would be located to the west side of the upper level adjacent to Block A. Block B would comprise pop-up food stalls and a food hall over two storeys. They are designed as compact and would offer affordable space for early-stage entrepreneurs. The building would comprise of corrugated metal cladding,

clear glass windows, translucent corrugated roof lights but would also have sliding façade panels which would allow the building to be opened up to the courtyard in warm weather. Block B would not be heated or insulated, but would include mechanical ventilation.

- 7.8. Block C (culture and events space) would be located in the south west section of the upper level of the site and would form the end of the long west elevation facing the canal. Block C would comprise a flexible event space and bar within a double height building. It would function as the large event space designed to accommodate up to 400 people. The uses would include live music, theatre performances and entertainment events. The applicant has advised that the space would be available for free hire to the local community 25% of the time. The building would include a steel structure in order to be easily disassembled and reused. The façade would be made up of corrugated metal cladding, clear glass windows and sliding doors. Block C would be insulated including acoustic insulation and mechanical ventilation.
- 7.9. Block D ('heart' of the maker space) would be located on the east side of the upper level adjacent to the access road. Block D would comprise of workshops, maker/retail units and co-working spaces over two storeys. Block D would have its own yard serving as spill-out maker space for the workshops. The maker units may also have a shopfront to sell their products to passing visitors. The structure would be made from load bearing block-work walls with timber trusses. Charred vertical timber boards are proposed for the building façade, a weather-proof and durable materials, and clear glass openable windows and sliding doors. Block D would be heated and insulated.
- 7.10. Block E (maker retail units, co-working, café/canteen, studios and offices) would be located at the north of the upper level of the site and is the largest of the five buildings, with three storeys. It would comprise a café, maker/retail units at ground floor with studio space and community meeting rooms over the first and second floors. Block E is the largest building on the site, acting as a multifunctional block that includes the majority of Clarnico Quay's studio space, as well as community café and dual-purpose maker and retail units. The building would be made from a steel structure of corrugated metal cladding, clear glass windows and translucent roof lanterns. Block E would be heated and insulated and there would be provision for mechanical extract ventilation.
- 7.11. All of the units would have 3.5m floor to ceiling heights.
- 7.12. Open Space: In terms of landscaping, the proposals would maintain the existing Canal Park landscaping approved under ref: 13/00508/REM. The upper level would be surfaced with tarmac and shingle which is proposed to be the most durable material for the proposed activities.
- 7.13. Additionally, a temporary community garden is proposed to the north west of the lower site of this part of the Canal Park. The mobile garden would be moved from Chobham Manor and is designed to be flexible with the ability to move again at a later date to an alternative location on the Queen Elizabeth Olympic Park once development commences on East Wick Development Parcel 5.3A.



**Table 3 – Building Dimensions**

<b>Buildings</b>	<b>Total GIA (m2)</b>	<b>Maximum Storeys</b>	<b>Maximum height to ridge (metres)</b>	<b>Length of Building (metres)</b>	<b>Depth of Building (metres)</b>
Block A	496.1	2	9	25	13
Block B	519.1	2	9	25	13
Block C	421.8	1	11	20	23
Block D	471.6	2	9	27	10
Block E	911.1	3	14	24	13

7.14. The Mobile Garden would comprise three zones:

- Zone 1 – moveable furniture and BBQ area
- Zone 2 – placement of containers and sheds; and
- Zone 3 – Fenced garden zone and planting

## **8. POLICIES & GUIDANCE**

### **National Planning Policy Framework (2012)**

8.1. The policies contained within the NPPF are material considerations in the determination of planning applications. The NPPF recommends that due weight should be given to relevant Local Plan policies according to their degree of consistency with the NPPF. The NPPF makes clear that local planning authorities should be positive and proactive in encouraging sustainable growth and addressing barriers to investment.

8.2. The NPPF should be read in conjunction with the National Planning Practice Guidance.

8.3. The following sections of the NPPF are considered relevant to this planning application:

Achieving sustainable development

Section 1: Building a strong, competitive economy

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 10: Meeting the challenge of climate change, flooding and coastal change

8.4. The adopted 'Development Plan' is the London Legacy Development Corporation Local Plan 2015 – 2031 (July 2015) and The London Plan (2016).

8.5. The most relevant policies are listed below:

**The London Plan (March 2016)**

Policy 2.4 The 2012 Games and their legacy

Policy 2.9 Inner London

Policy 2.14 Areas for regeneration

Policy 4.1 Developing London's economy

Policy 5.13 Sustainable Drainage

Policy 5.21 Contaminated Land

Policy 6.3 Assessing the effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.2 An inclusive environment

- 8.6. The Mayor of London published for the purpose of public consultation a draft new London Plan on 29th November 2017. The policies in the draft new London Plan currently have only very limited material weight when making planning decisions. That weight will increase once the new plan is submitted for its Examination in Public. This report may make reference to policies within the new London Plan where they are directly relevant to the assessment of the application proposal, however, the relevant development plan policies remain those within the current London Plan (March 2015) and the LLDC Local Plan (July 2015).

**8.7. London Legacy Development Corporation Local Plan (July 2015)**

Policy SD.1: Sustainable Development

Policy B1: Location and maintenance of employment uses

Policy B.2: Thriving town, neighbourhood and local centres

Policy B.3: Creating vitality through interim uses

Policy B.4: Providing low-cost and managed workspace

Policy B.5: Increasing local access to jobs, skills and employment training

Policy SP.3: Integrating the built and natural environment

Policy BN.1: Responding to place

Policy BN.2: Creating distinctive waterway environments

Policy BN.3: Maximising biodiversity

Policy BN.5: Requiring inclusive design

Policy BN.7: Improving Local Open Space

Policy BN.9: Protecting key views

Policy BN.11: Reducing noise and improving air quality

Policy BN.16: Preserving or enhancing heritage assets

Policy T.4: Managing development and its transport impacts

Policy T.8: Parking and parking standards in new development

Policy T.9: Providing for pedestrians and cyclists

Policy SP.5: A sustainable and healthy place to live and work

Policy S.2: Energy in new development  
Policy S.3: Energy infrastructure and heat networks  
Policy S.4: Sustainable design and construction  
Policy S.5: Water supply and waste water disposal  
Policy S.6: Waste reduction  
Policy S.7: Overheating and urban greening  
Policy S.8: Flood risk and sustainable drainage measures  
Sub Area 1: Hackney Wick and Fish Island

8.8. **Other Material Considerations:**

Mayor of London – Olympic Legacy SPG (2012)  
Mayor's Air Quality Strategy (2010)

9. **CONSULTATIONS**

- 9.1. A total of 377 neighbour notification letters were sent to surrounding residents, local businesses and local interest groups. The application was advertised in the Hackney Today newspaper publication on the 30<sup>th</sup> April 2018 and 4 site notices were placed around the application site on the 13<sup>th</sup> April 2018. The notification period closed on the 20<sup>th</sup> May 2018.
- 9.2. A local business has written in support of the application stating that they appreciate the sensitivity to local conditions and residents means that they have a thoughtful approach to economic growth.
- 9.3. A local resident has also written in to support the application stating that the scheme would add much needed artist, events and performance spaces to an area of the park that isn't being used and would add jobs, entertainment and visitors to the area.
- 9.4. A number of organisations were consulted. The consultation period closed on the 3<sup>rd</sup> May 2018.
- 9.5. **Docklands Light Railway Limited:** On the 22<sup>nd</sup> April 2018 Docklands Light Railway Limited commented that they have reviewed the application from an infrastructure protection perspective and have no comments to make.
- 9.6. **LB Hackney Transport (Streetscene):** On the 17<sup>th</sup> May 2018 LB Hackney (transport) commented that they have no objection to the proposal subject to:
- Increase in long term secure, sheltered cycle parking;
  - Commitment to monitor visitor cycle parking;
  - Delivery Service Plan – that includes a commitment to encourage sustainable and deliveries; and
  - Travel Plan.
- 9.7. Officer Response: Officers are satisfied that there are suitable conditions that respond to the comments raised by LB Hackney.
- 9.8. **London Borough of Hackney – Sustainable Urban Drainage Team:** On the 2<sup>nd</sup> May 2018 the LB Hackney Sustainable Urban Drainage Officer commented that they have not been able to assess the drainage proposal and as a result they are unable to support the application as it has not been demonstrated that the proposed development would not increase the risk of flooding on and offsite and provide SUDs where appropriate. The drainage strategy should refer and comply with the London Plan policy 5.13, supplementary planning guidance (SPG) on

sustainable design and construction and the adopted Hackney Development Management Local Plan policy DM43.

- 9.9. Applicant Response: A Drainage Strategy Statement has been issued to LB Hackney addressing the comments raised. The applicant has advised that the drainage network has been designed to accommodate the LCS scheme which is significantly larger than the proposed development and is therefore sufficient to accommodate the proposed scheme. LB Hackney have asked for clarification from Thames Water that the network has the capacity to take the scheme. Thames Water have provided this clarification to officers. Officers consider that the further information submitted addresses the comments raised.
- 9.10. **Historic England – Greater London Archaeological Advisory Service:** On the 20<sup>th</sup> April 2018, HE GLAAS recommended that no archaeological requirement is necessary for the application. In view of the lightweight non-permanent buildings GLAAS do not recommend archaeological investigation.
- 9.11. **HS1 Ltd:** On the 23<sup>rd</sup> April 2018, Network Rail (High Speed) Asset Protection recommended that a number of conditions (7) and 2 informatives are attached to any planning permission to ensure that their assets are protected.
- 9.12. Applicant response: Clarnico Quay is an interim use scheme which does not include deep foundations, nor is piling proposed, or any other works that could affect the HS1 safeguarded area. For ease the proposed site layout has been overlain with the HS1 safeguarding. This shows that approximately half of Building E and a third of Building A are within the safeguarding area.
- 9.13. As set out within the planning application, there is no piling proposed as part of this scheme.
- 9.14. For Buildings A to D, the foundations would be 300mm deep and use reinforced concrete rafts. For Building E, the foundations would comprise a 350mm reinforced concrete raft. All would be cast over 50mm sand blinding. Very limited excavation works are proposed. Section drawings show the foundations details for each building and demonstrates that there would no risk to the HS1 structure beneath.
- 9.15. **Health and Safety Executive:** On the 12<sup>th</sup> April 2018, the Health and Safety Executive commented that as the proposed development does not lie within the consultation distance of a major hazard site or major accident hazard pipeline.
- 9.16. **Metropolitan Police: On the 10<sup>th</sup> May 2018, the Metropolitan Police responded** that a condition be imposed that requires the proposed development to achieve secured by design accreditation, for all the commercial aspects on completion of building work.
- 9.17. Applicant Response: The arrangements set out in the Site Management Plan would reduce the opportunities for crime and contribute to a sense of security without being overbearing or intimidating by appropriate design and management in accordance with London Plan Policy 7.3.
- 9.18. The proposals have considered crime and safety and Security Staff and CCTV would operate across the site at all times, 24/7. Security Industry Authority (SIA) licensed door supervisors would operate within the licensed space during hours to be determined in the licensing application.
- 9.19. Security Lighting would be in use to complement the CCTV cameras and motion sensors.
- 9.20. The scheme would be operated in accordance with the safety and security measures set out in the Site Management Plan.
- 9.21. **Officer Response:** Officers recognise the difficulty the applicant would have in achieving Secured by Design accreditation owing to the lightweight nature of the

structures proposed. It is also acknowledged that some aspects of Secured by Design would be achieved via the Licensing route.

- 9.22. **London Cycling Campaign:** On the 13th April 2018, the London Cycling Campaign commented that they note that the applicant proposes to exceed the minimum cycle parking requirements which they welcome. The London Cycling Campaign questioned whether the provision of cycle parking was sufficient for the event space.
- 9.23. **Officer Update:** The applicant has stated that the total number of 75 spaces is for the whole site. No additional provision is planned for the event space. There would be a wide range of events to use the event space all of varying degree of sizes therefore it is not anticipated that every event would require the number of cycle spaces that is identified within the LCC response. Additionally, certain events within the event space would take place out of normal working hours (Monday-Friday 9-5) meaning a number of spaces for the proposed B1 uses would indeed be available for larger events.
- 9.24. **London Overground Infrastructure Management:** On the 22<sup>nd</sup> April 2018, the London Overground Infrastructure Management confirmed that they have no objections from an infrastructure protection perspective.
- 9.25. **London Fire Brigade:** On the 2<sup>nd</sup> May 2018 the London Fire Brigade Fire Safety Inspecting Officer commented that the development should comply with Part B5 Approved Document B for London Fire Brigade Access.
- 9.26. **Natural England:** On the 20<sup>th</sup> April 2018, Natural England commented that a planning condition relating to Construction Code of Conduct should be attached to any planning permission
- 9.27. **PPDT Officer response:** Condition attached.
- 9.28. **Hydrological Pollution:** In addition to this Natural England went on to comment that any assessment should detail how hydrological pollution via runoff would be prevented from entering established habitats.
- 9.29. **Applicant Response:** the existing site is served by an extensive network of surface water drainage including Thames Water sewers. The existing Canal Park habitats at the lower part of the site will therefore not be affected by hydrological pollution via run off from the construction of Clarnico Quay.
- 9.30. **Lighting:** In relation to lighting, Natural England commented that if any major events were hosted at the site a condition should be attached to any planning permission requiring the details of any lighting associated with such an event to be submitted to the Local Planning Authority. In relation to major events Natural England went on to comment that major events should include appropriate notices and informative for site workers and the general public.
- 9.31. **Applicant Response:** External lighting and light spill from inside the buildings will not exceed 2 lux over the canal, in accordance with Canal River Trust advice, so that it does not impact the bat corridor. The proposals are therefore not considered to have any adverse impact on BAP habitats.
- 9.32. **In relation to species-rich grassland** Natural England commented that they would advise against revising any area targeted for species rich grassland in favour of other habitats listed for creation works on site, for example amenity grassland.
- 9.33. **Applicant Response:** The existing wild lawn and trees, including one legacy tree will remain as existing at the lower level of the site, the Canal Park.
- 9.34. **Specifically, in relation to landscaping,** Natural England commented that they would recommend that any landscaping uses native species preferably of local provenance. Additionally, Natural England stated that they would like to see the innovative BAP work extended to the boundaries of the Olympic Park and that an

excellent opportunity exists with this application to take the blueprint of the BAP and apply it to the foundations for a legacy on a landscape scale.

- 9.35. PPDT Officer Response: BAP habitats are only located at the lower section of the site which forms part of the Canal Park. The temporary buildings and hard landscaping are proposed on the upper level of the site only. The existing wild lawn and trees, including one legacy tree, and the youth play space would remain as existing at the lower level of the site, the Canal Park. The development proposed on the Canal Park only relates to the temporary mobile garden. It is therefore considered that the existing habitats at the Canal Park would not be adversely affected by the interim use proposals.
- 9.36. Where any additional planting is proposed it would be of local provenance.
- 9.37. Natural England recommend that works should commence outside of the breeding bird season (March – September). Natural England have also recommended that nest boxes for swifts and nesting opportunities for Black Redstarts are included in conjunction with habitat creation in and around the Olympic Park.
- 9.38. Natural England commented that they would welcome the incorporation of green or brown roofs wherever possible.
- 9.39. Officer Response: Addressed in paragraphs 10.32 and 10.33.
- 9.40. Applicant Response: The proposals for Clarnico Quay have been designed alongside the Canal Park landscape and include the mobile garden. External lighting and light spill from inside the buildings would not exceed 2 lux over the canal so that it does not impact the bat corridor. The proposals are therefore not considered to have any adverse impact on BAP habitat.
- 9.41. **London Underground Infrastructure Protection**: On the 2<sup>nd</sup> May 2018 London Underground Infrastructure Protection advised that they have no comments to make on the application.
- 9.42. **Transport for London**: On the 30<sup>th</sup> April 2018 TfL commented that overall the impact of the scheme is not expected to be significantly different to the approved planning permission for the site in addition to no significant impact on the capacity of the local highway or public transport network,
- 9.43. TfL welcome that there would not be any car parking provided beyond the five blue badge spaces and six delivery and servicing bays.
- 9.44. TfL consider the provision of 75 cycle parking spaces to be sufficient, but that the applicant should monitor the use of cycle parking as the site is occupied with the potential to increase cycle parking in order to avoid 'fly-parking'.
- 9.45. TfL go on to state that the applicant would be aware of LCS site wide Travel Plan and Delivery and Servicing Plans and it would be for the occupiers to manage schedules of deliveries to avoid disruption to pedestrian and cycle access.
- 9.46. In conclusion TfL have stated that they would not object to this application being approved.
- 9.47. **Thames Water**: On the 8<sup>th</sup> May 2018 Thames Water commented that in relation to both waste and water they would not have any objections and have requested that a number of standard informatives are attached to any planning permission.
- 9.48. **Other Consultees**
- 9.49. The following consultees were notified of the application however did not respond:  
Affordable Wick, British Transport Police, Canal & River Trust, Copper Box Arena, DCLG, Department for Transport, E20 Community and Cultural Interest Organisation, E20 East Enders Fishing Trust, East End Waterways Group, East London Waste Authority, EDF Energy PLC, Emergency Planning Service, Engie

Limited, Environment Agency, Eton Mission Rowing Club, Greater London Authority, Greenwich Leisure Limited, Hackney Wick and Fish Island CIC, Hackney Wick and Fish Island Regeneration, Health Protection Agency, Here East, Heritage of London Trust, Hackney Wick and Fish Island Planning & Development Group, London Borough of Hackney Conservation, London Borough of Hackney Conservation and Design, London Borough of Hackney Development Management, London Borough of Hackney Employment Delivery, London Borough of Hackney Environment and Waste Strategy, London Borough of Hackney Highways and Transportation, London Borough of Hackney Neighbourhoods and Housing, London Borough of Hackney Pollution, Noise and Nuisance, London Borough of Newham Planning, London Borough of Tower Hamlets Planning, Lea Rivers Trust, Lee Valley Regional Park Authority, London & Continental Railways LTD, London Ambulance Service NHS Trust, London City Airport, London Power Networks, London Wildlife Trust, Manor Gardening Society, Met Police – North East Region, Mobile Garden City, Mossbourne Community Academy, National Grid, Network Rail, Sport England, Sustrans, The Hackney Society Planning Group and The Regents Network.

## **10. ASSESSMENT OF PLANNING ISSUES**

- 10.1. The application site is located within the site allocation SA1.7 of the LLDC Local Plan which is located within Sub Area 1 – East Wick and Here East, Queen Elizabeth Olympic Park. Within PDZ 5 the LCS provides for up to 116,711m<sup>2</sup> floorspace (GEA) within the following use classes and maximum floorspace: residential (C3) 96,097m<sup>2</sup>; retail (A1-5) 3,268m<sup>2</sup>; employment (B1) 9,000m<sup>2</sup>; leisure (D2) 1,457m<sup>2</sup>; community facilities (D1) 6,888m<sup>2</sup>.
- 10.2. The Clarnico Quay interim use scheme at Development Parcel 5.3A is proposed, to make use of the currently vacant site until work commences on the East Wick Phase 4 development, which is anticipated circa 2026. The buildings, structures and uses would cease on or before 30th September 2025. No later than 3 months after that date the land would be reinstated in accordance with a scheme which would have been submitted to and approved in writing by the Local Planning Authority.
- 10.3. The key issues to be considered are compliance and compatibility with the LCS outline planning permission requirements, the scale and urban design and impact on setting of the Hackney Wick and the Fish Island and White Post Lane Conservation Areas, access arrangements, relationship with neighbouring properties including noise and hours of operation, landscape and biodiversity and commercial impact.

### **Principle of Development**

- 10.4. The Legacy Communities Scheme envisaged the interim use of sites prior to long term residential development coming forwards through the use of conditions LCS0.247 to LCS0.251 (approved under planning ref 13/00087/AOD) attached to the outline planning permission. These conditions set out the requirements for interim uses in the following documents:
  - Interim Uses Protocol;
  - Events Management Coordination Framework;
  - Interim Uses Statement Update
- 10.5. The Interim Uses Protocol sets out the process for the consideration of the environmental impacts of all interim uses and events proposed within the LCS site. The Interim Uses Protocol is the principal measure to ensure that where interim uses and events are being brought forward, which were not subject to EIA

at LCS, they are mitigated and requires a suitable degree of environmental information to be submitted.

- 10.6. Officers and their environmental advisors are satisfied that the application submission has been developed in accordance with the Interim Uses Protocol and it is not considered that any of the environmental thresholds set out within the protocol are triggered either individually or cumulatively. Evidence of this is provided in an updated Interim Use Tracker which has been submitted in support of the application.
- 10.7. Interim uses are supported by Local Plan Policy B.3 'Creating vitality through interim uses' where they would not impact upon the deliverability of the site or extant planning permissions. Part 1 of policy B.3 sets out that proposals for temporary interim uses would be supported where:
  - 'Land has been set aside for development in the longer term and the proposed interim uses would reinforce the long-term leisure, cultural or event-based uses; or
  - Managed or affordable workspace is proposed prior to delivery of long-term phased development with planning permission.'
- 10.8. Under the LCS plot 5.3A has permission for a mixed-use development of up to 6 storeys in height, comprising commercial development on the ground floor with residential accommodation on the upper floors.
- 10.9. As required by parts 4 and 5 of Local Plan Policy B.3 officers are satisfied that the proposed interim uses '...would not impact upon the deliverability of the site allocations within this Local Plan or extant permanent planning permissions; and ...the uses would have no unacceptable adverse impacts on the amenity or function of the existing permanent business or residential community....' The proposed phasing at Clarnico Quay is consistent with the wider LCS development. The site would be leased to the applicant by LLDC on a short-term basis. Hence the applicant is seeking a 7-year temporary planning permission. The land would be reinstated once the interim uses cease.
- 10.10. The proposed interim use of the site with small-scale workshops, studios, shops, bars and cafes with community and events space and associated public realm and landscape, would activate the site which currently lies vacant. The NPPF promotes economic growth (such as new employment and commercial uses), in order to enhance their vitality and to create jobs and prosperity. This aligns with the Local Plan Sub Area 1 policy which identifies this site as being within the new Neighbourhood Centre.
- 10.11. Officers therefore consider that the proposed development is acceptable in principle and in accordance with the approved Interim Uses Protocol, Local Plan Sub Area 1 and Policy B.3 of the Local Plan.

**Scale and Urban Design, including Impact on the Setting of the Hackney Wick and White Post Lane and Fish Island Conservation Areas**

- 10.12. Policy SP.3 of the Local Plan requires development to integrate with the natural, built and historic environment to ensure a high-quality built and natural environment, by ensuring development contributes to place making, enhances its surroundings, maintains and promotes local distinctiveness, and supports delivery of the priorities for the various sub-areas.
- 10.13. The site is located in the wider setting of the Hackney Wick Conservation Area and the Fish Island and White Post Lane Conservation Area (located immediately across the canal (some 38m to the south west of Hackney Wick Conservation Area, which is the nearest of the CAs). The site is vacant and does not contain any nationally designated heritage assets or non-designated (locally listed) assets.



- 10.14. PPDT's Heritage Advisors consider the site in its current form to have a neutral impact on the setting of the Hackney Wick Conservation Area and the Fish Island and White Post Lane Conservation Area, and conclude that the proposals would enhance the wider setting of the Conservation Areas and contribute to the use of the area as an industrial/creative precinct. The proposals would enhance the visual presentation and appreciation of the presently disused site and wider setting of the conservation area. The proposal would contribute to the distinctive sense of place.
- 10.15. The proposed new development has been designed to be sympathetic to the scale and industrial character of the conservation area by way of proposed scale, design and materiality. The proposal allows for open spaces and a variety of built forms (containing workspaces) which suit the character of the area and reduce scale and bulk across the development site by retaining areas of public open space, views and landscaping between built form. This is comparable to surrounding development in the conservation areas.
- 10.16. The proposed design of built form across the site, rather than construction of one large building on the site, reduces the visual impact of the proposed new development. The proposed scale of the new development would be domestically scaled and between 2-3 storeys distributed across the site, which is consistent with the character and scale of commercial buildings in the Hackney Wick Conservation Area and Fish Island Conservation Area.
- 10.17. The proposed built form and variety of gabled and pitched roof forms reflects the built and roof forms of industrial buildings in the conservation area. The proposed development is contemporary in appearance yet picks up on the design cues and material palettes of the surrounding area, such as the use of aluminium cladding reflecting the area's industrial heritage and roof typology. The proposed materiality and colour schemes (wrought iron, brick and neutral colour schemes) suits the industrial character of the area. The Quality Review Panel (QRP) comment that '... the choice of materials can be expected to result in impressive and interesting buildings...'
- 10.18. The QRP gives '...its enthusiastic support to the proposal for Clarnico Quay and looks forward to its early implementation. The plan and layout of the scheme generally work well...' They '...support the architectural expression of the five blocks that make up the scheme...', and comment that '...the wharf-like typology works well...' They suggest '...that an injection of an element of fun – through public art, colour, signage and lighting – would enhance its appeal...' To that end the applicant has incorporated coloured signage some of which would be neon lit that would act as both wayfinding and patternation for the buildings. The signage would be the subject to an application for Advertisement Consent, which has not currently been submitted. The use of colour is also extended to window frames, interior walls and surfaces. Consequently, in terms of design and appearance there is now greater visual impact arising from the use of colour and lighting to the proposals encouraging and inviting a relationship with the environment outside the development. The applicant has commented that lux levels would not exceed 2 lux. Details of all proposed lighting across the site including level of luminance and spill would be required to be submitted and would be secured by condition. Officers consider that this would address Natural England's comment around ensuring no detrimental on ecology particularly during events.
- 10.19. Officers are satisfied that the proposals would create a distinctive and vibrant commercial development. It is considered that the design is suitable for this location. There would be no adverse impacts on the townscape of Hackney Wick.
- 10.20. The proposed built form has been designed with a frontage to the canal. Further, a green landscaped area would be maintained, with the proposed new

development set back from the river frontage, which would maintain the character of the canal side.

- 10.21. Historically, the eastern side of the canal remained largely undeveloped open space. However, views from the conservation area (across the open space) towards Copper Box Arena are not historically significant and thus new development which complements the area and retains views of the Copper Box Arena in the background, is acceptable. Views to the river would be maintained and due to the scale of the proposed development, views beyond the site to the QEOP site should be largely retained; and the proposed development would form part of the character of the area.
- 10.22. The proposed use of the area as a creative cluster is compatible with the outcomes for activities and uses within the Conservation Area appraisal statement. The proposed use of the courtyard and external open space to support commercial uses is considered a key 'strength' in the area under the CA appraisal.
- 10.23. The proposed temporary development is considered to be acceptable in terms of design and in compliance with the relevant policies and the development is considered to be compatible with the scale of the existing and emerging surrounding development. The mix of uses would provide active frontages to keep the streets and public realm animated and vibrant.
- 10.24. Officers are satisfied that the proposals support Local Policy 1.6 and BN1 and London Plan Policy 7.4 by respecting the height and massing of the local surroundings and the unobstructed views to the River Lee Navigational Canal and the North Park, in accordance with Local Policy BN.9. All of these elements are considered to be a successful response to the site's local context and will result in buildings that make a positive contribution to Hackney Wick, and is thus in accordance with policies 7.1, 7.4, 7.6 and 7.7 of the London Plan and Local Plan policies 1.1, 1.2, 1.5, 1.6 and BN.1.

### **Commercial Impact**

- 10.25. The employment offer has been designed to complement that proposed as part of the planned East Wick development and the surrounding Hackney Wick and Fish Island businesses including Here East.
- 10.26. The applicant (Make Shift) advise that their business model is to offer the affordable commercial and retail space that start-ups and independent businesses need to get their ideas off the ground. The proposed development would provide a range of affordable commercial and retail space that would be targeted to local and independent businesses.
- 10.27. Officers note that LLDC corporately as landowner and joint applicant has mechanisms in place to control the managed and affordable workspace within the development. LLDC would be able to monitor the rental levels to ensure affordability. These include the approved Business Plan / Service Level Agreement and the ongoing Steering Group between Makeshift LLDC and East Wick and Sweetwater. Officers have also been advised that there is also a requirement within the lease for a certain percentage of units to remain as 'supported units' throughout the term.
- 10.28. Make Shift offer a range of membership options that provide access for local businesses at any stage. This allows members to grow from a concept to a sustainable and successful business. They design their projects in collaboration with the local community, prioritise local people as members and actively connect members with organisations in the community. Officers note that they have engaged widely with the local communities of Hackney Wick and Fish Island over the past 12 months, to develop a greater understanding of the local context and commercial environment. Officers are satisfied that the scheme will provide a

range and type of accommodation that is currently not available in the immediate area and will provide much needed workspace for local businesses including those businesses within Hackney Wick and Fish Island looking to relocate. This is in line with Local Plan Policies B.3 (3) and B.4.

- 10.29. Block C would function as the large event space designed to accommodate up to 400 people. The uses would include live music, theatre performances and entertainment events. The applicant has advised that the space would be available for free hire to the local community 25% of the time. There is a condition on this point (condition 13).
- 10.30. A condition is also imposed requiring compliance with the LLDC site wide Events Management Coordination Framework to ensure the coordination of the proposed events activities with the rest of the QEOP. It is noted that the Interim Use protocol also covers monitoring and review; a six-month forward programme of events/uses is required to be provided as part of the Events Management Coordination Framework requirements and thereafter as agreed.
- 10.31. Officers are satisfied that the proposals accord with Local Plan Policies SP.1, B.3, B.4 and B.5.

### **Landscape and Biodiversity**

- 10.32. Notwithstanding the recommendations for brown and green roofs set out in the accompanying Ecology Report the applicant has advised that owing to the design of the development i.e. pitched roofs etc and the light weight nature of the structures proposed, those recommendations would not be feasible. Other ecological enhancements referred to in the report such as the installation of bird and bat boxes, would however be accommodated within the development (condition 12 refers).
- 10.33. The applicant has submitted plans which provides details on the landscaping. There are two types of landscaping proposed: the landscaping proposed within the yard/building area landscaping; and the mobile garden discussed below. The proposals are supported by QRP.
- 10.34. The yard/building area landscaping is proposed to complement the buildings with soft landscape and furniture. Planters and seating are proposed to define the spaces and create meeting points as well as opportunities for socialising or community event space. In response to QRP 's comment that given the number of temporary uses proposed that the landscape and public realm should be robust, flexible and cost effective, given the uses proposed. The landscape area on the upper levels and in the yards, is mainly tarmac and gold top which are considered to be robust materials and complement the areas that they would abut. The design and layout of the proposed soft and hard landscaping is considered acceptable.
- 10.35. Mobile Garden: The application also includes an interim mobile community garden for a temporary period, to cease operation at the same time as the rest of the proposals i.e.no later than 30 September 2025, which is prior to the commencement of Phase 4 of the East Wick development. The community garden would be relocated from Chobham Manor where it has been temporarily located until the commencement of the Chobham Manor Phase 3 development. The principle of such a facility on the QEOP is established by virtue of the Chobham Manor facility, which has proved to be successful.
- 10.36. The proposed site of the community garden currently forms part of the Canal Park landscaped site and would provide a complementary as well as active use in this new location. There would be no incompatibility issues, given that the site is currently publicly accessible landscaped open land which would remain the case with the proposed relocated community garden. The mobile community garden would provide a community and educational facility; it would comprise raised

planters and polytunnels for horticulture, a sedum farm, space for social gathering, a tool library and associated facilities.

- 10.37. The community garden would provide a new open space, accessible to residents of the Hackney Wick and the wider area, supported by policy 7.18 of the London Plan. Furthermore, the garden would offer a recreational facility, with the opportunity to play and to learn about horticulture for all age groups and tenure of household. The Garden would be open for all to access and inclusive to all members of the community.
- 10.38. The applicant has advised that the community garden would provide the opportunity for local people to grow vegetables and fresh food on the site, and in turn will promote healthy lifestyles through healthy-eating, participation in activities and a relief from the urban context in accordance with London Plan policy 7.22.
- 10.39. The temporary community garden is strongly supported in the planning policy context, through the creation of a new open space, that will activate the public realm, providing opportunities for play, recreation, learning about horticulture and community cohesion. The QRP strongly supports the inclusion of the Mobile Garden and recommended that further consideration of how it might interact with the public realm. The applicant has updated the plans since the QRP review and advised that the precise arrangement of the elements that make up the garden i.e. BBQ area, planters, containers are not fixed that they are designed such that they can move and evolve in accordance with what layout works best for users and visitors. Given the applicant's landscape and overall development ethos which is around responding to the needs of the community and enabling different configurations to evolve, and making it relatively easy to dismantle pieces at the end of the period officers are satisfied that the layout and arrangement of the community garden is acceptable.
- 10.40. Officers are satisfied that the proposals relate well to Hackney Wick and the remaining area of Canal Park. The public realm / landscaping strategy maintains the public accessible land designation as set out in the Local Plan and accords with London Plan policies 7.4 and 7.5 as well as Local Plan policies BN.1 and BN.3.

#### **Inclusive Access**

- 10.41. Accessibility and inclusive design is a key consideration in the design process and is specifically promoted by London Plan policies 4.5, 6.1 and 7.2 and Local Plan policy BN.5 as well as LLDC Inclusive Design Standards.
- 10.42. The upper and lower levels of the site are separated by a drop of approx. 2.5m, forming a natural barrier within the site. This is emphasised by two separate main entrances for the two parts of the proposal, with a staircase as a short cut between the two. The main access for the upper part of the site would be via the north-eastern corner identified as the most connected to the exiting movement of people through this area. The main access to the lower site would be from the tow path - the busiest route along this part of the site. The lower site would contain the Mobile Garden as a temporary use for the Canal Park. The QRP comment that Clarnico Quay is an exciting initiative which should be as accessible as possible so that all can enjoy everything that it has to offer.
- 10.43. Officers consider that the resultant layout of the site has been planned with inclusivity at its forefront. The main desire lines and point of access are the same for all users, and the main routes through the site are accessible for all. The applicant has ensured that throughout the site all routes would be paved and wheelchair accessible, and all paths would be at least 2m wide. All buildings with an upper floor would have a platform lift, providing wheelchair access to all floors

in all buildings. Each building containing toilets would offer at least one wheelchair accessible WC.

- 10.44. Steps are proposed from the lower level to the entrance between blocks A and B. Those unable to use the steps would use the path to the north of the site. A ramp is precluded because of constraints arising from the Thames Water service road. Thames Water Mains runs through a substantial part of the lower site, which has to be kept free for access for maintenance purposes. During the applicant's consultation with Thames Water, the maximum amount of structures that was considered acceptable by Thames Water is an ambulant staircase (see appendix drawing).
- 10.45. A total of 5 accessible car parking bays are proposed: 4 included to the south-eastern part of the site and a further space to the northern end at the south of the site. The level pathways would connect these blue badge parking spaces to the upper part of the site and to the existing ramp leading to the lower part of the site and the Mobile Garden.
- 10.46. Officers are satisfied that the proposals meet the development plan objectives in terms of accessibility and inclusive design. The provision of an accessible layout and the 5 blue badge parking spaces will ensure that the development is in accordance with policy 7.2 of The London Plan and BN.5 of the Local Plan which is to ensure that proposals achieve the highest levels of accessibility and inclusion.

#### **Transport and Access**

- 10.47. The site would be accessed from Copper Street along the east side of the site. The development would be car-free with the exception of the accessible parking bays discussed above.
- 10.48. Six loading bays would be provided to the south east of the site for deliveries, servicing and waste collection. All deliveries would be scheduled between tenants and site management to take place outside of peak trading times to mitigate any potential disruption to pedestrian movement through the site. A dedicated bin store would be provided in the southeast corner of the site adjacent to the bike store and accessible car parking bays. Waste would be collected within each building block by the operators and transferred to the dedicated bin store by the on-site management, or directly by the tenants. The bins would be moved by the site management team to the loading bays for collection at agreed times. Refuse collection times would be coordinated with the on-site management team. It is noted that the application is accompanied by a Site Management Plan which would include access arrangements as well as security, opening hours and etc. The management plan would be secured by condition.
- 10.49. Cycle Parking: The site would provide a total of 75 cycle parking spaces including two sheltered and secure bike stores. Short stay uncovered parking would be next to Block D and Block E. There would be 55 short stay/visitor parking spaces provided within this area. Twenty long stay, covered and secure parking for both tenants and staff would be located near the blue badge parking bays to the south east of the site.
- 10.50. LCC welcome the cycle provision noting that it exceeds London Plan policy requirements, but nevertheless question whether it is sufficient. Officers have also sought TfL's advice and they comment that the provision of 75 cycle parking spaces would be sufficient, but that the applicant should monitor the use of cycle parking as the site is occupied with the potential to increase cycle parking in order to avoid 'fly-parking'. Officers have recommended the imposition of a condition to ensure cycle parking is monitored. It is noted that CCTV is to be installed across the site.

- 10.51. Travel Plan: In order to promote sustainable travel for both users and visitors, TfL recommend that the applicant provides a travel plan for the development to promote public transport. A condition is recommended to secure a Travel Plan.
- 10.52. PPDT Officers, supported by PPDT's transport advisors, conclude that the proposed development is unlikely to have a significant impact on the local highway network. No objections have been received from LB Hackney and the proposals are broadly supported by TfL.
- 10.53. Officers are therefore satisfied that the proposals are acceptable subject to the imposition of suitable conditions and will be in accordance with policies 6.3, 6.9 and 6.13 of the London Plan as well as Local Plan policies T.4, T.8, T.7, T.8.

### **Noise**

- 10.54. The application is accompanied by a Noise Impact Assessment report which has been assessed by PPDT's environmental consultants. The report details the results of a noise survey as well as an assessment of the likely impact of noise from mechanical plant and customers' voices. The noise surveys have gathered data on the east and west sides of the site, allowing maximum and minimum noise levels to be determined and to ensure that the environment next to the emerging residential properties in East Wick Phase 1 is suitably captured. Noise levels are relatively steady between 7am and 11pm / 1.00am, before dropping noticeable overnight. The noise surveys have allowed noise emission limits to be calculated in compliance with noise criterion, and to enable an assessment of the likely impact of patron-generated noise to be determined.
- 10.55. This is an interim use of the proposal on a plot which will eventually be delivered for housing (East Wick Phase 4). There is limited housing in the immediate vicinity of the site at present. The site is bound by the conservation areas, the River Lea, and the railway line to the south. Bar Number 90 and Grow (food and drink establishments) are adjacent to the site across the river to the west and are open until 11pm Sunday – Thursday and 1am Friday and Saturday.
- 10.56. The proposed opening hours are as follows:
- 0700 to midnight Monday, Tuesday, Wednesday and Sunday and Bank Holidays;
  - 0700 to 0100 Thursday, Friday and Saturday; and
  - External areas would not be used after 10pm.
- 10.57. The nearest identified nearby noise sensitive receptors are:
- Proposed East Wick Phase 1 residential development – 130m from application site;
  - Mossbourne Riverside Primary Academy (MRPA) – 88m from application site; and
  - Adjacent riverboats moored on the River Lee Navigation (residential receptors) – 40m from application site.
- 10.58. Patron Noise Impact: The development would feature two external terrace areas on the west side of the development. These would be located between Block A and Block B and between Block B and Block C. The terrace areas would be covered by a lightweight pitched roof which would act to link all buildings facing the river and would give the appearance of a single, unbroken roofline and building front.
- 10.59. These terraces would primarily serve the Block B food hall during the daytime and the Block A village hall event space and Block C event space / bar during the evenings. The east and west ends of each terrace would be open and the west

ends would extend out from under the pitched roof area approximately five metres towards the River Lee Navigation.

- 10.60. Due to the orientation of the building parade and consequent screening afforded to the school and the Phase 1 site by the neighbouring buildings and covered pitched roofs, the moored river boats are anticipated to be the receptors most potentially affected by external patron noise from the terrace areas.
- 10.61. The terraces are each approximately 95m<sup>2</sup> in area. Assuming an average personal space of 1m<sup>2</sup> per person, it is anticipated that up to 95 patrons could be on the terrace on very busy evenings. On this basis, it is anticipated that noise levels at the nearest moored boats could be up to LAeq,T 54 to 57dB on very busy nights of the week, (anticipated to be some Thursdays, Fridays and weekends, particularly in fair, dry weather during summer).
- 10.62. Residential Amenity: In terms of residential amenity and potential impacts on surrounding residents, it is noted that the nearest residential properties are the adjacent riverboats moored on the River Lea Navigation and East Wick Phase 1 located to the west of the site. Following further details submitted by the applicant, Officers and their environmental consultants are satisfied that there is no adverse impact on neighbouring residents/premises. Given that the most sensitive receptors would be largely screened from both the event venue and bar by other intermediate buildings and the imposition of conditions to control noise levels ensuring it would be commensurate with similar commercial venues in the area. The opening hours are consistent with similar event and food/drink establishments in the locality. The buildings and landscaping would assist with noise attenuation on site. The opening hours would be secured by conditions.
- 10.63. It is understood that work on East Wick Phase 1 would commence summer/autumn of 2018 with completion anticipated circa 2022. The submitted Noise Impact Assessment has assessed the scheme with Phase 1 in place. PPDT's environmental consultants have reviewed the assessment and have raised no objections.
- 10.64. There would be some noise from plant, equipment and customers' voices, as well as potential cooking smells and to that end conditions are recommended relating to submission of details for mechanical extraction and limiting the time that patrons can use the outdoor spaces in line with conditions imposed on adjacent premises. Kitchen extract plant is proposed for the development on the western side of the site, away from the residential properties. Full details of the plant to be installed have not yet been determined but, given the small-scale of the extraction equipment that would be required and the distance to residents, no objections are raised.
- 10.65. The Mossbourne Riverside Primary Academy is sited 130m away from the site. The applicant has confirmed that it is unlikely that events featuring volume music / entertainment noise at the site would be concurrent with school hours. PPDT's environmental consultants and officers are satisfied that this would be the case and no objections are raised. The proposals are considered to comply with Local Plan policy BN.11.

#### **Air Quality**

- 10.66. The applicant has submitted an air quality assessment which has been assessed by PPDT's environmental consultants in relation to the effect of the development on local air quality. The results of the air quality neutral assessment indicated that the proposed development would be classed as better than air quality neutral.
- 10.67. The main likely effects on local air quality would be during construction and would relate to dust emissions. Officers consider the imposition of a condition appropriate to include measures to minimise or prevent construction dust, such details required would include wheel washing, appropriate screening etc. This

would ensure that the effects of dust emissions are of minor significance. Officers are satisfied that the imposition of a condition would ensure compliance with Local Plan condition BN.11 and London Plan policy 7.14.

### **Sustainability**

- 10.68. The applicant has provided information regarding energy and sustainability which Officers consider appropriate for the proposed lifespan of this temporary development. The applicant has advised that in order to be able to provide affordable rents while developing an economically viable scheme, the design would not be able to meet BREEAM standards.
- 10.69. Nevertheless, measures have been taken to make it a sustainable scheme. The buildings have been designed with structures and materials that can be easily dismantled and either re-assembled in another location or recycled. Non-recyclable or reusable materials have been minimised as far as possible.
- 10.70. To reduce energy consumption on site the proposed measures include:
- Openable windows, doors and roof lights for the use of natural daylight and ventilation as much as possible and to avoid overheating;
  - Only localised heating and insulation to Blocks A, D and E;
  - All the blocks would be insulated, apart from Block B which is proposed as a sheltered market hall; and
  - Where required, the use of energy efficient plant and equipment.
- 10.71. The proposed buildings would require shallow concrete slab foundations using minimum material to support the buildings.
- 10.72. With regard to water consumption, flow restrictors are proposed in the toilets, showers and wash hand basins to prevent excessive use. In terms of lighting, LED internal and external lighting would be used in order to reduce electricity consumption and CO2 emissions.
- 10.73. Officers and their environmental consultants are satisfied that the proposals demonstrate compliance with Local Plan policies S.2 and S.4 in so far as achieving good standards of sustainable design and construction and minimising carbon dioxide emissions by reducing energy requirements having regard to the longevity of the proposal.

### **Remediation**

- 10.74. A Remediation Technical Note has been submitted with this application in relation to the earthworks and construction activities proposed as part of the development. 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 and accords with London Plan policy 5.21 and Local plan policy BN.13.

## **11. HUMAN RIGHTS & EQUALITIES IMPLICATIONS**

- 11.1. Members should take account of the provisions of the Human Rights Act 1998 as they relate to the proposal and the conflicting interests of the applicants and any third party opposing the application in reaching their decision. 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 (ECHR) 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.



11.2. 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 when determining all planning applications. 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;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.3. Officers are satisfied that the application material and their assessment has taken into account these issues. Officers consider that the effects of the proposal would not be so adverse as to cause harm and justify a refusal of consent or permission.

## **12. CONCLUSION**

12.1. The layout, scale and massing of the proposed development is considered to be acceptable and would respect the context, and form of the surrounding area and neighbouring Hackney Wick Conservation Area in accordance with Local Plan policy. The proposals would not harm the setting of the adjacent conservation areas. Indeed, it is considered by officers that the temporary proposals would have a enhance the setting of the local conservation areas, and would introduce hard and soft landscaping into the urban site.

12.2. The development would assist in creating an attractive destination by bringing into active use a vacant site. The proposed uses (B1 office, A1 retail and the A3/A4 food and beverage units and D1 community) would contribute to creating vibrancy to the Neighbourhood Centre as well as to its wider regeneration. The office development would be made available for local artists/businesses and would encourage local job creation. The development would be made available for local pop-up and start-up businesses, boosting the local economy. The community units with outdoor event space and landscaping would contribute to the vibrancy of the area.

12.3. In conclusion, the proposed temporary development is considered to be acceptable in terms of design and visual appearance and is considered to be compatible with the scale of the existing and emerging surrounding development.

12.4. The proposal would not have a significant impact on the amenity of adjoining occupiers, and there would be no adverse impact on traffic generation.

12.5. The proposed development is therefore, subject to conditions, considered to be acceptable with regards to land use, design, amenity, transport, sustainability, land contamination and security and is in accordance with the relevant national, regional and local planning policies.

## **13. PLANNING CONDITIONS**

### **1. Time limit**

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

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

### **2. Temporary Buildings and Mobile Garden**

The buildings and mobile garden and associated works hereby permitted shall not be retained after 30<sup>th</sup> September 2025 and the structures shall be removed from the site and the land reinstated before the 29<sup>th</sup> December 2025. The site shall be reinstated in accordance with a scheme which shall have first been submitted to and approved in writing by the Local Planning Authority prior to cessation of the uses hereby permitted.

Reason: The structures are not of a type such that the Local Planning Authority is prepared to approve other than for a limited period, having regard to the materials of the structures proposed and to enable the permanent regeneration of the site to occur.

### **3. Works in Accordance with Approved Details**

The development hereby permitted, including demolition and construction, shall not be carried out otherwise than in accordance with the following details and plan numbers:

- (Document titles and drawing references to be inserted ahead of issuing the decision notice)

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.

### **4. Construction Activities**

No construction activities shall be carried out otherwise than in accordance with the approved LCS Site Wide Code of Construction Practice (CoCP) and the LCS Site Wide Construction Transport Management Plan (CTMP). The entrance to the site shall be manned by a qualified competent banksman to ensure vehicle and pedestrian safety at the access to the site from Copper Street and the Copper Box Arena service road.

Reason: To ensure that the construction of the development minimises its impacts on local residents and minimises its impacts upon the strategic transport network in accordance with Local Plan Policy T.4.

### **5. Verification Report**

The development hereby permitted (or a stage of the development as may be agreed in writing with the Local Planning Authority) shall not be occupied until a verification report demonstrating completion of works (as the works apply to that stage, as relevant) set out in the approved Remediation Technical Note (Revision 2, dated May 2018), has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development has been carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan policy BN.13.

## **6. Secured by Design**

The development hereby permitted shall not be first occupied until the details in the External Lighting and Surveillance Strategy, as set out in Section 6.10 of the Design and Access Statement; and the Safety and Security Strategy set out in Section 5 of the Site Management Plan, have been implemented. The development shall thereafter be retained.

Reason: To ensure appropriate regard to Secured by Design in accordance with policy 7.3 of The London Plan (2016).

## **7. CCTV**

The development hereby permitted shall not be first occupied until details of a CCTV system have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the approved CCTV system has been installed and put into use. The CCTV system shall be maintained in good working order for the life of the development and shall include a trained operative on site at all times during the operation of licensable activities. All CCTV recordings shall be kept on site for 31 days and made available for inspection by the relevant authorities. CCTV would be monitored and radio link used to assist security in preventing crime and disorder.

Reason: To assist security in preventing crime and disorder in accordance with policy 7.3 of The London Plan (2016).

## **8. Events Management Co-ordination Framework**

No events shall be held on the site other than in accordance with the approved LLDC Events Management Co-ordination Framework.

Reason: To ensure a coordinated approach to events across the Queen Elizabeth Olympic Park and to ensure that the development is adequately managed and maintained in accordance with London Plan policies 7.3 and 7.5.

## **9. Delivery Servicing Management**

Upon first occupation of the development hereby permitted the Delivery and Servicing Management shall be implemented in full compliance with approved documents Vectos Makeshift Clarnico Quay Transport Statement dated March 2018 and Site Management Plan Clarnico Quay Makeshift March 2018t and shall thereafter continue to be fully implemented for the period of the development.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by noise, in accordance with Local Plan policy BN.11.

## **10. Cycle Parking**

The development hereby permitted shall not be occupied until details of the 75-cycle parking arrangement for both employees and customers have been submitted to and approved in writing by the LPA. The cycle parking spaces shall be installed prior to the first use of the premises in accordance with any such approval given, and it shall be retained for the lifetime of the development. The use of the cycle parking shall be monitored, and a review of this shall be submitted to the Local Planning Authority for its written approval on each anniversary of the commencement of the development; unless otherwise agreed in writing by the Local Planning Authority. If additional cycle parking is demonstrated to be required this shall be provided in accordance with the details of the approved review.

Reason: To promote alternative, sustainable forms of transport, in accordance with Local Plan Policy T.9.

## **11. Travel plan**

The development hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented for the period of the development.

Reason: To ensure that the development does not generate an excessive number of car trips which would be contrary to the Local Plan Policy T.7.

## **12. Ecological Enhancements**

Prior to the commencement of above ground works, details of biodiversity enhancements (bird and bat nesting boxes etc.) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to first use of the development, and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity in accordance with Local Plan policy BN.3.

## **13. Community Hire**

Prior to the occupation of Block C, a Community Hire Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Community Hire Strategy shall detail the arrangements for Block C to be made available for free hire to the local community for a period of 25% of its opening days per calendar year. The Community Hire Strategy shall detail days, times, management and marketing measures; and the development shall not be carried out otherwise than in accordance with the approved strategy.

Reason: In the interests of creating vitality through interim uses, in accordance with Local Plan Policy B.3.

## **14. Commercial Unit and Affordable Rent Strategy**

The development hereby permitted shall not be first occupied until a Commercial Unit and Affordable Rent Strategy has been submitted to and approved in writing by the Local Planning Authority.

The Commercial Unit and Affordable Rent Strategy shall:

- identify how the commercial units (including managed and affordable workspaces) would meet the needs of small local companies and businesses;
- identify how the commercial units would be marketed and allocated to local companies and businesses; and
- set out measures for the management of the commercial units thereafter.

The Commercial Unit and Affordable Rent Strategy shall be updated annually detailing the effectiveness of the strategy and 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 the approved strategy.

Reason: In the interests of providing low cost managed workspace, in accordance with Local Plan Policies B.3 and B.4.

## **15. External Materials**

Prior to the construction of above ground works samples of materials and finishes to be used on the external surfaces of the development of the respective area of land shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development.

Reason: To safeguard the appearance of the buildings and the character of the area generally and to enable the Local Planning Authority to properly consider and control the development in the interest of visual amenity and to accord with Policies BN.1 and BN.4 of the Local Plan 2015.

#### **16. Extract Ventilation**

No A3 use shall commence until suitable equipment to remove and/or disperse odours and odorous material has been fitted to the extract ventilation system in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises.

#### **17. Amplified Sound**

The level of amplified sound from the proposed development, measured as a 15 minute LAeq, shall be set at a level such that it is 10dBA below the concurrent background LA90(15min) level when measured or predicted at 1.0m from the facade of the nearest residential premises. The set level shall be controlled by a noise limiter or other device to ensure that the permitted set level is not exceeded.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by noise, in accordance with policy BN.11 of the Local Plan.

#### **18. Amplified Sound - monitoring**

Within six months of occupation of the site, noise levels including plant noise shall be monitored to ensure that they do not exceed the predicted levels as set out in the approved Noise Impact Assessment and this shall be submitted to the Local Planning Authority for approval in writing. Any mitigation measures identified as being required during monitoring, not identified in the Noise Impact Assessment, shall be implemented as agreed and thereafter be retained for the period of the development.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise, in accordance with Local Plan policy BN.11.

#### **19. Hours of Operation**

The use of the premises shall only be permitted during the hours:

- 0700 to midnight Monday, Tuesday, Wednesday and Sunday and Bank Holiday;
- 0700 to 0100 Thursday, Friday and Saturday; and
- The external areas within the premises shall not be used by members of the public after 10pm.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise from activities or people at or leaving the site, in accordance with Local Plan policy BN.11.

#### **20. Deliveries**

No deliveries nor collections/loading nor unloading shall occur at the development hereby approved other than between the hours of 07:30 to 20:00.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by noise, in accordance with Local Plan policy BN.11.

## **21. Site Management Plan**

Upon first occupation of the development the Site Management Plan Clarnico Quay Make Shift March 2018 shall be implemented in full compliance with the approved document, and shall thereafter continue to be fully implemented for the period of the development.

Reason: To ensure the Local Plan policy BN.1.

## **22. Lighting**

No architectural lighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed scheme, which shall include level of luminance and light spill, and shall provide for lighting that is low level, hooded and directional, and has been previously submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of ecology and local amenity in accordance with Local Plan policy BN.3.

## **23. Lighting – lux levels**

External artificial lighting at the development shall not exceed 2 lux levels of vertical illumination at the Lea Navigation canal and neighbouring premises and shall be minimized and glare and sky glow shall be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Institution of Lighting Professionals in the 'Guidance Notes for The Reduction of Light Pollution 2011' Guidance Notes.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with policy BN.1.

## **24. Landscaping**

Relevant landscape works shall not be commenced until the following information has been submitted to and approved in writing by the Local Planning Authority:

- Detailed 1:50 drawings (or at an alternative scale agreed with the LPA) and illustrative material (where appropriate) of any hard and soft landscape works including planting / species mix, colour, type and patternation treatments hard surfaces (including any wind mitigation measures).
- Samples of materials shall be provided in accordance with Condition [15];
- Full details of the treatment of site boundaries (including species mix, bollards, picket, steel and elephant grating fencing);
- 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;
- Approach to the areas identified for 'Future Community Planting' and 'Future Community built furniture and artwork'. Such details shall set out:
  - Ecological considerations for community planting;
  - Location of tables and chairs;
  - How inclusive access furniture is to be provided;
- Details including plans, elevations and specifications of any play equipment including skate park details to be provided (or anticipated timing, where this is not provided at first occupation); and
- Details of parapet/balustrade around the terraced areas;

- Management arrangements for areas of retained landscape, community planting and soft landscape treatments set out above.

For the avoidance of doubt, the above details shall not relate to the area identified as the Mobile Garden. All landscape to the Mobile Garden works shall be implemented as approved.

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 of the respective area of land 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.

All landscaping works shall be maintained in accordance with the approved details and retained for the period of the development unless otherwise agreed in writing in advance by the Local Planning Authority.

Reason: To ensure the proposed development would enhance the visual amenities of the locality and in order that the Local Planning Authority may ensure that the design and details are of high quality and to be in accordance with Policies BN.1 and BN.3 of the Local Plan 2015.

## **25. Refuse**

No part of the development hereby approved shall be occupied prior to the provision of the refuse storage, as indicated on the approved drawings. All refuse generated by the development hereby permitted shall be stored within these enclosures. The waste management shall be carried out in accordance with the 'Refuse and Recycling Strategy' as set out in the Design and Access Statement and retained for the period of the development unless otherwise agreed in writing in advance by the Local Planning Authority.

Reason: To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Local Plan Policy S.6.

## **26. Sustainability**

The proposed sustainability measures as set out in the 'Sustainability Strategy' of the Design and Access Statement shall be implemented in accordance with the strategy upon commencement of the development. The approved measures are to be retained for the period of the development unless otherwise agreed in writing in advance by the Local Planning Authority.

Reason: In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of The London Plan (2016).

## **Informatives**

1. The applicant is reminded of the need to apply to the Local Planning Authority for approval in writing for advertisements consent for any signage proposed to be displayed in or around the site.
2. In accordance with LFEPA guidance the applicant is strongly recommended to ensure the installation of sprinklers in the new development. The development shall conform with Part B5 of Approved Document B of the Building Regulations.
3. HS1 Informatives to be added

## **Appendices**

Appendix 1 – Location Plan

Appendix 2 – Drawings

Appendix 3 – QRP report