Subject: 34-38 Wallis Road, Hackney Wick, E9 5ET - 19/00004/FUL
Meeting date: Tuesday 26 March 2019
Report to: Planning Decisions Committee
Report of: Russell Butchers, Senior Planning Development Manager

FOR DECISION

This report will be considered in public

1. EXECUTIVE SUMMARY

1.1. This report concerns an application to demolish the existing boundary wall and erect two linked six-storey buildings to provide a 240-hotel room, 728sqm of Class B1a co-working space, 648sqm of Class B1c workspace, 514sqm of flexible Class A1/A3/A4 retail space and a 404sqm restaurant (Class A3). The proposal includes associated public realm and landscaping. The buildings would have a height of 23.65m to the top of the parapet and 26.45 to the top of the lift overrun.

1.2. To address concerns over flood risk, the development has been designed to be largely floodable at ground floor level, with only small non-floodable areas, such as cores, structure and substation.

1.3. The site is currently used for the purposes of storing skips and containers (Class B8), and the loss of this use is acceptable as the proposed use would result in a significant increase in employment density, and would be expected to create up to 214 jobs across the site, including 73 within B Use Classes.

1.4. The proposal to demolish the existing boundary wall, which is a non-designated heritage asset, is also considered to be acceptable as it has been assessed to be an asset of low heritage significance that provides only a negligible contribution to the setting of the White Post Lane and Fish Island Conservation Area. Furthermore, the proposed development has been assessing as resulting in a minor enhancement to the visual setting of the nearby White Post Lane & Fish Island and Hackney Wick Conservation Areas, and the proposal is acceptable in this regard.

1.5. The design and appearance of the proposed development, which is considered a tall building for the purposes of the Local Plan, is of a high-quality and is considered to satisfy the requirements of Policy BN.10 of the Local Plan, including that it exhibits outstanding architecture.

1.6. The quality of the hotel rooms would be acceptable and would provide a suitable environment for short-stay accommodation. To ensure that the development is used as a hotel, and not long-term accommodation, a 90-night restriction per calendar year is proposed through a planning condition.

1.7. The proposed workspace is also of a suitably high quality, and the applicant has committed to providing all B1a and B1c workspace as low-cost, and this would be secured through a legal agreement.
1.8. Subject to a planning condition requiring that a minimum of 10 per cent of hotel bedrooms be provided as wheelchair accessible from the outset, the proposed development would be acceptable with respect to inclusive design.

1.9. The neighbouring amenity, transport, flood risk and other environmental matters relating to the application have been assessed as being acceptable.

1.10. Subject to the planning conditions set out at the end of this report, and the satisfactory completion of a s.106 legal agreement, the proposed development is considered to be acceptable.

2. RECOMMENDATIONS

2.1 The Committee is asked to:

a) Approve the application for the reasons given in the report and grant planning permission subject to:

1. The satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and

2. The conditions set out in this report.

b) Agree to delegate authority to the Director of Planning Policy and Decisions to:

1. Finalise the recommended conditions and informatives as set out in this report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the s.106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;

2. Finalise the recommended legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and

3. Complete the s.106 legal agreement referred to above and issue the planning permission.

3. FINANCIAL IMPLICATIONS

3.1. None.

4. LEGAL IMPLICATIONS

4.1. None.
Location: 34-38 Wallis Road, Hackney Wick, London, E9 5ET
London Borough: Tower Hamlets
Proposal: Demolition of the existing boundary wall and redevelopment of the site for a mixed-use development comprising a 240-bedroom hotel (Class C1), light industrial workspace (Class B1c), co working space (Class B1a), restaurant (Class A3) and flexible space for retail, food and drink uses (Class A1/A3/A4) including landscaping, plant and associated works.
Applicant: TCHW Properties Ltd
Architect: Hawkins Brown
Agent: DP9

5. SITE & SURROUNDINGS

5.1. The application site is a 2,159sqm (0.2159 ha) island block that is bounded by Wallis Road to the north, Hepscott Road to the east and White Post Lane to the south and west. The site is located within the London Borough of Tower Hamlets, and is adjacent to the Tower Hamlets boundary with the London Borough of Hackney (to the north).

5.2. A permanent traveller’s site (Palace Close and St Anthony’s Close) is located to the north of the site, which accommodates eight single storey dwellings set within areas of hardstanding. The Lord Napier Public House, which has planning permission for full refurbishment, is located to the east.
5.3. To the south and south-east of the site are three Aitch Group pre-dominantly residential developments which are all currently undergoing development and are nearing completion. 24-26 White Post Lane has planning permission (ref 15/00416/FUL) for a part-five part-six storey building to provide 55 flats and 2,367 sqm of commercial space. 54-56 White Post Lane has planning permission (reference 15/00540/FUL) for a six-storey development to provide 103 flats and 2,916 sqm of commercial floorspace. 1-2 Hepscott Road has planning permission (reference 15/00446/FUL) for a six-storey development to provide 30 dwellings and 922 sqm of commercial floorspace.

5.4. The size and configuration of the application site creates a long and narrow plot with significant north west facing frontage to Wallis Road and south east facing frontage to White Post Lane. A shallow Thames Water sewer runs across the western and northern edges of the site. The sewer is a significant constraint to redeveloping the site.

5.5. The site has a long history of industrial use, including the former Hope Chemical Works, and is currently used for the open storage of skips and shipping containers. The site is enclosed by a 3m high brick boundary wall and has no buildings within its boundary.

5.6. The site is located adjacent to and within the setting of the Fish Island & White Post Lane Conservation Area and is also close to the southern boundary of the Hackney Wick Conservation Area. The application is located immediately to the west of the Hackney Wick Neighbourhood Centre and the boundary of the Hackney Wick Masterplan outline planning permission (reference 16/00166/FUL).

5.7. Despite being located outside the Fish Island & White Post Lane Conservation Area, the existing 3m high brick boundary wall is identified as a non-designated heritage asset within the Local Plan that contributes to the setting of the conservation area. The two-storey Lord Napier Public House is a non-designated heritage asset to the east of the application that is located within the conservation area boundary. The proposed development would be visible from the Fish Island & White Post Lane Conservation Area from the east along White Post Lane and from within the Hackney Wick Conservation Area from south west views along Wallis Road.

5.8. Wallis Road is an important vehicular, pedestrian and cycle route into and through Hackney Wick. It is also a major pedestrian thoroughfare used by parents and children during school run hours, connecting the residential areas west of the A12 to the Mossbourne Riverside Academy and Gainsborough School. The site is located adjacent to the recently redeveloped Hackney Wick station and served by a local bus route (no. 276). The eastern end of the site benefits from a Public Transport Accessibility Level (PTAL) of 4 (‘good’). This reduces to 3 (‘moderate’) at the western end of the site. Hackney Wick station is served by the London Overground.

5.9. The application site is Flood Zone 3 and is therefore considered to have a high probability of flooding.

6. RELEVANT PLANNING HISTORY

6.1. Planning application reference 12/00155/FUL was submitted on 22 January 2012 for the redevelopment of the site to provide a mixed-use block of 80 flats with commercial space at the ground floor. Following concerns raised by officers in relation to design, density, affordable housing, access and servicing, the application was withdrawn by the applicant on 22 January 2014.

6.2. Planning application reference 14/00019/FUL was submitted on 23 January 2014 to redevelop the site to provide 54 residential units, 630 sqm of retail space and
221sqm of office space. The Environment Agency objected to the application on flood risk grounds and the applicant withdrew the application on 9 February 2015.

6.3. In October 2017 the applicant submitted two concurrent applications to redevelop the site. Application reference 17/00495/FUL seeks partial demolition of the existing boundary wall and redevelopment of the site to provide 51 flats, 702sqm of retail or community space and 408sqm of artists’ studio space. Application reference 17/00496/FUL seeks alterations to the existing wall and redevelopment of the site to provide 52 flats. These two applications are still live and pending consideration, although it is noted that the two applications are not being actively pursued and are likely to be withdrawn.

7. **APPLICATION PROPOSAL**

7.1. The application seeks to demolish the existing boundary wall and hardstanding and redevelop the site to provide two six-storey buildings, (connected by a first-floor link bridge) to provide a 240-bed hotel (Class C1) (7,436sqm), with 648sqm of light industrial workspace (Class B1c), 728sqm of co-working space (Class B1a), 404sqm of café/restaurant (Class A3) and 514sqm flexible retail space (Class A1/A3/A4). The buildings have height of 23.65m above ground level to the top of the parapet and a maximum height of 26.45m to the top of lift overrun.

7.2. The ground floor of the proposed development has been designed to mitigate the flooding constraint and includes floodable elements. Non-floodable areas have been kept to a minimum and comprise the hotel lobby, cores, structure and substation.

7.3. At the ground floor a ‘Maker Yard’ (Class B1c), which would provide industry focused makerspace, and a ‘Market Yard’ (flexible Class A1/A3/A4) which would include retail, food and beverage provision, are proposed. At mezzanine level 472sqm of Class B1a co-working space is proposed and a restaurant. At first floor level a link bridge is proposed at first floor to connect the two buildings, as well as the hotel reception/lobby and 28 hotel rooms; a typical upper floor would include 53 hotel rooms. Each floor would have step-free access via a lift and accessible hotel rooms are provided on each floor with hotel accommodation. The fifth floor would include a private lounge for hotel guests. The roof would contain photovoltaic panels and would not be accessible to guests or the wider public.

7.4. The hotel would comprise 192 standard bedrooms, 14 accessible bedrooms and 34 adaptable bedrooms. The hotel bedrooms would range in size from 16.4sqm for a standard room, 25sqm for an adaptable room and 25.8sqm for an accessible room and a typical room would include a double bed, kitchenette, bathroom and Juliette balcony.

7.5. The proposed external facing materials to be used in the development would comprise a dark red clinker brick, pigmented concrete, with light and dark bronze metalwork. The proposed landscaping would comprise concrete paving, two species of trees and timber/metal bench seating.

8. **POLICIES & GUIDANCE**

**National Planning Policy**

**National Planning Policy Framework (February 2019)**

8.1. The National Planning Policy Framework sets out national planning policy and is a material consideration in planning decisions. It sets out a presumption in favour of sustainable development which Plans and decisions should apply. This requires that in order to achieve this, development proposals that accord with an up to date development plan should be approved without delay.
8.2. Where there are no relevant development plan policies or the policies that are most relevant are out of date, that permission is granted unless the application of policies within the NPPF that protect areas or assets of particular importance provides a clear reason for refusing development, or any adverse impacts of granting permission would significantly or demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

8.3. The NPPF should be read in conjunction with the Planning Practice Guidance, a web-based resource for all users of the planning system. This set out detailed guidance in support of the policy areas in the NPPF, including the importance of good design and how this can be achieved through planning decisions.

8.4. The following sections of the NPPF are relevant to this development:

   - Section 2 – Achieving sustainable development
   - Section 6 – Building a strong, competitive economy
   - Section 7 – Ensuring the vitality of town centres
   - Section 8 – Promoting safe and healthy communities
   - Section 9 – Promoting sustainable transport
   - Section 11 – Making effective use of land
   - Section 12 – Achieving well-designed places
   - Section 14 – Meeting the challenge of climate change, flooding and coastal change
   - Section 15 – Conserving and enhancing the historic environment

**Regional Planning Policy**

**Draft London Plan (December 2017)**

8.5. The Mayor of London published a draft New London Plan for consultation in November 2017. This, along with proposed minor suggested changed (July 2018) has been submitted for an Examination in Public (EiP) to the Secretary of State and the EiP is currently underway. Its policies have material weight in making planning decisions with that weight being greater for those policies that have not been challenged through response to consultation. It will replace the current London Plan once the Mayor has received the Examination Panel’s report and published a final version.

8.6. Draft policies that are particularly relevant to this application include:

   - Policy SD8 Town centres: Development principles and Development Plan Documents
   - Policy D2 Design quality
   - Policy E10 Visitor infrastructure
   - Policy HC1 Heritage conservation and growth.

**London Plan (March 2016)**

8.7. The London Plan (Consolidated with alterations since 2011) is the Mayor of London’s Sustainable Development Strategy published in accordance with the provisions of the Greater London Authority Act 1999 (as amended). It forms part of the Development Plan for the Legacy Corporation area and therefore has material weight in planning decisions.

   - Policy 2.13 Opportunity Areas and Intensification Areas
   - Policy 2.15 Town centres
   - Policy 4.1 Developing London’s economy
   - Policy 4.5 London’s visitor infrastructure
Policy 4.7 Retail and town centre development
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.4A Electricity and gas supply
Policy 5.6 Decentralised energy networks in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.15 Water use and supplies
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 5.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.1 Lifetime neighbourhoods
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.14 Improving air quality
Policy 7.15 Reducing and managing noise
Policy 7.19 Biodiversity and access to nature

**Mayor of London Supplementary Planning Guidance**

The following SPGs, which give further detail on London Plan policies, are relevant to the proposed development:

- Culture and night-time economy (November 2017);
- Accessible London (October 2014); and
- Town centres (July 2014).

**Local Planning Policy**

**LLDC Local Plan (July 2015)**

Policy SD.1 Sustainable development
Policy SP.1 Building a strong and diverse economy
Policy B.1 Location and maintenance of employment uses
Policy B.2 Thriving town, neighbourhood and local centres
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.3 Maximising biodiversity
Policy BN.5 Requiring inclusive design
Policy BN.10 Proposals for tall buildings
Policy BN.11 Reducing noise and improving air quality
Policy BN.12 Protecting archaeological interest
Policy BN.16 Preserving or enhancing heritage assets
Policy T.4 Managing development and its transport impacts
Draft Revised LLDC Local Plan (2018)

8.8. A review of the Local Plan has been undertaken and the proposed changes to the Local Plan have been submitted to the Secretary of State in accordance with Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations 2012. The proposed changes have a material weight in making planning decisions, with the weight that can be attributed to individual changed policies being related to whether that change has been challenged through response to consultation on the Publication Draft Revised Local Plan (October 2019) undertaken in accordance with Regulation 19 of the Local Planning Regulations.

8.9. Where the weight of new policies or policy changes are affected in this way, this report outlines this within the specific assessment of the proposal against that relevant policy. The revised Local Plan will only gain its full material weight and replace the current Plan once it has been adopted following conclusion of the Examination.

9. CONSULTATION

9.1. Consultation letters were sent to statutory and non-statutory consultees on 17 January 2019.

9.2. A site notice was placed at the site on 21 January 2019 and a press notice was published in the East London Advertiser on 24 January 2019.

9.3. On 17 January 2019 notification letters were sent to 34 neighbouring properties (including residential and commercial addresses) in the immediate vicinity of the application site.
Representations from members of the public

9.4. One response was received from a member of the public, supporting the application for the following reasons:

- the proposal would complement HWFI’s designation as a Creative Enterprise Zone;
- the proposed design is of a high quality and the internal space is interesting;
- the ground floor and mezzanine workspaces would be affordable and flexible; and
- the ‘lifestyle’ hotel concept might attract additional visitors to the area.

Representations from statutory and non-statutory consultees

9.5. The parties consulted are listed below. Those that provided a response are shown in bold.

Affordable Wick
Association of Iron Works Residents
Engie
Environment Agency
Greater London Archaeology Advice Service (GLAAS)
Greater London Industrial Archaeology Society (GLIAS)
Hackney Wick and Fish Island Cultural Interest Group
London Borough of Hackney – Planning
London Borough of Tower Hamlets (LBTH) – Planning
LBTH – Arboriculture
LBTH – Environmental Health
LBTH – Highways
LBTH – Waste
LBTH – Flooding
LLDC Design
LLDC Inclusive Design
LLDC Regeneration
LLDC HWFI Developer and Business Engagement
London Ambulance
London Fire Brigade
London Overground
Metropolitan Police
Network Rail
Save Britain’s Heritage
Thames Water
Transport for London
UK Power Networks
9.6. The responses of the above consultees are summarised below.

**Hackney Wick and Fish Island Cultural Interest Group (Creative Wick)**

9.7. Creative Wick have advised that they support the proposed application as the proposed development would provide flexible commercial space for use by the artistic and creative community, generate employment opportunities and had the potential to deliver a new creative and cultural hub that would support Hackney Wick’s existing character. Creative Wick consider that the hotel use would support the local creative industry. The proposal to provide affordable workspace for the local creative and artistic community is supported.

**Environment Agency**

9.8. The Environment Agency advised that they had no objection to the proposed development as the proposal would not result in an increased flood risk, less vulnerable uses are proposed at ground floor and services at ground floor would be placed 300mm above the 1 in 100-year (plus climate change) flood level.

**Transport for London (TfL)**

9.9. TfL advised the proposal would not have a significant impact on the strategic highway or public transport network and that they have no objection to the proposed development.

9.10. TfL have requested that details of the cyclist changing facilities associated with the employment space should be provided, and that a construction logistics plan secured through a planning condition. A contribution towards local public realm, connectivity and wayfinding should be secured.

9.11. Officer comment: Cyclist changing and showering facilities would be secured as a planning condition and a contribution towards local public realm and wayfinding are recommended to be included.

**London Borough of Tower Hamlets – Planning**

9.12. LBTH have provided the following observations:

9.13. Land use: As the hotel is not in a town centre location the applicant should demonstrate that there is demand for this type of use and that the size is proportionate to its location, adjacent to the neighbourhood centre. It should also be demonstrated that the hotel use would not compromise the supply of land for new homes, cause an overconcentration of hotel uses or cause harm to residential amenity.

9.14. Design: The scheme represents a high quality of design, in keeping with the industrial heritage and emerging context. Concern has been raised over the tone of the pigmented concrete.

9.15. Officer comment: Land use is assessed from section 10.2 to 10.36 of this report and the proposed used has been assessed as acceptable. The site is not an allocated housing site and its use for no-residential purposes would not affect LLDC’s housing delivery targets Materials samples are recommended to be secured by planning condition, and this would include pigmented concrete.
London Borough of Tower Hamlets – Highways

9.16. LBTH Highways advised that the development should include provision for a s.278 highways agreement, to include public footway improvement works surrounding the development along White Post Lane, Wallis Road and Hepscott Road. The developer should liaise with the Highway Authority to agree the scope of the public highway improvements prior to the completion of the development.

9.17. Officer comment: The requirement to enter into a s.278 agreement is recommended to be included as a planning obligation. A contribution towards public realm improvement works is also recommended to be included within the legal agreement.

London Borough of Tower Hamlets – Environmental Health

9.18. With respect to air quality, further information should be submitted with respect to mechanical ventilation and heat recover, with particular reference to inlet points. No hot food use should be permitted until details of odour control have been provided. A construction site dust control planning condition has been suggested.

9.19. With respect to land contamination, planning conditions have been suggested regarding site investigations and remediation verification.

9.20. Officer comment: Planning conditions are recommended to be included with respect to ventilation and heat recovery, extraction, site dust control and land contamination.

Metropolitan Police

9.21. The Metropolitan Police have advised that they have met with the architects and that they have no objection to the proposed development, subject to a planning condition requiring the submission of Secured by Design details.

9.22. Officer comment: A Secured by Design condition is recommended to be included in the planning permission.

GLAAS

9.23. GLAAS have advised that there is no archaeological requirement for this site and that no further assessment or conditions are necessary.

London Overground

9.24. London Overground advised that as their network runs on Network Rail infrastructure in this location and Network Rail should be consulted for comment.

Network Rail

9.25. Network Rail advised that they have no objection from an asset management perspective. Any cranes where the collapse radius is within Network Rail land will need to be approved by Network Rail prior to any crane activities commencing.

9.26. Officer comment: An informative containing the information regarding the cranes is proposed.

London Fire Brigade

9.27. London Fire Brigade advised that the Commissioner is satisfied with the proposals. LFB have advised that the use of sprinklers is strongly recommended.

9.28. Officer: The applicant submitted a Fire Safety report and this would be included as an approved document. An informative with respect to the use of sprinklers is proposed.
**Thames Water**

9.29. Thames Water advised that they have no objection with respect to the water network infrastructure capacity.

9.30. Conditions have been requested with respect to the need for a potential water network upgrade.

9.31. As the site includes underground water assets and a sewer, Thames Water have requested informatives with respect to ground water discharges, trade effluent consent, and guidance for working near Thames Water assets.

9.32. Officer comment: It is recommended that the conditions and informatives suggested by Thames Water are included.

**PPDT Heritage Consultant (MOLA)**

9.33. MOLA advised that the non-designated heritage asset wall was of low heritage significance and provided a negligible contribution to the setting of the conservation area and that the demolition of the wall would provide no adverse heritage impacts.

9.34. MOLA advise that the proposed development overall would have a minor positive heritage impact upon the setting and significance of the Fish Island & White Post Lane Conservation Area and that the proposal would accord with relevant national and local policies.

9.35. MOLA have recommended a planning condition requiring details and/or materials samples for bricks and mortar, brick courses, fenestration and balcony metalwork.

9.36. Officer comment: Such a condition is recommended to be included in the planning permission.

**PPDT Environmental Consultant (Arup)**

9.37. Arup reviewed the technical and environmental documents that were submitted with the application. Outstanding matters have been identified by Arup, however the majority of these require clarifications or the submission of additional information. It is officers’ view that there are no matters that are unable to be resolved or that would require fundamental changes to the scheme. However, these matters would need to be resolved prior to issuing a decision notice, if planning permission were to be approved.

9.38. At the time of writing the committee report there were outstanding matters in relation to:

- flood risk;
- site waste management;
- utilities;
- sustainability;
- ecology;
- contamination;
- daylight and sunlight;
- air quality;
- noise and vibration; and
- energy.

**PPDT Transport Consultant (Jacobs)**

9.39. Jacobs reviewed the travel plan, transport assessment and delivery and servicing plan that was submitted with the application. Clarification and updated information has been provided and these matters are considered to be resolved.
**LLDC Design**

9.40. LLDC officers advised that the building design and aesthetics at upper levels were supported and that the design response to the flood risk concerns should be commended. Concern was raised over the relatively low quantum of workspace provision and the suitability of the Maker Yard workspace for B1c use, and whether it is fit for purpose.

9.41. Officer comment: Land use matters have been assessed as being acceptable and are consistent with Policy B.1 of the Local Plan. Officers are satisfied that the B1c maker space is of a suitably high quality, including features such as double height workspace, full height access openings and ‘back of house’ space.

**Quality Review Panel**

9.42 The scheme was reviewed at pre-application stage on 1 November 2018 and at planning application stage on 14 March 2019. The latest QRP report is included with this report at Appendix 1.

9.43 In the November 2018 review, QRP advised that they supported the proposed scale and massing but suggested refinements with respect to the ground floor edging – arguing against glazing and requesting a more robust treatment that suited the proposed uses. The panel supported the proposed uses at ground and mezzanine levels, which reflected the special character of Hackney Wick. The panel did not object to the loss of the boundary wall and saw no merit in retaining it. The proposed materials and the extensive use of brick were supported.

9.44 A further review of the scheme took place on 14 March 2019, whereby the Panel confirmed that they support approval of the planning application and that the refinements to the design respond well to the comments given in November 2018. The Panel advised that the scale and massing of the building would work well and that the architecture promises a building with a strong and distinctive personality. The Panel confirmed that the building had to potential to meet the criteria of policy BN.10 (Tall buildings), and that to achieve this it would be essential to ensure that the highest quality is maintained through to detailed design, materials and construction.

10. **ASSESSMENT OF PLANNING ISSUES**

10.1. The main issues relevant to this application are:

- land use;
- heritage;
- design and appearance;
- quality of hotel accommodation;
- quality and affordability of workspace;
- accessibility and inclusive design;
- neighbouring amenity;
- transport;
- sustainability;
- flood risk; and
- environmental matters.

**Land use**

10.2. Part 11 of the NPPF advises that planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses. The application site is a previously developed ‘brownfield’ site and its redevelopment for another use is supported by the principles of the NPPF.

10.3. The application site is also not an allocated housing site within the Local Plan, and the revised Local Plan allocates sufficient sites to deliver against the Legacy
Corporation’s housing targets and the proposed non-housing use would not compromise the delivery of new homes.

10.4. The site is currently used for the storage of skips and shipping containers (Use Class B8) and does not contain any buildings or permanent employment facilities. The application site is not within an employment cluster and is not designated industrial land.

10.5. Policy B.1(5) of the Local Plan requires that proposals on employment land outside the clusters must either maintain or re-provide industrial floorspace within B2/B8 Use Classes, or either maintain or re-provide equivalent employment floorspace within B1 Use Classes, or significantly increase job densities within B Use Classes.

10.6. The applicant has advised that the site does not currently support any permanent employees itself, as it is used for off-site storage purposes associated with the McGrath waste transfer operation.

10.7. Utilising the Employment Densities Guide (2015), the proposed development would be expected to generate up to 73 jobs within B Use Classes (i.e. B1a and B1c) and officers are satisfied that this represents a significant increase in job density and the proposal is thus consistent with Policy B.1. In addition to the jobs generated within B Use Classes, the proposal could generate up to 80 jobs associated with the hotel use and 61 jobs associated within the retail use, bringing the total number of jobs created to up to 214.

10.8. Policy 4.5 (London’s Visitor Infrastructure) of the London Plan states that development should support London’s visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seek to improve the range and quality of provision. The Mayor’s Tourism vision sets out key objectives to develop the quality of accommodation; enhance visitors’ perceptions of value for money and improve the inclusivity and accessibility of the visitor experience. To ensure adequate hotel provision the Plan sets a target of 40,000 net additional hotel rooms by 2036. The draft new London Plan policy E10 advises that it is estimated that 58,000 additional bedrooms of serviced accommodation will be required by 2041.

10.9. Policy 4.5 directs the provision of hotels and new visitor accommodation outside the Central Activities Zones into town centre locations, opportunity areas and intensification areas with good public transport access to Central London. The proposed hotel is located within the Lower Lee Valley Opportunity Area (London Plan policy 2.13); the policy seeks inter alia to optimise residential and non-residential outputs and densities to provide necessary social and other infrastructure to sustain growth, and where appropriate, contain a mix of uses.

10.10. The application proposes 7,436sqm of hotel use (Class C1), 1,376sqm of employment (Class B1) and 918sqm of A1/A3/A4 retail floorspace. These uses are generally considered to be appropriate to a town centre location. The NPPF advises that main town centre uses should be located in a town centre, and then in edge of centre locations.

10.11. Policy B.2 of the Local Plan advises that main town centre uses should be focused according to the scale, format and position in the retail centre hierarchy (Table 3) of the Local Plan. Table 3 sets out that the retail centre hierarchy for the LLDC area is the Stratford Metropolitan Centre (SMC), followed by the Bromley by Bow potential District Centre, the Hackney Wick Neighbourhood Centre (HWNC), and then the Pudding Mill, and East Village Local Centres.

10.12. Policy B.2 advises that retail and leisure units over 2,500sqm should be directed toward the SMC, however it is noted that a hotel use is not a leisure or retail use (being a C Class accommodation use). Notwithstanding this, it is clear that the
Local Plan envisages that large-scale town centre uses are most appropriate within the SMC.

10.13. As the proposed development would be located outside of a town centre, the NPPF advises that a sequential test is required. The sequential test obliges local planning authorities to require applications for main town centre uses to be located in town centres, followed by edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

10.14. As the proposed development includes 918sqm of retail floorspace (A1/A3/A4) and Policy B.2 advises that an impact assessment is required for retail uses that exceed 200sqm outside of the HWNC. An impact assessment is not required for the hotel use as it is not a retail or leisure use.

Sequential test

10.15. Whilst the application site does not fall within the HWNC boundary, it is immediately adjacent to it, and is therefore an ‘edge of centre’ location for the purposes of the sequential test. When considering edge of centre locations, the NPPF advises that preference should be given to accessible sites which are well connected to the town centre.

10.16. The application site is located immediately adjacent to the HWNC, is 100m from Hackney Wick Overground Station and has a Public Transport Accessibility Level of 3 to 4 (‘moderate’ to ‘good’).

10.17. The applicant has completed a sequential test that demonstrates why potential alternative sites within the SMC and the HWNC are not practical in terms of the availability, suitability and viability. The findings of the sequential test are set out in the Hotel Policy Assessment (HPA) that was submitted with the application.

10.18. The HPA includes an assessment of potential alternative sites for the proposed development within the SMC or the HWNC, and this was extended to include at Stratford Bus Layover site and Forward Incident Control Point, at the request of officers. The HPA concludes that there are no suitable alternative sites, and this conclusion is accepted by PPDT.

Impact assessment

10.19. The NPPF advises that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (which is 200sqm for the HWNC).

10.20. This should include assessment of:

a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

10.21. The NPPG states that the purpose of the impact assessment is to ensure that the impact over time (10 years for major schemes) is not significantly adverse.

10.22. The proposal includes 514sqm of flexible A1/A3/A4 retail space and an additional 404sqm of A3 floorspace, and as this amounts to more than the 200sqm threshold set out in Policy B.2 of the Local Plan, a retail impact assessment is required.
10.23. The submitted retail impact assessment advises that the proposed retail space is small scale and intended to serve local residents, workers and guests. The retail space also presents the opportunity for goods produced in the Maker Yard to be sold in the Market Yard.

10.24. The 2018 LLDC Combined Economy Study advises that Hackney Wick is an emerging neighbourhood centre with a strong night-time economy and a growing business profile and it is noted 4,453sqm of additional retail space proposed as part of the Hackney Wick Masterplan. The retail uses proposed as part of this application would be located towards the Hackney Wick Station end of development, which adjoins the boundary of the HWNC.

10.25. Officers consider that the proposed quantum of additional retail space would support and complement the function of the neighbourhood centre and given its proximity to its boundary, and that it would not be detrimental to its vitality or viability, nor draw customers away from the centre.

Suitability of Hackney Wick for a 240-bed hotel development

10.26. In accordance with the NPPF, there is no policy requirement for an impact assessment to be undertaken in relation to the hotel use (or the B1 uses). Notwithstanding this, the applicant has assessed the impact of the hotel upon the HWNC.

10.27. The assessment advises that there is no clear strategy for promoting hotel development within either the SMC or the HWNC and that there are no allocated hotel sites. Officers disagree with this assessment, and consider that the Local Plan makes it clear that there is a ‘town centres first’ approach and also that uses supporting cultural, tourist and visitor experience would be most appropriate either within or at the edge of the SMC. Whilst there are no specifically allocated hotel sites, a hotel proposed within (or on the edge of) the Metropolitan Centre would be consistent with the Local Plan.

10.28. The report also advises that given the scale of the hotel, that there would not be any adverse impact upon the SMC and that the hotel would be complementary to the HWNC. Officers are satisfied that the proposed 240-bed hotel would not adversely affect the SMC, as given its scale the SMC would clearly remain as the focal point in terms of the overall cultural, retail and visitor offer.

10.29. The 2018 Retail and Town Centre Needs Assessment (RTCNA), which was undertaken to inform the review of the Local Plan, identifies a potential role for a hotel use in Hackney Wick. The report concludes that whilst the LLDC area is well-served by a range of national and independent hotel, there are opportunities to contribute towards demand, given the scale and type of development taking place.

10.30. The RTNCA identifies that “In Hackney Wick and Bromley by Bow future visitor accommodation would be integral to the evolution of the cultural offer. The location of new hotel provision and scale is determined by NPPF and LLDC Local Plan requirements, however given the significant role of the Metropolitan Centre in the overall hierarchy it is anticipated that large scale development is likely to be located here in the first instance”.

10.31. The Creative and Cultural Opportunities Assessment (2018) looked at hotel demand from the cultural perspective highlighting in paragraph 7.25 that “In Hackney Wick and Bromley-by-Bow, future visitor accommodation should be seen as integral to the evolution of the cultural offer. It may, in these areas, be possible to add value to their creative and cultural identity by supporting a less conventional offer than is currently available within the LLDC area”.
10.32. The applicant advises that the proposed hotel should be viewed as a different type of hotel to what is currently offered in the SMC, which includes a mixture of budget and chain brand hotels. The applicant advises that the proposed hotel would be a unique offer, that seeks to support the creative industries, tech and other emerging sectors, that would complement the character of Hackney Wick.

10.33. Officers note that the proposed hotel is supported by the Hackney Wick & Fish Island Cultural Interest Group, who have advised that “hotel space within Hackney Wick is much needed and will further support the local creative business community, particularly if it can provide affordable accommodation opportunities for creative exchange and artist residencies”.

10.34. To ensure that the type of operation of the hotel does contribute to Hackney Wick’s unique character and, it is recommended that a hotel operational plan is secured through a planning obligation prior to first use of the hotel.

10.35. The Local Plan advises that within Sub Area 1 there is the potential for an additional 20,000 sqm of retail space west of the River Lee Navigation and the retail hierarchy table indicates that HWNC has the potential to include up to 10,000sqm of retail floorspace, including existing. The Hackney Wick Masterplan approved 4,500sqm of additional retail floorspace. Whilst a hotel use is not ‘retail’, it is a town centre use and the provision of 7,436sqm of hotel space needs to be weighed against overall 10,000sqm size of the HWNC. However, officers are satisfied that unique-style of hotel that is targeted towards the creative and tech industries within Hackney Wick (and that would likely also serve Here East), is an appropriate use and would complement the area. As a hotel use is not a retail use, it would not adversely affect the retail hierarchy set out in the Local Plan or create a disproportionate amount of town centre use.

10.36. A hotel of this scale would also support the HWNC through providing visitor accommodation to support the significant increasing in business floorspace that is occurring in the area as well as increase in visitors. On that basis, officers are satisfied that the application site is suited to a hotel development and that the proposal is consistent with policies SP.1 and B.2 of the Local Plan.

**Heritage**

10.37. The eastern side of the application site adjoins the Fish Island & White Post Lane Conservation Area and at its closest point the site is approximately 20m to the south of the Hackney Wick Conservation Area, which is located on the northern side of the railway line. The application site does not contain any nationally designated heritage assets (i.e. listed buildings) but the existing boundary wall is identified as a non-designated (locally listed) heritage asset in the Local Plan.

**Loss of boundary wall**

10.38. Paragraph 197 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing an application that directly or indirectly affects a non-designated heritage asset, the NPPF states that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

10.39. Paragraph 198 of the NPPF advises that local planning authorities should not permit the loss of a heritage asset without taking all reasonable steps to ensure that the new development will proceed after the loss has occurred. Paragraph 199 advises that local planning authorities should require developers to record and advance understanding of the significance of the heritage assets to be lost, in a manner proportionate to their importance and impact.
10.40. The application seeks to demolish the boundary wall and a heritage assessment has been submitted, which concludes that the wall is “fragmentary with no particular features of interest” and that its demolition would be acceptable in heritage terms. That report has been assessed by LLDC’s heritage consultant, who have concluded that any redevelopment of the site should not be required to retain the wall on heritage grounds and that the proposed redevelopment was an opportunity to enhance the overall site and area.

10.41. Furthermore, to offset the loss of the non-designated heritage assets, a financial contribution is recommended to be secured through the s.106 legal agreement for use in local heritage projects. This is consistent with the planning obligations that were secured as part of the the Hackney Wick Masterplan.

10.42. On the basis that a suitable redevelopment of the application site can be secured that would be acceptable on heritage grounds, officers view is that a balanced judgement concludes that the loss of the boundary wall is acceptable and accords with the NPPF in relation to non-designated heritage assets and policies BN.16 and 1.4 of the Local Plan. Given the low significance of the wall, and its fragmentary condition, it is not considered that any archival recording of the wall is necessary.

**Heritage assessment of proposed redevelopment**

10.43. Paragraph 200 of the NPPF advises that local planning authorities should look for opportunities within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. The proposed redevelopment of the site is considered to be an opportunity for beneficial change, provided that it meets the broad requirements of the relevant planning policies.

10.44. Policy BN.16 of the Local Plan advises that proposals will be considered acceptable where they conserve or enhance heritage assets and their settings. Policy 1.4 advises that developments within Sub Area 1 will be considered acceptable where they preserve or enhance special architectural or historic interest, reveal the significance of heritage assets, restore or reuse heritage assets, exhibit an understanding of, and reference, the architectural and historical interest of the area within their design, and retain or provide street trees where appropriate.

10.45. The Fish Island & White Post Lane and the Hackney Wick Conservation Areas are considered to have architectural and historic interest, as well as townscape quality and group value through their collection of historic buildings. The site itself is considered to have negligible significance as a baseline. The existing boundary wall is of historic interest as a remaining built element of the former Hope Chemical Works, but its demolition has been concluded as being acceptable, subject to an appropriate redevelopment of the site that is cognisant of the significance and special interest and setting of the adjacent conservation area.

10.46. The proposed development has been assessed by PPDT’s heritage consultants, who have concluded that the proposed development, by way of its overall form, would have a minor positive impact on the setting and significance of the Fish Island & White Post Lane Area and a minor enhancement to the visual settings of both conservation areas.

10.47. The proposed development would create visual interest from the proposed use and the palette of materials within the streetscape. The proposed height of the development would result in it being visible in the backdrop from both surrounding conservation areas, though these would be complementary nearby existing and emerging buildings.

10.48. The proposed use of brick and other sympathetic materials would result in a minor enhancement to the setting of the neighbouring conservation areas. To
ensure that the materials and details are appropriate, a planning condition is proposed requiring further details and samples prior to the commencement of development. LBTH have raised concern over the colour of the pigmented concrete, however officers are satisfied that these details can be addressed through a materials condition.

10.49. In light of the above assessment, the heritage impacts of the proposal are considered to be acceptable and the development is in accordance with the requirements of the NPPF and policies BN.16 and 1.4 of the Local Plan.

**Design and appearance**

10.50. Strategic Policy SP.3 of the Local Plan seeks to create high-quality built and natural environment that integrates new development with the historic environment. Policy BN.1 advises that proposals will be considered acceptable where they respond to place by respecting existing typologies and enhancing the architectural and historic setting within which development is proposed. Policy 1.2 advises that proposals within Hackney Wick and Fish Island should reinforce local distinctiveness by incorporating high-quality and distinctive architecture that use durable and suitable materials which reference the area’s industrial past.

10.51. Policy 1.6 advises that buildings greater than 20m in height within Hackney Wick and Fish Island will only be acceptable subject to the provisions of Policy BN.10. As the height of the building is 23.65m to the top of a parapet and 26.45m to the top of the lift overrun and plant screen, the proposal is considered a tall building for the purposes of BN.10.

10.52. The building includes generous floor to ceiling heights within the Maker Yard of between 2.97m and 6.7m at ground floor, and this is a factor in the development exceeding the 20m prevailing height, however the double height space result in an increased quality of workspace. It is noted that the height and massing is supported by the QRP.

10.53. Policy BN.10 sets out criteria for where a tall building would be considered acceptable, and an assessment of the proposal against these is included below:

1. *Exhibit outstanding architecture and incorporate high-quality materials, finishes and details*

10.54. The proposed scheme was the subject of pre-application discussions and a review by QRP on November 2018, where it was positively supported by the panel, subject to some refinements. QRP reviewed the current revision of the scheme on 14 March 2019 whereby it was confirmed that the proposal exhibited outstanding architecture and that it met the requirements of Policy BN.10.

10.55. The proposed materials were also strongly supported by the QRP, and officers are satisfied that the proposed materials, which are reflective of the industrial character of the area, as well as the finishes and details are of a suitably high-quality. Further details of the materials and the ground floor perimeter are proposed to be secured through planning conditions.

2. *Respect the scale and grain of their context*

10.56. The proposed development has been split into two massing blocks and the proposed scale is consistent with surrounding developments (such as the Aitch Group schemes to the south).

3. *Relate well to street widths and make a positive contribution to the streetscape*

10.57. The proposed development would be set in from perimeter of the site and would provide additional footpath space compared the existing boundary wall, which is
set up hard against the footpath to a height of three metres. The architecture and massing of the building would also ensure that the building did not appear overbearing to passing pedestrians.

4. *Generate an active street frontage*

10.58. The scheme has been designed to maximise active frontages at ground floor level, and would represent a significant improvement to the existing boundary wall in that respect. The active frontages would provide visual interest and permeability, with views to the proposed Maker Yard and Market Yard.

5. *Provide accessible public space within their curtilage*

10.59. Publicly accessible open space would be provided between the two buildings which creates a route through from Wallis Road to White Post Lane and soft landscaping and seating are also included as part of the proposals. These would be secured as publicly accessible through a planning obligation.

6. *Incorporate sufficient communal space*

10.60. As the proposal is not a residential scheme, there is no requirement for formal communal space. Notwithstanding this, the ground floor Market Yard would be publicly accessible, as well as the public open space and route through identified above.

7. *Contribute to defining public routes and spaces*

10.61. The development includes new public spaces, including a public route through that would connect Wallis Lane and White Post Lane.

8. *Promote legibility*

10.62. The proposed new public open space, route through the site and the proposed uses and the creation of active frontages would all promote and increase legibility.

9. *Create new or enhance existing views, vistas and sightlines*

10.63. The Heritage Townscape and Visual Assessment has considered the proposal within its urban context, including the buildings, the relationships between them, the different types of urban open space, and the relationship between the buildings and open spaces.

10.64. As the site currently has no buildings, the proposal would create new views, vistas and sightlines. Views through the site are currently not possible at ground level due to the 3m high boundary wall.

10.65. Given the high-quality of the architecture and building layout, the new views and vistas that would be created by the development are considered to be positive. There are no locally protected views that would be affected by the development. The development would reduce some views towards the locally listed Lord Napier Public House from Wallis Road and White Post Lane and there would be a contrast in scale between the pub and the six-storey development, albeit there would not be any unacceptable impact in this regard.

10.66. As assessed in the heritage section of this report, the heritage impacts of the development, including the loss of the boundary wall are considered to be
acceptable and the proposal would have a minor positive impact upon the nearby conservation areas.

10.67. With respect to parts 11 to 13 of Policy BN.10, no significant adverse impacts have been identified with respect to micro-climatic conditions, amenity or existing views of landmarks, and the proposal is acceptable in this regard. Officers are therefore satisfied that the requirements of Policy BN.10 have been met, as well as the broader design requirements of policies SP.3, BN.1 and 1.1.

10.68. It is recommended that a materials samples and a detailed drawing with respect to the ground floor perimeter treatment are secured through planning conditions.

**Quality of proposed hotel accommodation**

10.69. There is no formal planning guidance with respect to hotel room sizes. Notwithstanding this, the standard hotel rooms would have a size of 16.4sqm, with each rooming being naturally lit and incorporating a double bed, Juliette balcony, private bathroom and kitchenette. The accessible and adaptable rooms are larger than the standards rooms at 25.8sqm or 25sqm. The corridors providing access to the hotel rooms would also be naturally lit and guests would also have access to common areas and the restaurant.

10.70. Whilst the proposed bedrooms would be acceptable for hotel use, they would not be acceptable for anything akin to a C3 residential use, or long-terms stays, as they would not satisfy the requirements of the London Housing SPG or Local Plan policies with respect to housing quality.

10.71. To ensure that the proposed hotel operates clearly as such (i.e. Class C1), and does not circumvent the Legacy Corporation’s housing policies, it is recommended that a maximum stay of 90 days day and nights per calendar year is secured through a planning condition and that an operational management plan is secured as part of the s.106 legal agreement. This is consistent with other hotels and apart-hotels granted recently in the Legacy Corporation’s area, such as at plot N17 of East Village, and provides a suitable safeguard against the accommodation being for Class C3 or similar long-stay residential use.

**Quality and affordability of workspace**

10.72. Policy B.4 of the Local Plan seeks to encourage new managed workspace and to secure new low-cost workspace. The applicant has confirmed that the 648sqm of Class B1c would be secured as low-cost at a rate of £8psf plus service charge, and this is the same rate that has been secured in the Hackney Wick Masterplan. Class B1a workspace would be secured at a rate of £22.50psf, which equates to 75 per cent of the market rate for office space in the surrounding area, and this accords with Policy B.4. These rates are recommended to be secured through a s.106 legal agreement attached to the planning permission. The workspace would be targeted at local creative businesses, such as the artistic and creative industry of Hackney Wick, and the proposed workspace was supported in a consultation response received from the Hackney Wick and Fish Island Cultural Interest Group.

10.73. The Class B1c workspace would be located within the ‘Maker Yard’ at ground floor level, and would individual rentable workspaces. The makerspace would have double height ceilings, full height access and the ability for onsite deliveries or collections of larger goods. Class B1a co-working space would be provided at mezzanine level, and would include toilets and other facilities.

10.74. Concern has been raised by the LLDC Design officer that the proposed workspace was not of a suitable quality and not fit for purpose, particularly with respect to the lack of a thermal barrier. The ground and mezzanine floors have been designed to take into consideration the flooding constraints for the site,
which dictate that much of the site must remain floodable to avoid the displacement of floodwaters elsewhere. Officers are satisfied that the workspace would be of a high-quality and support has been received from the Hackney Wick Cultural Interest Group.

10.75. Whilst the perimeter of the ground floor would not provide a full thermal barrier, it would still offer protection from the elements and some insulation. This is not dissimilar to how other light industrial units or market spaces operate within London and the local area, which operate all seasons. The commercial pod-units would have localised heating and the mezzanine co-working area and restaurant would be fully insulated heated.

10.76. On the basis that the workspace has had to respond to challenging constraints, the other design aspects assessed above, officers are satisfied with the quality of the workspace provided and the proposal conforms with Policy BN.4 of the Local Plan.

**Accessibility and inclusive design**

10.77. Policy BN.5 of the Local Plan advises that non-residential proposals will be considered acceptable where they respond to the needs of all users, and provide an accessible and inclusive environment.

10.78. Policy 4.5 of The London Plan sets out that 10 per cent of new hotel bedrooms should be wheelchair accessible. Policy E10 of the draft new London Plan states that either 10 per cent of new hotel bedrooms should be wheelchair accessible or 15 per cent of rooms to be accessible, with the following requirements:

a) 5 per cent with a wheelchair-accessible shower room;

b) 1 per cent with a fixed tracked-hoist system or similar system with the same degree of convenience and safety as an en-suite bathroom for assisted use, and a connecting door to an adjoining (standard) bedroom for use by an assistant or companion

c) 5 per cent with an en-suite shower room to meet the requirements of ambulant disabled people

d) 4 per cent of bedrooms easily adaptable and large enough for easy adaptation to be wheelchair-accessible (with en-suite) if required in the future, and incorporate all the correct dimensions and sanitary layouts and be structurally capable of having grab-rails installed quickly and easily if required.

10.79. The proposed scheme includes 14 wheelchair accessible rooms (5.8 per cent) and 34 adaptable rooms (14.2 per cent). The proposal therefore falls short of the 10 per cent requirement for accessible rooms set out in the current and draft London Plans, and the applicant has not provided any information to demonstrate that the 15 per cent requirements of the draft London Plan Policy E10 have been complied with. On that basis, the proposal would be inconsistent with London Plan policy. To address this, a planning condition is proposed requiring that at least 10 per cent of hotel bedroom are fully wheelchair accessible upon occupation of the development.

10.80. Notwithstanding the hotel bedrooms, the other elements of the proposal are considered to be fully accessible. Lift access would be provided to all levels of the development and the hotel could be easily reached by public transport from Hackney Wick station, which provides step free access. The Market Yard and Maker Yard would also be fully accessible.
Neighbouring amenity

Daylight and sunlight

10.81. Policy BN.1 of the Local Plan states developments that should minimise impact within proposed and upon existing development by preventing overshadowing, an unacceptable loss of daylight or sunlight.

10.82. The applicant has submitted a daylight and sunlight report (D&SR) that assesses the impact of the development upon neighbouring developments, including the Aitch Group schemes currently under construction and the traveller's sites to the north. For the schemes under construction, Average Daylight Factor (ADF) has been used as those units are not built or occupied, and therefore there would be one to experience any present value or reduction in daylight, and this accords with the BRE guide.

10.83. The D&SR advises that the retained compliance levels for the schemes currently under construction is very high, with Average Daylight Factor targets continuing to meet the BRE guideline levels. Whilst there are some isolated deviations, these are generally minor or isolated to windows/rooms set below external balconies which provide quality amenity space but limit internal daylight levels. The trade-off with the provision of balcony amenity spaces is recognised within the BRE guide and these impacts fall away when the effect of the balconies is taken into account.

10.84. With regards to direct sunlight, the scheme shows an excellent level of Annual Probable Sunlight Hours (APSH) compliance, with just one ground level room within 24-26 White Post Lane falling short of the target for total APSH.

10.85. With respect to the traveller's site at 1-4 Palace Close, all windows within the six single storey residential units would retain Vertical Sky Component (VSC) levels of at least 0.8 times their former value with the scheme in place. All units would also either retain at least 25 per cent of APSH with 5 per cent for the winter months, or retain at least 0.8 times their former value with the scheme in place and the proposal would not adversely affect amenity.

10.86. With respect to the single residential unit located at the traveller's site at 1 St Anthony’s Close, the three windows assessed would retain VSC of between 0.6 and 0.7 of their existing value with the scheme in place. Whilst these fall below the 0.8 BRE target, the resultant VSC ratios of between 0.18 and 0.22 remain high, and are consistent for an emerging urban context such as this. Furthermore, ADF values for the main living space would continue to exceed the 1.5 per cent target for living room use and the overall daylight impact upon the property is considered to be minor and acceptable under the BRE guide. In terms of sunlight, the results show that the living room would retain APSH levels of 66 per cent, which is well in excess of the 25 per cent BRE target. Winter levels would remain in excess of the BRE target of 5 per cent.

Privacy, noise and other matters

10.87. Policy BN.1 of the Local Plan states that should minimise impacts upon privacy and Policy BN.12 advises that development proposals should be constructed and designed to minimise the effect of noise on amenity.

10.88. With respect to privacy, there would be a separation of approximately 23m between the windows of a hotel bedroom and the traveller unit at 1 St Antony’s Close and the proposal does not give rise to an adverse impact as a result of reduced privacy. Given the layout of the traveller units at Palace Close, those units would not be adversely affected by the proposal.
10.89. With respect to the developments currently under construction on White Post Lane, the separation between the hotel bedroom windows and the nearest residential windows would be between 10m and 15m, on the opposite side of White Post Lane. Given the dense urban nature of the development in this location, this separation is considered to be acceptable and would not give rise to any adverse levels of overlooking or loss of privacy.

10.90. The proposed hotel use is not considered to be a noisy use and does not give rise to neighbouring amenity concerns. Rooftop amenity is space is not proposed a planning condition restricting use of the flat roof for maintenance purposes only is proposed. The proposed Class B1a and B1c use are also considered to be compatible with the neighbouring residential uses.

10.91. In terms of the flexible A1/A3/A4 retail space, it is considered that any neighbouring amenity impacts could be controlled through a planning condition restricting hours of operation and requiring the submission of noise management plan. A planning condition is also proposed with respect to noise from any external plant or machinery. With respect to construction phase noise and vibration, it is recommended that a Construction Management Plan is secured through a planning condition.

10.92. Officers are satisfied that subject to appropriate planning conditions that the proposed development would not give rise to any impacts up neighbouring amenity and the proposal is consistent with policies BN.1 and BN.12 of the Local Plan.

**Transport and servicing**

10.93. Policy T.4 of the Local Plan seeks to promote sustainable transport choices and minimise reliance on the private car. Part 6A.8 of The London Plan advises that for hotels in locations with a PTAL of 4 to 6 that on-site provision should be limited to operation needs, parking for disabled people and that required for taxis, coaches and deliveries/servicing.

10.94. The applicant has submitted a Transport Assessment, Travel Plan and a Delivery and Servicing Plan with their application. The Transport Assessment that advises that the development would be car-free, with no car parking provided. The application site has PTAL of 3 and 4 (‘moderate’ to ‘good’) and is located approximately 100m from Hackney Wick Station. The site is also located within 40m of a bus stop, with the 276 route, connecting the site with Newham in the east and Stoke Newington to the north-west. Given the nature of the hotel use, it is expected that the majority of those occupants would either arrive by public transport or taxi and the proposal for a car-free development is supported. The proposed supporting uses do not give rise to the need for any car parking.

10.95. One Blue Badge car parking space and a loading bay are proposed on White Post Lane and these would need to be agreed by the London Borough of Tower Hamlets as the local highway authority and secured through a s278 highways agreement (which would form part of the planning obligations legal agreement). In addition to the Blue Badge space, LBTH permits Blue Badge holders to park in an on-street pay and display area without time limit. Any hotel guests that were Blue Badge holders could therefore utilise on-street parking pays on White Post Lane or Wallis Road for the duration of their stay. Loading would also be possible from within the site above the Thames Water sewer, and these deliveries would likely be associated with the ground floor uses, such as for the delivery or loading of large items.

10.96. Local Plan Policy T.9 requires developments to provide cycle parking that at least meets London Plan standards and that workplace cycle parking should include showering and changing facilities.
10.97. The proposed cycle parking for the development has been designed to accord with the standards within the draft new London Plan. This includes a total 29 long-stay spaces and 36 short-stay spaces. The long-stay cycle parking would be provided within a secure cycle store and the short-stay parking would be provided in the form of Sheffield stands within the boundary of the site. Further details with respect to showing and changing facilities associated with the long-stay cycle parking are proposed to be secured through a planning condition.

10.98. Refuse and recycling collection would take place via private contractor, utilising the proposed loading bay which would be located adjacent to the bin store.

10.99. The transport impacts of the construction phase of the development would be secured through a planning condition requiring a Construction Management Plan and a Construction Logistics Plan. It is also proposed to use a s.106 legal agreement to secure a financial contribution towards mitigating the transport impacts of construction and that the developer would be required to attend the Hackney Wick and Fish Island Construction Traffic Management Group meetings.

10.100. The Travel Plan and Deliveries and Servicing Plan have been reviewed by PPDT’s transport consultant, who has confirmed that they are acceptable. Planning conditions securing the implementation of the Travel Plan (including monitoring) and the Deliveries and Servicing Plan are proposed.

10.101. To ensure that the impacts of the development are suitably mitigated, it is proposed to secure highways, public realm, way finding and bus service contributions through a s.106 legal agreement.

**Flood risk**

10.102. Policy S.8 of the Local Plan advises that development proposals must be designed to reduce vulnerability to climate change and be flood resilient and resistant. Development proposals should not obstruct existing flow paths without the provision of additional flood storage capacity.

10.103. The application site is within Flood Zone 3 and is considered to have a high probability of flooding. The applicant has submitted a Flood Risk Assessment that concludes that the proposed development could be carried out without increasing the risk of flooding to downstream or surrounding properties. The development has also been designed to be floodable, with a maximum predicted flood depth of 1.07m, for the 1 in 100 year plus climate change flooding event. All services would be placed above the 1 in 100 year plus climate change flood level and only uses considered ‘less vulnerable’ are contained on the ground floor.

10.104. The floodable design of the building has been achieved through the use of a louvre/screen that would facilitate the entry of water into the building and the proposed development would not result in the displacement of floodwaters as the total area for the storage of floodwater is greater than the existing scenario.

10.105. In the event of a flood, occupiers of the development would seek refuge on the upper floors via the internal access. Surface water run-off from the proposed development would be discharged to the existing Thames Water combined sewer and Thames Water have confirmed that they are satisfied with the approach (subject to obtaining the appropriate approvals).

10.106. The Environment Agency have reviewed the application and confirmed that the proposal is acceptable in flood risk terms and the proposal is considered to be consistent with Policy S.8 of the Local Plan.
Environmental matters

Sustainability and energy

10.107. Policy S.2 of the Local Plan advises that developments will be expected to minimise carbon dioxide emissions to the fullest extent possible by application of the energy hierarchy (Be lean, Be clean, Be Green).

10.108. Policy S12 of the Draft New London Plan advises that major developments should be net zero-carbon, and that a minimum on-site reduction of at least 35 per cent beyond Building Regulations is expected. Non-residential developments should aim to achieve 15 per cent through energy efficiency measures. Local Plan Policy S.4 advises that development will be required to demonstrate that they achieve the highest standards of sustainable design and construction and that non-residential developments should achieve at least a ‘Very Good’ BREEAM score.

10.109. The submitted Energy Report advises that the development will achieve a 40.5 per cent reduction in CO2 emissions against the 2013 Building Regulations through the use of energy efficiency measures, air source heat pumps for space heating and cooling, and combined heat and power (CHP) plant for the generation of domestic hot water.

10.110. With respect to BREEAM, the report advises a pre-development assessment indicated that the development has the potential to achieve an ‘Excellent’ BREEAM score, and would at least score ‘Very Good’.

10.111. Other sustainability features of the proposed development include water consumption target of 105 litres per day per person through the implementation of water efficiency measures and a sustainable materials procurement policy.

Ecology

10.112. Policy BN.4 of the Local Plan requires developments to maximise opportunities to protect and enhance biodiversity and requires developments to provide a net gain in the extent of habitat suitable for species to thrive.

10.113. An ecological appraisal has been submitted with the application that concludes that site is currently of low ecological value with no notable habitats. The report makes recommendations regarding the avoidance of impacts to nesting birds and there are no further ecological constraints associated with the proposal.

10.114. The report recommends ecological enhancements to the site including provision of wildlife friendly landscaping, vertical greening using native climbers, extensive biodiverse rooms on suitable flat roof areas, integrated bat and bird boxes within the built form. Subject to a planning condition requiring the submission of a details for the proposed ecological enhancement measures to be included within the development, the proposal would comply with Policy BN.4 of the Local Plan.

Contamination

10.115. Policy BN.13 of the Local Plan seeks to prevent harm to health and the environment from the effect of contamination and to bring contaminated land into beneficial use. As the location of the former Home Chemical Works, and given the industrial history of the wider area, the application site is likely to be contaminated and the applicant has submitted a geo-environmental desk study report relating to the site. In line with other developments in the Hackney Wick area, it is recommended that contamination and remediation planning conditions are secured.
**Heads of terms**

10.116. London Plan Policy 8.2 advises that planning obligations should be secured to address strategic and local priorities. This is supported by the LLDC Planning Obligations SPD which sets out the approach that LLDC will take in relation to s.106 agreements. Although the application is outside of the Hackney Wick Masterplan, the legal agreement for that consent has been used as a benchmark.

10.117. It is considered that the following matters should be agreed through a legal agreement:

10.118. Transport and Highways
- Highways contribution of £41,500 (benchmarked against HWMP)
- Obligation to implement, monitor and review travel plan
- Requirement to enter into s278 agreement with LB Tower Hamlets in relation to highways works
- Provision of Blue Badge parking space and loading bay
- Bus services contribution of £36,500 (benchmarked against HWMP)

10.119. Public realm and pedestrian route
- Contribution of £250,000 towards local public realm, connectivity and wayfinding, and a pedestrian refuge or pedestrian crossing on Hepscott Road
- Obligation to secure the delivery, maintenance and public availability of public open space and the pedestrian route through the site

10.120. Operational Management Plan
- A plan for the operational management of the hotel and to demonstrate how its operation and function would contribute to the unique character of Hackney Wick

10.121. Design Monitoring
- Contribution of £50,000 towards the design monitoring costs of the local planning authority in the event that the architect is not retained

10.122. Sustainability
- Future proofing the development to allow connection to the district heating network

10.123. Employment, skills and training
- Use of local labour and local businesses
- Payment of the London Living wage

10.124. Low-cost workspace
- Provision of all Class B1c floorspace as low-cost workspace at a rate of £8 psf plus service charge (as per the Hackney Wick Masterplan)
- Provision of all Class B1a floorspace as low-cost workspace at a rate that 75 per cent of the current market rate (anticipated to be £22.50psf)

10.125. Heritage asset contribution
- Contribution of £105,000 (benchmarked against HWMP) to offset the loss of the locally listed wall and to be used towards local heritage projects

10.126. Construction impacts mitigation
- Contribution of £50,000 towards measures to mitigate the construction impacts of the development, including funding of temporary safety measures and crossing patrol officers
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 application and the conflicting interests of the Applicants and any third party opposing the application in reaching their decisions. The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1) of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.

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 inter alia 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; and
   - 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 Officers' assessment has taken into account these issues.

12. CONCLUSION

12.1. The loss of the existing Class B8 storage yard its replacement with a 240-room hotel, with ancillary retail and commercial space is considered to be acceptable in land use terms.

12.2. The proposal to demolish the existing boundary wall, which is a non-designated heritage asset, is also considered to be acceptable as it has been assessed to be an asset of low heritage significance that provides only a negligible contribution to the conservation area. Furthermore, the proposed development has been assessing as resulting in a minor enhancement to the visual setting of the nearby conservation areas and the proposal is acceptable in this regard.

12.3. The design and appearance of the proposed development, which is considered a tall building for the purposes of the Local Plan, is of a high-quality and is considered to satisfy the requirements of Policy BN.10 of the Local Plan, including that it exhibits outstanding architecture.

12.4. The quality of the hotel rooms are acceptable and provide a suitable environment for short-stay accommodation. The proposed workspace is also of a suitable quality, and the applicant has committed to providing all workspace as low-cost, and this would be secured through a legal agreement.

12.5. Subject to a planning condition requiring that a minimum of 10 per cent of hotel bedrooms be provided as accessible from the outset, the proposed development
would acceptable with respect to inclusive design and would be accessible to all users.

12.6. The neighbouring amenity, transport, flood risk and other environmental matters relating to the application have been assessed as being acceptable.

12.7. Subject to the planning conditions set out below, and the completion of a s.106 legal agreement, the proposed development is considered to be acceptable.

13. **PLANNING CONDITIONS**

1. **Time limit**
   The development shall be commenced before the expiration of three years from the date of this permission.
   
   Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. **Works in accordance with the approved plans**
   The development shall be carried out, and retained thereafter, in accordance with the following drawings and documents:
   
   <TO BE INSERTED>
   
   Reason: To ensure that all works are properly implemented and retained.

3. **Detailed drawings**
   Prior to commencement of any above ground works detailed drawings, including sections, at a scale to be agreed with the Local Planning Authority, detailing the ground floor perimeter treatment, including details of the louvers, foldable screens, foldable openings, and fixed curtain walling, shall be submitted to, and approved in writing by, the Local Planning Authority.
   
   The development shall not be carried out otherwise than in accordance with any such approval given.
   
   Reason: In order to ensure that a high quality of design and detailing and in accordance with policies 7.4, 7.5 and 7.6 of The London Plan and Policy BN.1 and 1.2 of the Local Plan.

4. **Demolition of boundary wall**
   There shall be no demolition of the existing boundary wall, at the site until evidence to substantiate and confirm commencement of the development hereby approved, which may take the form of a valid construction contract (under which one of the parties is obliged to carry out and complete the works of redevelopment of the site) has been submitted to and approved in writing by the Local Planning Authority.
   
   Reason: To ensure that the redevelopment of the site is secured prior to the demolition of heritage wall in accordance with paragraph 198 of the NPPF.

5. **Hotel Use**
   The Hotel (Use Class C1) hereby approved shall be used for the purposes of short-term sleeping accommodation only. Occupation by a person or persons shall be limited to no more than 90 days and nights in any 12-month period.
   
   Reason: To ensure that the development is retained for hotel use and is not used for long-term residential purposes and to prevent circumvention of the housing policies of the Local Plan.

6. **Noise Management Plan**
Prior to the first occupation of any Class A3 or Class A4 use within the development, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall demonstrate how neighbouring amenity will be protected from potential adverse noise impacts. The development shall be carried out and retained in accordance with any approval given.

Reason: To protect amenity and in accordance with Policy BN.11 of the Local Plan.

7. **Hours of operation**

Details of hours of operation for all uses falling within A3 or A4 of the Use Classes Order 1987 (as amended) (or any subsequent replacement order) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any such use. The hours of operation shall remain as first approved and be complied with thereafter.

Reason: In the interests of amenity and in accordance with Policy BN.11 of the Local Plan.

8. **Accessible Hotel Bedrooms**

Notwithstanding the details shown on the approved drawings, not less than 10 per cent of the bedrooms hereby approved shall be provided prior to first use, and permanently retained thereafter, as wheelchair accessible bedrooms.

Prior to the commencement of the above ground works, revised hotel floor plan drawings showing 10 per cent wheelchair accessible bedrooms shall be submitted to, and approved in writing by, the Local Planning Authority.

The development shall be built and retained in accordance with any approval given.

Reason: To ensure that a suitable quantum of accessible hotel bedrooms are provided and in accordance with Policy 4.5 of The London Plan and Policy BN.5 of the Local Plan.

9. **Material Samples**

Full details (including samples) of the materials to be used on all external surfaces (which for the avoidance of doubt shall also include hard landscaping and mortar) shall be submitted to and approved by the Local Planning Authority in writing prior to their use on site.

The development shall be carried out and permanently retained thereafter in accordance with the approved details.

Reason: To ensure that the Local Planning Authority is satisfied as to the details of the development.

10. **Refuse storage**

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

Reason: To ensure that the refuse will be appropriately stored within the site in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin or pest nuisance and in accordance with Policy S.6 of the Local Plan.
11. **Construction Management Plan**

Prior to the commencement of development, a site wide Construction Management Plan (CMP) shall be submitted to and approved in writing by the local planning authority. The CMP shall include, but not be limited to, the consideration of the following aspects of construction:

a) The parking of vehicles of site operatives and visitors.

b) Delivery and collection times for construction purposes.

c) Waste Management Plan, providing a statement of site-specific reuse and recycling objectives with appropriate targets.

d) Noise and Vibration (including piling) impact / prediction assessment, monitoring, recording protocols and consideration of mitigation measures in accordance with BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 - Vibration (or as superseded) including the use of best practical means to minimise noise and vibration disturbance from construction works.

e) Site lighting details.

f) Erection and maintenance of security hoardings, including decorative displays and facilities for public viewing, where appropriate.

g) Access and protection arrangements around the site for pedestrians, cyclists and other road users, including specific measures to be implemented during school run hours (i.e. 8:00am to 9:00am and 3:00pm to 4:30pm on school days).

h) Procedures for interference with public highways, (including public rights of way), permanent and temporary realignment, diversions and road closures.

i) External safety and information signage and notices.

j) Liaison, consultation and publicity arrangements including dedicated points of contact.

k) Consideration of ecological and other sensitive receptors.

l) Membership of the Considerate Contractors Scheme.

m) Complaints procedures, including complaints response procedures.

n) Location of Principal Contractors compound and method of moving materials, plant and equipment around the site.

The CMP shall assess the impacts during the construction phases of the development on the surrounding street network, nearby residential amenity and other occupiers together with means of mitigating any identified impacts.

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

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers and in accordance with Policy T.4 of the Local Plan.

Pre-commencement justification: To ensure that the Local Planning Authority can assess whether the development would generate any unacceptable environmental impacts through construction that would require appropriate mitigation.

12. **Construction Site Dust Control**

No development shall be commenced until a dust and emissions management plan has been submitted to and approved in writing by the Local Planning Authority.
Authority. The dust management plan shall demonstrate compliance with the guidance found in the GLA supplementary planning guidance ‘The Control of Dust and Emissions during Construction and Demolition’.


Pre-commencement justification: These details are necessary prior to the commencement of the development to ensure that local air quality is not adversely affected by the demolition works.

13. Travel Plan

The approved Travel Plan, reference XXXX, shall be implemented upon first occupation of the development.

At the start of the second year of operation of the approved Travel Plan a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: To encourage sustainable means of travel and in accordance with policies 6.3, 6.9, 6.10 and 6.13 of The London Plan and policies T.4, T.7, T.8 and T.9 of the Local Plan.

14. Deliveries and servicing management plan

The approved Deliveries and Servicing Management Plan, reference XXXX, shall be implemented from first occupation of the development and retained thereafter.

Reason: In the interests of highway and pedestrian safety and in accordance with Policy 6.3 of The London Plan and Policy T.4 of the Local Plan.

15. Cycle storage and facilities

A) Prior to the first occupation of the development the cycle storage facilities, as shown on drawing XXXX, shall be provided and thereafter such facilities shall be retained and the space used for no other purpose.

B) Notwithstanding the approved plans, showering, changing and locker facilities shall be provided in association with the long-stay cycle storage. Details of the showering, changing and locker facilities shall be submitted to, and approved in writing by the Local Planning Authority, prior to the commencement of above ground works. The showering, changing and locker facilities shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure that satisfactory safe and secure bicycle parking facilities are provided and retained for the benefit of the users and occupiers of the building and in accordance with policies 6.3 and 6.9 of The London Plan and policies T.4 and T.9 of the Local Plan.

16. BREEAM

Within six months of first occupation of the development, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) which demonstrates that a minimum of a ‘Very Good’ rating has been achieved shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be retained otherwise than in accordance with any such approval given.
If the ‘Very Good’ rating has not been met then details shall be provided of the additional mitigation measures that must be undertaken and a programme for their implementation. Any additional mitigation measures shall be implemented in accordance with the approved programme.

Reason: To ensure that high standards of sustainability are achieved and in accordance with policies 5.2, 5.3, 5.4A, 5.6, 5.7 and 5.9 of The London Plan and policies S.2 and S.3 of the Local Plan.

17. **Ground contamination**

Prior to the commencement of the development (other than above ground demolition works), the following information shall be submitted to, and approved in writing by, the Local Planning Authority:

1) A preliminary risk assessment which has identified: all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination at the site shall.

2) A site investigation scheme, based on the preliminary risk assessment (1) to all receptors that may be affected, including those off site. The preliminary risk assessment and scheme of investigation shall be agreed in advance with the Local Planning Authority before the investigation commences.

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

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

Reason: To ensure that risks from land contamination to future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with Policy 5.21 of The London Plan and Policy BN.13 of the Local Plan.

18. **Remediation verification**

No occupation of any part of the development hereby permitted shall take place until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation objectives and criteria have been met. It shall also include a long-term monitoring and maintenance plan, as identified in the verification method statement. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that risks from land contamination to future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with Policy 5.21 of The London Plan and Policy BN.13 of the Local Plan.
19. **Unexpected contamination**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development may only recommence once the written approval of the Local Planning Authority has been obtained. The remediation strategy shall be implemented as approved.

Reason: To ensure the protection of human health and avoidance of pollution of controlled waters and in accordance with Policy 5.21 of The London Plan and Policy BN.13 of the Local Plan.

20. **Foundation works risk assessment (including piling method statement)**

No foundation works (including piling) shall commence until a foundation works risk assessment, including a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, with measures to prevent and minimise the potential for impact on groundwater, damage to subsurface water infrastructure, and the programme for the works), has been submitted to and approved in writing by the Local Planning Authority. Any foundations shall be undertaken in accordance with the terms of the approved foundation works risk assessment. The assessment shall be undertaken in accordance with the Environment Agency document ‘Piling into contaminated sites’ (2002).

Reason: To ensure the protection of human health and avoidance of pollution of controlled waters and because the proposed works will be in close proximity to underground sewerage utility infrastructure and in accordance with Policy 5.21 of The London Plan and Policy BN.13 of the Local Plan.

21. **Infiltration drainage**

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with any such approved details.

Reason: To protect the quality of the water environment and in accordance with Policy 5.13 of The London Plan and Policy BN.13 of the Local Plan.

22. **Biodiversity enhancements**

Prior to the commencement of the development, full details of the biodiversity enhancement measures to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. The approved details shall be implemented prior to the first use of the building and shall thereafter be permanently maintained to the satisfaction of the Local Planning Authority.

Reason: In the interest of sustainable design and construction and to enhance biodiversity within the development and in accordance with Policy BN.3 of the Local Plan.

Pre-commencement justification: To ensure that the development delivers a net gain to biodiversity.

23. **Biodiverse roof**

Before any above ground work (except demolition or excavation) commences, details, including a specification and maintenance plan, of the biodiverse roof (as shown on drawing XXXX) to be used in the carrying out of this permission shall
be submitted to and approved in writing by the Local Planning Authority and the
development shall not be carried out otherwise than in accordance with any such
approval given.

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 and in accordance with policies 5.10 and 7.19 of The London Plan
and Policy BN.3 of the Local Plan.

24. **Roof not to be used as amenity space**

The roof of the development hereby approved shall only be accessed for
maintenance purposes only and shall not be accessible to members of the public
(including hotel guests), or used as an amenity space, at any time.

Reason: To protect neighbouring amenity and to avoid nuisance and disturbance
and in accordance with Policy BN.11 of the Local Plan.

25. **Photovoltaic Panels**

Within three months of first occupation of the development, evidence that the
photovoltaic panels, as shown on drawing XXXX, have been installed and are
operational shall be submitted to and approved in writing by the Local Planning
Authority. The photovoltaic panels shall thereafter be permanently retained in
accordance with the approved details.

Reason: In the interests of sustainability and to ensure that the development
secures the renewable energy targets set out in the energy statement and in
accordance with Policy 5.7 of The London Plan and Policy S.2 the Local Plan.

26. **Flood risk**

The development shall be carried out and retained in accordance with the flood
mitigation and resilience measures detailed in the approved Flood Risk
Assessment and Drainage Strategy reference (A/HUWALLIS.10).

Reason: To ensure that the proposed development and future occupants are
adequately protected from flooding and in accordance with Policy 5.12 of The
London Plan and Policy S.8 of the Local Plan.

27. **Designing Out Crime**

The development shall not be commenced until details of the ‘Secured by Design’
measures to be incorporated in respect of the Development have been submitted
to and approved in writing by the Local Planning Authority (in consultation with
the Metropolitan Police). The details shall demonstrate how the Development
incorporates the principles and practices of Secured by Design. Once approved,
the development shall be carried out and retained in accordance with the
approved details.

Reason: To ensure that Developments are safe and that the risk of crime, and
the fear of crime, is reduced in accordance with the NPPF and London Plan
Policy 7.3.

28. **Hours of work**

There shall be no demolition or construction work outside the hours of 08.00 to
18.00 on Monday to Friday and 08.00 to 13.00 on Saturdays nor at any time on
Sundays or on Bank or Public Holidays without the prior written approval of the
Local Planning Authority. Construction work audible at the façade of any noise
sensitive premises may only take place outside these permitted hours of work
where these works have been approved by the Local Authority under s61 of the
Control of Pollution Act 1974.
Reason: To protect the amenities and environment of residents and other sensitive receptors and in accordance with Policy 7.15 of The London Plan and Policy BN.11 of the Local Plan.

29. **Plant noise**

Prior to the first use or occupation of the development, a competent person shall have ensured that the rating level of noise emitted from the site's plant, equipment and machinery shall not exceed 10dBA above the background levels determined at all boundaries near to noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance, in accordance with Policy 7.15 of The London Plan and Policy BN.11 of the Local Plan.

30. **Odour, ventilation, heat recovery and extraction**

Full details of the methods for odour control, ventilation, heat recovery, and extraction shall be submitted to, and approved in writing, prior to the first use of any Class A3 activities at the site. The development shall be carried out and retained in accordance with any approved details.

Reason: To ensure that the potential for nuisance odours is minimised and to protect neighbouring amenity, in accordance with Policy BN.1 of the Local Plan.

31. **Thames Water conditions**

The development shall not be occupied until confirmation has been provided to, and approved in writing by, the Local Planning Authority that either:

- a) all water network upgrades required to accommodate the additional flows from the development have been completed; or
- b) an infrastructure phasing plan has been agreed with Thames Water to allow the development to be occupied.

Where an infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development and in accordance with Policy S.5 of the Local Plan.

**Informatives:**

**Thames Water Informatives**

1. The applicant is advised to read Thames Water’s guide working near or diverting Thames Water pipes.  
   [https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-ordiverting-our-pipes](https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-ordiverting-our-pipes)

2. There are public sewers crossing or close to your development. If you're planning significant work near Thames Water sewers, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services Thames Water provide in any other way.
3. As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services Thames Water provide in any other way.

4. Thames Water expect the developer to demonstrate what measures you will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

6. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ.

7. The developer can request information to support the discharge of condition 26 by visiting the Thames Water website at thameswater.co.uk/preplanning.

8. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near Thames Water mains (within 3m) Thames Water will need to check that your development doesn’t reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way.

9. The proposed development is located within 15m of Thames Water underground water assets and as such we would like the following informative attached to any approval granted.

10. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk or call 0800 009 3921.

London Fire Brigade Informative

11. The London Fire Brigade strongly recommends that sprinklers are considered for new developments. Sprinkler systems installed in buildings can
significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers and can reduce the risk to life.

Network Rail Informative

12. Network Rail advise that if there are any cranes to be used on site where the collapse radius is within Network Rail land, Network Rail will need to review and accept the relevant Risk Assessment Method Statements prior to any crane activities commencing. This is to ensure that the safety of the railway is not compromised. The developer is advised to contact Asset Protection through AssetProtectionAnglia@networkrail.co.uk.

APPENDICES:

- Appendix 1 – Quality Review Panel report dated 14 March 2019
- Appendix 2 – Proposed Ground Floor Plan
- Appendix 3 – Proposed Mezzanine Floor Plan
- Appendix 4 – Proposed First Floor Plan
- Appendix 5 – Proposed Upper Floor Plan
- Appendix 6 – Proposed Roof Plan
- Appendix 7 – North and West Elevations
- Appendix 8 – South and East Elevations
- Appendix 9 – Proposed Hepscott Road Elevation