

## Kings Crescent Estate, Finsbury Park

in the London Borough of Hackney

planning application no. 2012/0676

### Strategic planning application stage II referral (new powers)

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

### The proposal

Outline masterplan proposal for estate renewal comprising the provision of 490 new units and the complete refurbishment of the existing 195 affordable units and the external refurbishment of the 80 leaseholder units. The partial demolition of the Kelshall block (20 vacant units) and ground floor shop units. A new community centre (205 sq.m.), ball court area, and 574 sq.m. of commercial space is also proposed. Increase in the number of onsite parking spaces from 171 to 176 and the provision 678 cycle spaces.

### The applicant

The applicant is **Hackney Council** and the architect is **PKCO Architects**.

### Strategic issues

The Mayor previously raised issues relating to housing, density, children's playspace, design, inclusive design, climate change and transport. These matters have now been satisfactorily resolved and the proposed application is acceptable in strategic planning policy terms.

### The Council's decision

In this instance Hackney Council has resolved to grant permission subject to the completion of a unilateral undertaking in relation to Section 106.

### Recommendation

That Hackney Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

### Context

1 On 24 May 2012 the Mayor of London received documents from Hackney Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1A and 1C of the Schedule to the Order 2008:

*“1A: Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.*

*1C: Development which comprises or includes the erection of a building of one or more of the following descriptions— the building is more than 30 metres high and is outside the City of London.”*

2 On 4 July 2012 the Mayor considered planning report PDU/2770/01 and subsequently advised Hackney Council that the application did not comply with the London Plan, for the reasons set out in paragraph 81 of the above-mentioned report; but that the possible remedies set out in paragraph 82 of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 12 September 2012 Hackney Council decided that it was minded to grant planning permission subject to the completion of a unilateral undertaking in relation to Section 106 for the revised application, and on 25 September 2012 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Hackney Council under Article 6 to refuse the application or issue a direction to Hackney Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. The Mayor has until 8 October 2012 to notify the Council of his decision and to issue any direction.

4 The decision on this case, and the reasons will be made available on the GLA’s website [www.london.gov.uk](http://www.london.gov.uk).

## **Update**

5 At the consultation stage the Council was advised that the application complies with some London Plan policies but not with others, for the following reasons:

- **Estate renewal and housing:** In the context of Hackney’s wider regeneration programme it is accepted that the proposal should be treated as an estate renewal in policy terms and because of the nature of the programme, the applicant cannot provide a typical viability assessment. The applicant should however provide financial information regarding the Council’s wider programme. Furthermore, the applicant should provide further information regarding the estate mix prior to its demolition and further information regarding the original habitable rooms/ floorspace so the change can be accurately calculated. Further justification will be required if there is a loss of affordable units/ floorspace/ habitable rooms. Therefore, further information and justification is required to determine whether the application complies with London Plan Policy 3.14.
- **Density:** Further information is required to ensure the application complies with London Plan policy 3.4.
- **Children’s playspace:** Further information is required to ensure the application complies with London Plan policy 3.6.
- **Tall buildings:** The proposed tall buildings are considered to be acceptable.
- **Urban design:** The application largely complies with London Plan design policy.

- **Inclusive design:** Further information is required to ensure that application complies with London Plan policy 3.8 and 7.2.
- **Climate change:** Further information is required to ensure the application complies with London Plan climate change policy.
- **Transport:** Further information is required to ensure the application complies with London Plan transport policy.

6 It was also advised that the following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Estate renewal and housing:** The applicant should provide financial information regarding the Council's wider estate regeneration programme. Furthermore, the applicant should provide further information regarding the estate mix prior to its demolition and further information regarding the original habitable rooms/ floorspace so the change can be accurately calculated. Further justification will be required if there is a loss of affordable units/ floorspace/ habitable rooms. The applicant should also provide further justification for the low level of affordable family units.
- **Density:** The applicant should provide further details regarding the existing and proposed residential floorspace.
- **Children's playspace:** The applicant should provide additional information regarding the play strategy for older children.
- **Urban design:** The applicant should consider whether the the main A1 retail space would be suitable for retail (such as a convenience store). The applicant should also provide a statement within the design code noting that all dwellings would be in accordance with the space standards as set out in table 3.3 of the London Plan.
- **Inclusive design:** The applicant should confirm whether the refurbished units will comply with Lifetime homes standards. The applicant should include additional information regarding accessibility within the design code regarding lifetime homes, wheelchair accessible units, landscaping, access and connectivity within the design code.
- **Climate change:** The applicant should commit to the development exceeding 2010 Building Regulations compliance through energy efficiency alone. The applicant should provide additional information regarding the district heating and the on site network. The applicant should clarify whether CHP is actually proposed as the lead heat source for the site heat network and, if so, provide the estimated electrical capacity of the CHP. The applicant should provide an estimate of the annual regulated carbon dioxide emissions of the development after the cumulative effect of energy efficiency measures, CHP and renewable energy has been taken into account and the overall reduction in carbon dioxide compared with 2010 building regulations.
- **Transport:** The applicant should revise the Travel Plan and it should be secured. The applicant is required to provide 20% active provision and 20% passive provision of electric vehicle charging points and 10% blue badge parking. The Council should secure conditions to ensure that car and cycle parking are provided in accordance with the London Plan and the Council should secure improvements to the pedestrian environment around the site.

## **Estate renewal and housing**

7 At stage one the applicant was required to provide financial information regarding the Council's wider estate regeneration programme and further information regarding the estate mix prior to its demolition and the original habitable rooms/ floorspace so the change can be accurately calculated. The applicant should also provide further justification for the low level of affordable family units.

8 The applicant has now provided a significant amount of information about the original estate and it has confirmed that all but 275 of the 632 units of the original estate were demolished between 1999 and 2012, with two towers (Barkway Court and Sandridge Court) comprising 228 two-bed units demolished first. The area of the site on which Barkway Court was located was sold by the Council in 2002 and re-developed to provide 106 one and two-bed unit, of which 40 are sheltered housing and the remainder are private units and is therefore not included in the current proposal's site boundary. Prior to the demolition of 53 sheltered housing units in the centre of the site in 2005, 40 households of the 53 sheltered units were decanted into the new units.

9 When comparing the original estate with the current proposal, there would be a loss of 95 affordable units (391 habitable rooms) and 13 sheltered units. However, given that the Barkway Court part of the site has already been redeveloped, the Council's view is that this should not be taken into account. If Barkway Court is removed from the figures, there would be a modest 19 unit increase in the number of affordable units.

10 As set out in the stage one report, the redevelopment of the estate is being bought forward as part of Hackney Council's wider estate regeneration scheme, which aims to replace 853 existing units and provide 275 additional affordable units. Of the units being replaces, 21% are bedsits and only 10 are family sized units. Therefore, by habitable room, the scheme intends to replace 2086 affordable habitable rooms with 4010 affordable units.

11 Given existing problems associated with this mono-tenure estate, it would not be desirable to increase the overall proportion of affordable housing. Furthermore, it is unlikely that the proposed density could be increased further without compromising the quality of the scheme.

12 Therefore, in this instance, in light of the Council's wider regeneration scheme and desire to create a more mixed and balance community on this site, it is accepted that the Barkway Court site which was part of the original estate but is outside the proposed development site is not taken into account and, on balance, the application complies with London Plan Policy.

13 The applicant has also confirmed that the nearly 40% of the proposed estate will be family-sized affordable units and this is welcomed.

## **Density**

14 At the consultation stage, the applicant was required to provide further details regarding the existing and proposed residential floorspace.

15 The applicant has now provided the requested information and set out that the existing density is 242 habitable rooms per hectare whilst the proposed density is 408 habitable rooms per hectare. The proposed density is within the suggested density set out in Table 3.2 of the London Plan and this is welcomed.

## **Children's playspace**

16 Whilst it was acknowledge that the on site play provision was good in the consultation report, the applicant was required to provide additional information regarding the play strategy for older children.

17 The applicant has now provided additional information regarding the play strategy for older children. It has set out that around £8 million has been spent improving the adjacent Clissold Park, including sporting facilities for tennis, football, rugby and cricket. This is welcomed and the application complies with London Plan Policy.

## **Urban design**

18 Previously the applicant was asked to consider the whether the main A1 retail space would be suitable for retail (such as a convenience store) as a result of to its long and multiple active frontages and it was asked to provide a statement within the design code noting that all dwellings would be in accordance with the space standards as set out in table 3.3 of the London Plan.

19 The applicant has now confirmed that the proposed commercial space will have a flexible use class and the most suitable design will be decided at the detailed design stage depending on the agreed use. The applicant has now added a statement to the design code setting out that the dwellings will comply with the space standards and this is welcomed.

## **Inclusive design**

20 At the consultation stage the applicant was asked to confirm whether the refurbished units will comply with Lifetime homes standards and to provide additional information regarding accessibility within the design code regarding lifetime homes, wheelchair accessible units, landscaping, access and connectivity within the design code.

21 The applicant has now confirmed that it is not possible for the refurbished units to comply with Lifetime Homes for structural reason and this is accepted. The applicant has, however, provide the request information regarding inclusive design and updated the design code as requested and this is welcomed.

## **Climate change**

22 At stage one the applicant was required to commit to the development exceeding 2010 Building Regulations compliance through energy efficiency alone and provide additional information regarding the district heating and the on site network, CHP and the applicant should the estimate of the annual regulated carbon dioxide emissions of the development

23 The applicant has now provided all the outstanding information and the application complies with London Plan climate change policy.

## **Transport**

24 To address the concerns set out in the stage one report, conditions have been applied in relation to meeting minimum requirements for accessible parking spaces, electric vehicle charging points and the provision of car club spaces. A restriction on future residents applying for on-street parking permits and a requirement to deliver cycle parking in line with London Plan standards have also been secured. Whilst the council deemed a car parking management plan was not necessary, officers agrees that, on balance and considering the above restrictions, the proposed arrangements for parking are in line with London Plan policy 6.13.

25 A full travel plan has been secured and funded as part of the section 106, alongside funding for future residents car club membership, and a construction management plan will be secured through planning condition. A stand alone delivery and servicing plan has not been secured. However this is acceptable in light of the site's distance from the Transport for London road network, and given that the proposed servicing arrangements set out in the applicant's transport assessment are appropriate.

## **Response to consultation**

26 Hackney Council sent 1252 consultation letters nearby properties. The Council also displayed site notices and places an advert in the local press.

27 The Council received 80 representations, of which 69 were objections, five were in support and 6 were for comment. In addition two petitions were received in objection to the application signed by 132 and 20 individuals respectively. The Mayor did not receive any representation directly.

28 The main issues for objection include: the detrimental impact of tall buildings on Clissold Park; the impact on views out of neighbouring buildings; impact on daylight levels of neighbouring properties; height and scale; out of character with neighbouring area; does not respect historical character of the area; impact on the skyline; loss of trees; loss of open space; increase in anti-social behaviour; lack of desirable commercial, open or community space; car parking is too low to meet need; overshadowing; the application does not comply with the London Housing Design Guide; increasing noise level; impact of residential privacy; increased density; social tenants will have less desirable views than the market units; vehicle/road arrangement will encourage criminal behaviour phasing of development favour new private properties not the existing tenants; dust and noise during the construction phase; impact on new commercial space on existing businesses and the consultation period was too short.

29 These issues have been considered within reports PDU/2770/01 and PDU/2770/ or within the Borough's committee report. The matter raised regarding lack of consultation is a procedural issue, which is beyond the remit of the Mayor's planning powers.

### **Statutory consultees**

Environment Agency- The Environment Agency has no objection to the developed subject to a suitable condition the flood risk assessment is attached to the permission. The Council have attached the request condition to the draft decision notice.

Natural England- Natural England requested additional information regarding the impact of the development on the habitat of protected species and ecology. The Council state that this information has now been provided.

English Heritage- English Heritage originally objected to the proposal on the basis that no heritage impact statement had been provided to assess the impact on Clissold Park and the Castle Climbing Centre, which are grade II listed and grade II\* listed respectively, and nearby conservation areas. This information was later provided to English Heritage and it has now stated that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

### **Article 7: Direction that the Mayor is to be the local planning authority**

30 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

### **Legal considerations**

31 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He

also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

## **Financial considerations**

32 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*Costs Awards in Appeals and Other Planning Proceedings*) emphasises that parties usually pay their own expenses arising from an appeal.

33 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

34 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

## **Conclusion**

35 At the consultation stage, outstanding issues were raised in relation to housing, density, children's playspace, design, inclusive design, climate change and transport. As described in this report, these issues have now been addressed by the applicant. The application now complies with the London Plan.

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**Kings Crescent Estate, Finsbury Park**

in the London Borough of Hackney

planning application no. 2012/0676

**Strategic planning application stage 1 referral (new powers)**

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

**The proposal**

Outline masterplan proposal for estate renewal comprising the provision of 490 new units and the complete refurbishment of the existing 195 affordable units and the external refurbishment of the 80 leaseholder units. The partial demolition of the Kelshall block (20 vacant units) and ground floor shop units. A new community centre (205 sq.m.), Ball court area, and 574 sq.m. of commercial space is also proposed. Increase in the number of onsite parking spaces from 171 to 176 and the provision 678 cycle spaces.

**The applicant**

The applicant is **Hackney Council** and the architect is **PKCO Architects**.

**Strategic issues**

The main strategic issue is whether the proposed **redevelopment and refurbishment of this residential estate** is acceptable, including the proposed **housing mix, tenure split and level of affordable housing**.

Further information is also required regarding **children's playspace, urban design, inclusive design, climate change, and transport**.

**Recommendation**

That Hackney Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 81 of this report; but that the possible remedies set out in paragraph 82 of this report could address these deficiencies.

**Context**

36 On 24 May 2012 the Mayor of London received documents from Hackney Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 4 July 2012 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

37 The application is referable under Category 1A and 1C of the Schedule to the Order 2008:

*“1A: Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.*

*1C: Development which comprises or includes the erection of a building of one or more of the following descriptions— the building is more than 30 metres high and is outside the City of London.”*

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

39 The Mayor of London’s statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

40 The 4.16 hectare triangular site is adjacent to Clissold Park, southeast of Finsbury Park. The area is predominantly characterised by two to three-storey semi-detached and terraced housing to the north, west and south, and Clissold Park to the east. The site is bounded by Queen’s Drive to the south and west, Green Lanes to the east and Brownswood Road to the north and west.

41 The site is currently occupied by Kings Crescent housing estate, which dates from the late 1960s and comprises a mix of five to seven-storey slab block apartments, which zigzag the perimeter of the site and contain 275 units. A large area at the centre of the site, which was occupied by two storey houses, was cleared in 2008 and is currently boarded up and physically divides the site. A nineteen-storey tower immediately west of the site, but not within the proposed site boundary, was demolished in 2000 and replaced with a five to seven-storey flatted development in 2004, which contains a mix of forty extra care flats and 66 private residential dwellings. One block on the site is currently derelict and due to be demolished. The Council has refurbished a number of the existing units and intends to refurbish all the 195 units in Council’s ownership.

42 Arsenal and Manor House London Underground stations, both on the Piccadilly line, are located approximately 1km to the south-west and north of the site respectively and fall within the maximum Public Transport Accessibility Level (PTAL) walk distance of the northern and south-western-most parts of the site. Although not within the PTAL walking distance, Finsbury Park station, offering services on the Victoria and Piccadilly lines as well as national rail services to King’s Cross and Moorgate, is within a reasonable walking distance to the north-west of the site. In addition, three bus services are within 400 metres walk from the site on Brownswood Road and Green Lanes, with a further three services accessible within the maximum 640 maximum PTAL walk distance.

43 The transport assessment contains an assessment of the site’s PTAL which is calculated as 4, although it appears the methodology used for this is incorrect. As such, the majority of the site records a PTAL of 3 although the perception of the site’s accessibility may be greater due to its proximity to Finsbury Park station as detailed above.

## **Details of the proposal**

44 The applicant is seeking outline permission with all matters reserved except access for a masterplan proposal for the estate renewal comprising the provision of 490 new units in blocks varying between four and eleven stories in height and the complete refurbishment of the existing 195 affordable units and the external refurbishment of the 80 leaseholder units.

45 The partial demolition of the Kelshall block (20 vacant units) and ground floor shop units. A new community centre (205 sq.m.), ball court area, and 574 sq.m. of commercial space is also proposed. Increase in the number of onsite parking spaces from 171 to 176 and the provision 678 cycle spaces.

## Case history

46 A pre-application meeting was held on 12 April 2011.

## Strategic planning issues and relevant policies and guidance

47 The relevant issues and corresponding policies are as follows:

- Regeneration *London Plan; the Mayor’s Economic Development Strategy*
- Housing *London Plan; Housing SPG; Interim Housing SPG; draft Housing SPG; Housing Strategy; draft Revised Housing Strategy; Providing for Children and Young People’s Play and Informal Recreation SPG; draft Providing for Children and Young People’s Play and Informal Recreation SPG;*
- Affordable housing *London Plan; Housing SPG; Interim Housing SPG; draft Housing SPG; draft Affordable Housing SPG; Housing Strategy; draft Revised Housing Strategy; draft Early Minor Alteration to the London Plan*
- Density *London Plan; Housing SPG; Interim Housing SPG; draft Housing SPG*
- Urban design *London Plan;*
- Transport *London Plan; the Mayor’s Transport Strategy;*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
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- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor’s Climate Change Adaptation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy*

48 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2010 Hackney Core Strategy and the 2011 London Plan.

49 The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework and the draft Early Minor Alteration to the London Plan are also material considerations.

## Housing

50 The remaining elements of the estate comprise 275 residential units, 195 of which are social rented properties and 80 are owned by leaseholders. The existing mix of the social rented properties on the site is provided below.

Tenure	1-bed	2-bed	3-bed	4-bed	TOTAL	Percentage

Affordable	28	49	103	15	195	<b>71%</b>
Leaseholders	1	16	51	12	80	<b>29%</b>
TOTAL	29	65	154	27	275	
<b>Percentage</b>	<b>10.5%</b>	<b>23.5%</b>	<b>56%</b>	<b>10%</b>		<b>100%</b>

51 The proposal comprises 490 new residential units. This will bring the total number of units on the site to 765. Of the new units, 155 are to be affordable, and 332 are for private sale.

Tenure	1-bed	2-bed	3-bed	4-bed	TOTAL	% of new	<b>Overall Total (existing + proposed)</b>	<b>Overall % (existing + proposed)</b>
Affordable Social Rent	30 (60)	28 (84)	3 (12)	18 (90)	79 (246)	16%	<b>274</b>	<b>36%</b>
Affordable intermediate	52 (104)	55 (165)	2 (8)	8 (40)	117 (317)	24%	<b>117</b>	<b>15%</b>
Proposed market	92	159	12	31	294	60%	<b>374</b>	<b>49%</b>
TOTAL	174	242	17	57	490	100%		
<b>Overall Total (existing+ proposed)</b>	<b>203</b>	<b>307</b>	<b>171</b>	<b>84</b>			<b>765</b>	
<b>% of overall units</b>	<b>26.6%</b>	<b>40 %</b>	<b>22.4%</b>	<b>11%</b>				<b>100%</b>

#### Estate renewal

52 London Plan Policy 3.14 resists the loss of housing, including affordable housing, unless it is replaced at existing or higher density with equivalent floorspace. Paragraph 3.82 of the London Plan gives further advice on the Mayor's approach to estate renewal. More detailed guidance is set out in Section 20 of the Housing SPG. This clarifies that there should be no net loss of affordable housing, which can be calculated on a habitable room basis and should exclude right to buy properties. Replacement affordable housing can be of a different tenure mix where this achieves a better mix of provision.

53 Private housing that forms part of estate renewal schemes need not provide the normal level of additional affordable provision, where this is necessary to cross subsidise redevelopment. This would normal be justified through a financial appraisal.

54 When the estate was constructed in the 1960s it originally comprised 632 units. As set out above 275 units remain on the site. The following table sets out the demolition programme of the rest of the estate.

Demolition programme of Kings Crescent Estate:

2002	Barkway Court	20 Storey-114 homes (2xBeds)
	Sandrige Court	20 storey -114 homes (2xBeds)
2005	Westmill Court- Sheltered Block	2 Storey - 53 Homes
	Codicot Terrace	18 houses-- 8x3beds & 10x4beds
2011	Weston Court	6 Storey- 13 flats (3xbeds)
	Lemsford Court	6 Storey- 24 flats (3xbeds)
2012	Kelshall Court	6 Storey- 20 flats (1xbeds)

55 In addition, 106 one and two bed units were built on the Barkway Court site in 2002, of which 40 were sheltered housing units and 66 were market housing. A number of residents from Westmill Court were decanted into the sheltered housing. The applicant has also clarified that the residents of Weston and Lemsford Courts, which were recently demolished, have been permanently re-housed in refurbished flats on Kings Crescent Estate and nine leaseholders were bought out and one leaseholder was offered and accepted an equity swap on the estate and has since moved.

56 Therefore, in this instance, there is an overall net increase of 239 units. It is not clear how many of the demolished units had been purchased through the right-to-buy scheme prior to demolition and therefore the exact number of affordable units lost is not quantifiable. However, in a worst case scenario, if none of the demolished units had been purchased by leaseholders, the proposal would result in the reduction of 196 affordable units on the site since it was originally built. From the information provided, it is not possible to quantify the loss/ gain in affordable floor space or habitable rooms. The applicant should provide further information regarding the estate mix prior to its demolition and further information regarding the original habitable rooms/ floorspace so the change can be accurately calculated. Further justification will be required if there is a loss of affordable units/ floorspace/ habitable rooms.

57 At the pre-application stage the applicant was asked to clarify the funding arrangements for the scheme as it had stated that the regeneration and refurbishment of the 195 retained social rented flats is being funded from Council resources, and not by cross subsidy from the proposed new built development and therefore the proposal is not a typical estate renewal scheme.

58 The applicant has referred to a cabinet report which outlines Hackney Council's wider estate regeneration programme between 2011 and 2019, which the Kings Crescent regeneration scheme is part of. The report sets out that due to the reforms to the Housing Revenue Account, which came into affect in April 2012, and some funding from the HCA, Hackney Council is now in a position to implement a comprehensive programme of estate renewal and house building across the Borough, largely through prudential borrowing against future rent revenues. The Council intends to deliver 2300 new build homes and 195 refurbished tenanted homes (on the Kings Crescent estate) across nine estates and two vacant sites, replacing 853 tenanted homes with 1,110 will be affordable and 1194 private sale homes. 33% of the affordable homes will be family sized.

59 As raised at the pre-application stage, the proposed development is not a typical estate redevelopment in the sense the refurbishment of the estate is being forward funded by the Council and not from the sales of the market housing. In this sense the development is similar to an infill

development, which would be required to deliver the maximum reasonable amount of affordable housing. However, the applicant has now provided additional information stating that the forward funding will be drawn from the Council's estate regeneration programme and the financial gain from the sales of the private units will then be used by the programme for the redevelopment of other estates and/or to pay down the prudential borrowing which allowed the initial forward funding. In this context, it is accepted that the proposal should be treated as an estate renewal in policy terms. It is also accepted that in this instance the applicant is unable to provide a normal viability assessment which is usually required in line with policy 3.14. The applicant has however, made reference to a financial report for the entire programme and it should provide GLA officers with a copy for review and further discussion.

60 Taking into account the refurbished units the proposed overall mix of the estate is 51% affordable and 49% market housing, which is in line Policy 3.9 'mixed and balanced communities and this is welcomed in principle but must be balanced against the potential loss of affordable units discussed above.

61 At the pre-application stage concerns were raised about the retention and refurbishment of the existing block, particularly because the vast majority of the social housing on the site would be located within these older blocks whilst the new housing is predominately for market housing. Therefore, if the refurbishment were unsuccessful, the difference in the quality of housing may be a cause for division on the estate and would jeopardise the objectives of the estate renewal and the desire to create a mixed and balanced community on the site. The Council has provided additional information demonstrating its commitment to ensuring the refurbished units will be of a similar quality of the new units and it had already begun extensive internal refurbishment of the units. It recognises the importance of a high quality finish to the overall viability and success of the proposal and this is welcomed. As part of the application, the applicant intends to provide new balconies for the refurbish units and completely re-clad the units.

#### Tenure split

62 London Plan Policy 3.13 a strategic target that 60% of new affordable housing should be for social rent and 40% for intermediate rent or sale.

63 If the proposed development is viewed in isolation from the existing estate it delivers 40% affordable housing, with a tenure split of 12% social rent and 88% intermediate. However, the tenure split of the new development has been proposed within the context of the existing estate and with a desire to promote a mixed a balance community, in line with London Plan Policy 3.9, on this largely mono-tenure estate. When considered with the refurbishment of the 195 social rented units, the overall site delivers a 70:30 split between social rent and intermediate tenures which exceed the 60:40 split in the London Plan. This understandable in the context of the existing estate and the need to re-provide for existing tenants.

#### Housing choice

64 London Plan policy 3.8 sets out that the provision of affordable family housing is a strategic priority. The London Housing Strategy sets out strategic housing requirements and Policy 1.1C of the Strategy includes a target for 42% of social rented homes to have three or more bedrooms. The revised London Housing Strategy, currently out for consultation, sets out that 36% of affordable rented homes allocated funding in 2011-15 will have three or more bedrooms.

65 The existing estate comprises 61% affordable family accommodation. However, this is reduced to 20% of the overall estate when the proposed additional units are taken into account. Whilst it is understood that the estate renewal is proposed in the context of Hackney Council's

borough wide estate regeneration programme, which intends to deliver 33% affordable housing across the programme, the applicant should provide further justification for the low level of affordable family units.

### Summary

66 In summary, in the context of Hackney's wider regeneration programme it is accepted that the proposal should be treated as an estate renewal in policy terms and because of the nature of the programme, the applicant cannot provide a typical viability assessment. The applicant should however provide financial information regarding the Council's wider programme. Whilst the proposed tenure mix is supported in principle, the applicant should provide further information regarding the estate mix prior to its demolition and further information regarding the original habitable rooms/ floorspace so the change can be accurately calculated so that the loss of affordable units can be calculated. Further justification will be required if there is a loss of affordable units/ floorspace/ habitable rooms. The applicant should also provide further justification for the low level of affordable family units. Therefore, further information and justification is required to determine whether the application complies with London Plan Housing Policy

### Density

67 London Plan Policy 3.4 seeks to optimise the potential of sites, having regard to local context, design principles and public transport accessibility.

68 The site has a public transport accessibility level of three and is classified as urban in character. The London Plan density matrix therefore suggests a residential density of between 200 and 550 habitable rooms per hectare or 70- 170 units per hectare.

69 The applicant has not provided details of the existing residential floorspace, therefore an accurate calculation of density cannot be made at this stage and the applicant should provide this information. A basic calculation of density, which does not take into account proposed commercial space or community centre, suggests the residential density will be approximately 162 units per hectare, within the suggested density set out in the density matrix.

70 Further information is required to ensure the application complies with London Plan Policy 3.4. The applicant should provide further details regarding the existing and proposed residential floorspace.

### Children's play space

71 Policy 3.6 of the London Plan sets out that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' it is anticipated that there will be approximately 562 children within the development, of which 179 are expected to be under-five. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for at least 1790 sq.m. of playspace onsite and a financial contribution may be required to the adjacent Clissold Park to meet the needs of older children.

72 The applicant has set out the playspace requirements for the development and states that door-stop play provision will be provided in the semi-private courtyards which will have a minimum

total amenity space of 12,595 sq.m. and this is welcomed. Whilst it is recognised that Cissold Park is directly adjacent to the site and will provide a useful play resource for the development, further information regarding the quality of facilities should be submitted and the need for additional facilities/ funding in response to the development should be assessed. The onsite ball court is also welcomed but again there is insufficient information to understand how this relates to the wider play strategy.

73 Further information is required to ensure the application complies with London Plan Policy 3.6. The applicant should provide additional information regarding the play strategy for older children

## **Tall buildings / views**

74 London Plan (2011) policy 7.7, which relates to the specific design issues associated with tall and large-scale buildings, is of particular relevance to the proposed scheme. This policy sets out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor.

75 Although the proposed development is unlikely to detrimentally affect any of the protected views as set out within the revised London View Management Framework, the main impacts of the proposed building scale, notably the two tall buildings flanking the central entrance into the site from Green Lanes. The buildings have been significantly reduced in height since the pre-application discussions, and although they would still be the tallest buildings on the site, they would form an appropriate marker for the entrance of the scheme, and the regeneration of the area. They would also take advantage of the views across Clissold Park.

76 The tall buildings would not have an unacceptable impact on the character of the Metropolitan Open Land and designated heritage asset of Clissold Park, from within which other tall buildings are visible. The character of the park is urban, and while the proposed buildings would be visible, they would form an acceptable addition to the existing urban fabric when viewed from within the park. Although the other areas surrounding the estate have a predominantly low-rise residential character, the tall buildings would be most visible from the Green Lanes approaches, which is a street of varying character. As such, the proposed tall buildings are acceptable.

## **Urban design**

77 Good design is central to all objectives of the London Plan (2011) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and World Heritage Sites, views, the public realm and the Blue Ribbon Network. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (policy 7.4).

78 The scheme has been submitted in outline form, accompanied by a design and access statement (which has advisory/illustrative status), a development specification and a design code (which would be adoptable). At pre-application stage, the applicant was advised of the GLA's design requirements for strategic applications, and that the application would need to conform to best practice guidance for outline schemes, particularly the CABI/ English Heritage Guidance for

tall buildings. The application materials offer a reasonable indication of the design quality of the scheme, including the treatment of building edges, interfaces with the internal spaces within the scheme, and the spaces themselves. These demonstrate that the design has been produced to a high standard, and that this is likely to be reflected within the detailed proposals. One point of concern is that although the design code is comprehensive, much of the language used offers flexibility in the final outcome, and this should be tightened to enable the Mayor to gain satisfaction that the code will be a more realistic reflection of the final outcome.

### Layout and access

79 The design faces unique challenges in knitting existing buildings with a proposed new core, to be constructed within a constrained space, while the estate remains inhabited. The new layout would provide clear delineation between public and private space, which from the outset has been one of the most important drivers of the design, enabling the estate's previous problem of non-ownership of spaces to be overcome. The layout is supported; it appears to be the most appropriate response to the significant constraints posed by the retention of the existing buildings and the need to improve existing residents' living standards. Additionally, while a comprehensive redevelopment of the site would enable a development to better respond to the external site context in terms of street and block layouts, it is understood that the renovation and retention of blocks is a community decision, and that the buildings that have been retained are of a higher standard than those which were demolished. The retention of existing buildings is seen to have benefits in terms of achieving community ownership of the scheme.

80 The existing estate has an inward looking character and was designed in a way that is unresponsive to the local context. As such the retained buildings will retain a barrier between the new high-density inner development and the surrounding streets, although the new perimeter development is intended to remedy this and build connections. The new development retains sufficient flexibility to provide further extensions should the retained blocks be redeveloped in the future. The proposed layout as set out in this scheme would create new internal squares which would provide semi-private spaces for residents, enclosed by the existing and new buildings. This is welcomed. Additionally there would be new routes created through the site, such as the main east-west route (Park Way) and secondary north-south routes. Clear lines of vision through the narrow openings into these streets will assist with their attractiveness. The commercial space at the new main site entrance is flexible enough to respond to the market, but there is concern that the main retail (Class A1) space would be unsuitable for retail (such as a convenience store) as a result of its long and multiple frontages.

81 The original layout of the retained blocks created 'leftover' spaces on the perimeter which are not used and in some cases have been appropriated as garden spaces by residents. The enclosure of these spaces by new buildings is supported, as it would give them purpose and ownership.

### Scale and massing

82 The scale of the buildings at the main entrance is appropriate, and the new building at the corner of Queen's Drive and Park View has also been revised to become less 'iconic' while still retaining an independent identity. Given the varying character of Green Lanes, an additional landmark is unnecessary, and the identification and value of the scheme should come from the quality of the architecture used throughout. The revision of scale the buildings formerly identified as landmark buildings is therefore welcomed. Other aspects of the scale identified at the pre-application stage, such as the differentiating the existing and proposed buildings where they join, have been incorporated within the outline design and design code.

83 The scale of the new buildings in the centre of the scheme is larger than the existing buildings, although the scale decreases westwards from the main entrance. The scale of the internal spaces suggests that the character of the scheme at street level would not be compromised by the scale of the buildings. Both the scale and the massing of other buildings within the internal areas would provide suitable scale and enclosure of the main route and new squares. These in turn are of a sufficient scale to provide 'breathing space' close to the taller buildings, and more domestically-scaled internal courtyards.

#### Appearance and landscaping

84 There is currently limited information available on materials and appearance at this outline stage of development, including within the design code, within which the architect has stated that there should be sufficient flexibility at the detailed stage to allow future designers "freedom of design". The various illustrative elevations and 3D images demonstrate that the buildings would have the potential to have interesting elevations, providing the aspirations of the design code are delivered at the detailed design stage. These would also need to be sympathetic to the existing buildings on the site, where recladding is proposed.

85 Indicative landscape proposals are appropriate. The layout of parking spaces around the site would be largely within street settings, and the plans demonstrate that their concentration would be appropriate, ensuring that streets were not overwhelmed by parking, to the detriment of visual amenity. The introduction of some parking spaces on Park Way, to provide additional activity within the main spine of the development, is welcomed.

#### Residential quality

86 Policy 3.5 of the London Plan introduces a new policy on the quality and design of housing developments. Part A of the policy states that housing developments should be of the highest quality internally, externally and in relation to the wider environment. Part C of the policy states that new dwellings should generally conform with the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts. Part E of the policy states that the Mayor will provide guidance on implementation of this policy including on housing design for all tenures. The reasoned justification provides further guidance and explanation. In particular, paragraph 3.32 makes clear that "Securing new housing of the highest quality and protecting and enhancing residential neighbourhoods are key Mayoral priorities". The Mayor's draft Housing Design Guide (July 2009) and the draft replacement Housing SPG (December 2011), provides further guidance on the implementation of these policies.

87 The proposed design appears to comply with the majority of the guidelines, and the high level of dual aspect flats and frequency of cores are welcomed. The positioning of core entrances within the public realm is welcomed, as is the alterations to the existing building to improve the quality of entrances for existing residents. Defensible space would be provided where homes would abut communal or public space. The proposal to ensure that buildings would be designed to be 'tenure blind', thereby offering maximum flexibility in terms of tenure allocation and mix, will assist with the neighbourhood-building aims of the scheme, and as such is supported.

88 The applicant should provide a statement within the design code noting that all dwellings would be in accordance with the space standards as set out in table 3.3 of the London Plan.

89 The application largely complies with London Plan design policy. However the applicant should consider the whether the main A1 retail space would be suitable for retail (such as a convenience store) as a result of its long and multiple frontages. The applicant should also

provide a statement within the design code noting that all dwellings would be in accordance with the space standards as set out in table 3.3 of the London Plan.

## **Inclusive design**

90 Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity. The aim of London Plan Policy 3.8 'Housing Choice' and 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion, not just the minimum. The applicant should therefore seek to design a scheme that is exemplary in terms of inclusive access. The design and access statement submitted with the application should explain the design rationale behind the application and demonstrate how the principles of inclusive design, including the specific access needs of disabled people, have been integrated into the proposed development from the outset and how inclusion will be maintained and managed.

91 The applicant's commitment for all of the units to meet Lifetime Homes Standards and to provide at least 10% wheelchair adaptable units is welcomed. The applicant has demonstrated the location and layout of the proposed accessible units and provided drawings to show that the necessary space is available for the units to be adapted when required. The applicant should also confirm whether the refurbished units will comply with Lifetime homes standards.

92 With regard to the proposed new homes, the design code should include typical flat layouts and that demonstrate that the Lifetime Homes criteria have been addressed. The Mayor's Best Practice Guidance on wheelchair accessible housing provides a useful checklist that should be used in the design code to demonstrate the adaptability of homes proposed. The design code should also state that wheelchair adaptable units will be distributed throughout the estate, with a mix of tenures, sizes and typologies.

93 As stated at the pre-application stage, the sensitive design of the landscaping and the public realm, including the entrances to buildings and the proposed shared surface, will be crucial to ensure this development is fully inclusive. The pedestrian routes to all of the buildings, and within the buildings and courtyards, should be designed to ensure full and easy access for all users. The design code should therefore set out the principles to ensure that disabled people will be able to access the buildings safely, and include details of levels, gradients, widths and surface materials of the paths, and how they are segregated from traffic and turning vehicles for example, particularly in relation to the proposed shared surface. Connectivity to the surrounding streets and the public transport network is also a key issue that should be addressed.

94 Further information is required to ensure that application complies with London Plan Policy 3.8 and 7.2. The applicant should confirm whether the refurbished units will comply with Lifetime homes standards. The applicant should include additional information regarding accessibility within the design code regarding lifetime homes, wheelchair accessible units, landscaping, access and connectivity within the design code.

## **Climate change**

### Energy efficiency standards

95 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Features include improved air permeability, increased insulation levels and maximising use of daylight. The demand for cooling will be minimised through features such as high performance glass.

96 Based on the information provided, it is not clear whether the proposed development will achieve any carbon savings from energy efficiency alone compared to a 2010 Building Regulations compliant development. The applicant should commit to the development exceeding 2010 Building Regulations compliance through energy efficiency alone.

#### District heating

97 The applicant has carried out an investigation and there are no existing or planned district heating networks within the immediate vicinity of the proposed development. However, the applicant should confirm that the development will be designed to allow future connection to an area wide district heating network. The applicant should also clarify whether there is scope to connect to any of the existing blocks of flats surrounding the development.

98 The applicant should confirm that a site heat network will be adopted linking all the apartments and non-domestic building spaces on the development. A drawing showing the route of the heat network linking all buildings on the site should be provided.

99 The applicant should confirm that the site heat network will be served from a single energy centre. Details of the floor area and proposed location of the energy centre should also be provided. Further details of the old boiler house that previously supplied the site should also be provided.

#### Combined Heat and Power

100 The applicant has investigated the installation of gas fired CHP as the lead heat source for a site heat network. A potential reduction in carbon dioxide emissions of 684 tonnes per annum is suggested through this second part of the energy hierarchy. The applicant should clarify whether CHP is actually proposed as the lead heat source for the site heat network and, if so, provide the estimated electrical capacity of the CHP.

#### Renewable energy technologies

101 The applicant has investigated the feasibility of a range of renewable energy technologies, however, no renewable energy systems are firmly proposed. If the targets in Policy 5.2 of the London Plan are not met through the first two elements of the energy hierarchy, complimentary renewable energy technologies (e.g. PV) should be proposed.

#### Summary

102 The applicant should provide an estimate of the annual regulated carbon dioxide emissions of the development after the cumulative effect of energy efficiency measures, CHP and renewable energy has been taken into account.

103 The applicant should also estimate the overall reduction, expressed in tonnes of carbon dioxide per year and percentage terms, in regulated emissions compared to a 2010 Building Regulations compliant development. Should the carbon dioxide savings fall short of the targets within Policy 5.2 of the London Plan, the applicant should consider the scope for additional measures aimed at achieving further carbon reductions.

104 Further information is required to ensure the application complies with London Plan climate change policy. The applicant should commit to the development exceeding 2010 Building Regulations compliance through energy efficiency alone. The applicant should provide additional information regarding the district heating and the on site network. The applicant should clarify whether CHP is actually proposed as the lead heat source for the site heat network and, if so,

provide the estimated electrical capacity of the CHP. The applicant should provide an estimate of the annual regulated carbon dioxide emissions of the development after the cumulative effect of energy efficiency measures, CHP and renewable energy has been taken into account and the overall reduction in carbon dioxide compared with 2010 building regulations.

## **Transport**

105 The application proposes car parking at a maximum of 0.2 spaces per unit, via a mixture of basement, undercroft and on street spaces. This restrained level of parking is supported by TfL and is considered to be in accordance with London Plan policy 6.13. However, conditions must be secured on any consent requiring the submission of a parking management plan and excluding residents from eligibility for parking permits in the controlled parking zone surrounding the site. In addition, conditions requiring 10% blue badge parking and 20% active and 20% passive provision of electric vehicle charging points must be secured to ensure that as proposals come forward for each phase these remain in accordance with the London Plan.

106 Based on the information provided by the applicant, TfL has carried out an analysis of the development's impact on both the Transport for London Road Network and the local bus network and it is accepted that the development would not result in an unacceptable impact on the transport network. In addition, an assessment of the pedestrian environment around the site has been carried out which has identified deficiencies on Green Lanes to the south of the site and general issues around legibility and pedestrian signage. The applicant should identify ways in which the application can resolve some of these issues, for example through the provision of Legible London signage linked to Clissold Park.

107 The applicant has confirmed that cycle parking will be provided in line with the standards set out in the London Plan (one space per one or two bed residential unit and two spaces for each larger unit). A condition should be secured on any consent requiring submission of details of cycle parking to ensure that as each phase comes forward secure, convenient cycle parking is provided in line with London Plan policy 6.9.

108 A travel plan has been submitted with the application and should be secured as part of the section 106 agreement for the site. Although the travel plan contains much of the required information, some minor revisions are still required. More information on the phasing of the development should be provided and surveys should be carried out to a TRAVL compliant standard given the size of the development. The travel plan also includes a measure to fund additional car club vehicles, which is welcomed by TfL although there is currently no evidence that an operator has been approached, nor information on where additional vehicles will be located. Any such funding would again need to be secured through the section 106 agreement for the site. Finally, in the absence of a standalone delivery and service plan (DSP), the travel plan should contain information on how deliveries to the site will be managed to reduce their impact. Similarly, measures to minimise the impact of construction should be dealt through a construction logistics plan (CLP), to be secured by an appropriate condition on any consent. This is required in order to comply with London Plan policy 6.3.

109 In summary, further information is required to ensure the application complies with London Plan transport policy. The applicant should revise the travel plan and it should be secured. The applicant is required to provide 20% active provision and 20% passive provision of electric vehicle charging points and 10% blue badge parking. The Council should secure conditions to ensure that car and cycle parking are provided in accordance with the London Plan and the applicant should to work with Hackney Council to secure improvements to the pedestrian environment around the site.

## **Community Infrastructure Levy**

110 In accordance with London Plan policy 8.3, the Mayor has introduced a London-wide Community Infrastructure Levy (CIL) that will be paid by most new development in Greater London. Any development that receives planning permission after the 1 April 2012 will have to pay, including:

- Cases where a planning application was submitted before 1 April 2012, but not approved by then.
- Cases where a borough makes a resolution to grant planning permission before 1 April 2012 but does not formally issue the decision notice until after that date (to allow a section 106 agreement to be signed or referral to the Secretary of State or the Mayor, for example),.

111 The Mayor has arranged boroughs into three charging bands with rates of £50 / £35 / £20 per square metre of net increase in floor space respectively (see table, below). The proposed development is within the London Borough of Hackney where the proposed Mayoral charge is £35 per square metre. More details are available via the GLA website <http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>.

112 Within London both the Mayor and boroughs are able to introduce CIL charges and therefore two distinct CIL charges may be applied to development in future. At the present time, borough CIL charges for Redbridge and Wandsworth are the most advanced. The Mayor's CIL will contribute towards the funding of Crossrail.

### **Local planning authority's position**

113 Hackney Council's position is unknown.

### **Legal considerations**

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

### **Financial considerations**

115 There are no financial considerations at this stage.

## **Conclusion**

**116** London Plan policies on estate renewal, housing, density, children's playspace, urban design, inclusive design, climate change, and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Estate renewal and housing:** In the context of Hackney's wider regeneration programme it is accepted that the proposal should be treated as an estate renewal in policy terms and because of the nature of the programme, the applicant cannot provide a typical viability assessment. The applicant should however provide financial information regarding the Council's wider programme. Furthermore, the applicant should provide further information regarding the estate mix prior to its demolition and further information regarding the original habitable rooms/ floorspace so the change can be accurately calculated. Further justification will be required if there is a loss of affordable units/ floorspace/ habitable rooms. Therefore, further information and justification is required to determine whether the application complies with London Plan Policy 3.14.
- **Density:** Further information is required to ensure the application complies with London Plan policy 3.4.
- **Children's playspace:** Further information is required to ensure the application complies with London Plan policy 3.6.
- **Tall buildings:** The proposed tall buildings are considered to be acceptable.
- **Urban design:** The application largely complies with London Plan design policy.
- **Inclusive design:** Further information is required to ensure that application complies with London Plan policy 3.8 and 7.2.
- **Climate change:** Further information is required to ensure the application complies with London Plan climate change policy.
- **Transport:** Further information is required to ensure the application complies with London Plan transport policy.

82 On balance, the application does not comply with the London Plan. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Estate renewal and housing:** The applicant should provide financial information regarding the Council's wider estate regeneration programme. Furthermore, the applicant should provide further information regarding the estate mix prior to its demolition and further information regarding the original habitable rooms/ floorspace so the change can be accurately calculated. Further justification will be required if there is a loss of affordable units/ floorspace/ habitable rooms. The applicant should also provide further justification for the low level of affordable family units.
- **Density:** The applicant should provide further details regarding the existing and proposed residential floorspace.
- **Children's playspace:** The applicant should provide additional information regarding the play strategy for older children.

- **Urban design:** The applicant should consider whether the main A1 retail space would be suitable for retail (such as a convenience store) as a result of its long and multiple active frontages. The applicant should also provide a statement within the design code noting that all dwellings would be in accordance with the space standards as set out in table 3.3 of the London Plan.
- **Inclusive design:** The applicant should confirm whether the refurbished units will comply with Lifetime homes standards. The applicant should include additional information regarding accessibility within the design code regarding lifetime homes, wheelchair accessible units, landscaping, access and connectivity within the design code.
- **Climate change:** The applicant should commit to the development exceeding 2010 Building Regulations compliance through energy efficiency alone. The applicant should provide additional information regarding the district heating and the on site network. The applicant should clarify whether CHP is actually proposed as the lead heat source for the site heat network and, if so, provide the estimated electrical capacity of the CHP. The applicant should provide an estimate of the annual regulated carbon dioxide emissions of the development after the cumulative effect of energy efficiency measures, CHP and renewable energy has been taken into account and the overall reduction in carbon dioxide compared with 2010 building regulations.
- **Transport:** The applicant should revise the Travel Plan and it should be secured. The applicant is required to provide 20% active provision and 20% passive provision of electric vehicle charging points and 10% blue badge parking. The Council should secure conditions to ensure that car and cycle parking are provided in accordance with the London Plan and the applicant should work with Hackney Council to secure improvements to the pedestrian environment around the site.

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