Block B, Phase 2, Woodberry Down
in the London Borough of Hackney
planning application no. 2018/2681

<table>
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<tr>
<th>Strategic planning application stage 1 referral</th>
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<tr>
<th>The proposal</th>
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<tr>
<td>Variation of Condition 1 of the hybrid planning permission reference 2013/3223 (dated 20 August 2014) to allow the substitution of drawings for the Phase 2 detailed component of the Woodberry Down Masterplan. Changes to facilitate alterations to Block B within Phase 2 comprising amendments to the facades, omission of the car park at podium level, removal of the podium, an increase of 34 units from 241 (approved) to 275 (proposed) and minor layout alterations.</td>
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<th>The applicant</th>
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<td>The applicant is Berkley Homes (North East London) and the architect is Hawkins Brown.</td>
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<th>Strategic issues summary</th>
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<td><strong>Estate Regeneration and Affordable Housing:</strong> The application is consistent with the Mayor’s Good Practice Guidance for Estate Regeneration SPG (2018), Affordable Housing and Viability SPG (2017), as well as Policies H6 and H7 of the draft London Plan. The proposed amendments may be allowed without the provision of a revised Financial Viability Appraisal (FVA) in this instance (paragraphs 15 – 20).</td>
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<td><strong>Urban Design:</strong> No concerns are raised with the nature of changes to the Block B building in respect of height and massing, external elevational treatments or internal layout changes (paragraphs 21-22).</td>
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<td><strong>Transport:</strong> The reduction in car parking so that Phase 2 Block B of the overall Woodberry Down masterplan is now car-free, except for disabled spaces, which is strongly supported in accordance with Policy 6.13 of the London Plan and Policies T6, T6.2 &amp; T6.3 of the draft London Plan (paragraphs 23-25).</td>
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<th>Recommendation</th>
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<td>That Hackney Council be advised that the scheme is acceptable in strategic planning terms for the reasons set out in paragraph 29 of this report, and the application does not need to be referred back to the Mayor.</td>
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Context

1 On 15 August 2018 the Mayor of London received documents from the London Borough of Hackney notifying him of a s73 planning application of potential strategic importance, to amend the extant permission at the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under Category 1A, 1B(c) 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.

- **1B(c):** Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings - (c) outside Central London and with a total floorspace of more than 15,000 square metres.

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

3 Once Hackney Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself, unless otherwise advised. However, in this instance it is recommended that the Council may proceed to determine the application itself, without the need for a further referral to the Mayor.

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

Site description

5 The site constitutes ‘Block B’ within Phase 2 of the Woodberry Down Estate Regeneration Scheme. The overall phase 2 site measures 4.3 ha in size, with Block B occupying a 0.89 hectare parcel of land within the south-western corner of this development phase. The phase 2 site is bounded by Woodberry Grove to the north, the KSS1 development site to the east, the John Scott Health Centre to the south and Green Lanes to the west.

6 The Woodberry Down Estate is a mid-to-late 20th century housing estate, which is triangular in shape and bounded by Green Lanes to the west and enclosed by the New River to the north, east and south. The site is bisected in a roughly east-west direction by a six-lane section of Seven Sisters Road (the A503). Manor House Underground station is situated at the junction of Seven Sisters Road and Green Lanes, on the estates mid-western boundary.

7 Whilst originally characterised by mid-century housing blocks ranging in height from 5 to 8 storeys, the Woodberry Down Estate is currently undergoing substantial redevelopment as a result of an extant 2014 planning permission to deliver the Woodberry Down Estate Regeneration Masterplan (LPA ref: 2013/3223). The extant outline permission will deliver up to 3,242 new homes across six phases of development over a 25-year period. Of these phases, phase 2 comprises four blocks which deliver the following number of homes:
• Block E – 180 units (109 social rented and 71 shared ownership);
• Block F – 185 units (all private tenure);
• Block D – 244 units (182 private and 64 shared ownership);
• Block B – 241 units (176 private and 65 shared ownership).

Details of the proposal

8 The application site forms Phase 2 of an extant permission granted August 2014 (reference 2013/3223) for a comprehensive redevelopment of the Woodberry Down Estate described as follows:

Outline planning permission (all matters reserved) for demolition of existing buildings and structures at Woodberry Down Estate to provide up to 275,604sqm floorspace GEA (excluding car parking); comprising up to 3,242 residential units and a maximum of 10,921sqm non-residential floorspace within Classes A1 (Retail), A2 (Financial Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), Class B1 (Offices), Class D1(Non Residential Institutions), and D2 use and Energy Centres; along with provision of new open space and public realm and associated car parking and highway improvement works to Seven Sisters Road including a narrowing from six carriageways to four carriageways. Full details submitted for the redevelopment of the land bounded by Towncourt Path, Kayani Avenue, Green Lanes, West Reservoir/Springpark Drive and Woodberry Down (Phase 2) for the erection of four buildings between 3 and 20 storeys to provide 670 new homes (comprising 30 studios, 310 one bed, 271 two bed and 59 three bed units), 550sqm of non residential floorspace GEA within Classes A1-A4, Class B1, Class D1 and D2 use and new open space and public realm with 241 car parking spaces and 740 cycle spaces at ground and basement level.

9 It is proposed to undertake minor material amendments, under section 73 of the Town and Country Planning Act 1990, to Phase 2 of the 2014 extant masterplan permission. The proposed alterations would result in an uplift of 34 homes in Block B of Phase 2, from 241 homes in the extant permission (comprising 176 private and 65 affordable) to 275 homes as proposed (comprising 196 private and 72 affordable). The uplift of homes is to be achieved through the reconfiguration of units and alteration of internal layouts and circulation spaces within the building.

10 In addition to the additional units, it is proposed to make minor amendments to the design of the building relating to the articulation and elevational views of the building, the central car parking area and podium are to be removed and replaced with a ground floor landscaped courtyard.

Case history

11 In April 2018, a pre-application meeting was held to consider the proposed changes to the scheme. A report (GLA/4586) was issued on 29 May 2018 which supported the changes proposed.

Strategic planning issues and relevant policies and guidance

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Hackney Core Strategy DPD (2010), Hackney Development Management Local Plan (2015), Hackney Site Allocations Local Plan (2016) and the 2016 London Plan (Consolidated with Alterations since 2011).

13 The following are also relevant material considerations:

• The National Planning Policy Framework;
• National Planning Practice Guidance; and
• Draft London Plan (consultation draft December 2017) which should be taken into account on the basis explained in the NPPF.

14 The relevant strategic issues and corresponding policies are as follows:

- **Estate Regeneration and Affordable Housing**  
  London Plan; Housing SPG; Housing Strategy; Affordable Housing & Viability SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG; Draft Good Practice Guide to Estate Regeneration;

- **Urban Design**  
  London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;

- **Transport**  
  London Plan; Mayor’s Transport Strategy.

**Estate Regeneration and Affordable Housing**

15 The Mayor is committed to ensuring the successful regeneration of London’s housing estates, ensuring a fair deal for residents and that affordable housing is protected. The application constitutes material changes to Phase 2 of an extant permission granted August 2014 (reference 2013/3223) for a comprehensive redevelopment of the Woodberry Down Estate.

16 Since the approval of the extant permission in 2014, the Mayor’s Good Practice Guidance for Estate Regeneration SPG (2018) and Affordable Housing and Viability SPG (2017) have been adopted as material policy considerations in schemes providing for new housing and estate regeneration. Policy H10 of the draft London Plan also outlines requirements with respect to redevelopment of existing housing and estate regeneration. The objective of the above SPG’s and draft London plan policy seeks to ensure that development will result in an overall uplift in the number of affordable homes being provided, whilst ensuring that social housing stock is not lost unless it is to be replaced on a like-for-like or better basis.

17 Policy H6 of the draft London Plan, and paragraphs 2.14-2.16 of the Affordable Housing and Viability SPG, provide opportunity for schemes amended under Section 73 applications to be exempt from the requirement to submit a revised viability appraisal, where the previously consented scheme had been approved under the ‘Fast Track Route’ of the threshold approach to planning applications as outlined in both the Affordable Housing and Viability SPG and policy H6 of the draft London Plan. In this instance, the extant permission predated the introduction of the ‘Fast Track Route’ in the Affordable Housing and Viability SPG.

18 Figures provided by the applicant confirm that, when measured by habitable room, the amended scheme would result in 44% affordable housing being provided in the uplift of additional homes. Of the 14 additional affordable housing units to be provided, 7 (44% by habitable room) would be intermediate affordable housing in the form of shared ownership, with the remaining 7 (56% by habitable room) being provided as low cost rented homes (social rent). Based on the figures provided, the quantum of the uplift in dwellings would satisfy both the 35% threshold of affordable housing when measured by habitable room, as well as the Mayor’s preferred tenure mix, and are consistent with the approach to ‘Fast Track’ applications under policies H6 and H7 of the draft London Plan.

19 The applicant would remain under a legal obligation (s106 agreement) to deliver 40.8% affordable housing across Phases 2–8 of the Woodberry Down Estate Regeneration Masterplan (approved 2014), with Phases 3–8 providing 43% affordable housing. Under the proposed
alterations to the scheme, the approved split of affordable housing and private units within Block B will be maintained at 27% affordable housing, which is consistent with that previously accepted under the extant permission.

In light of the comparatively small scale of amendments proposed (34 additional homes), noting that the proportion of affordable homes in Block B would remain at the previously consented levels (27%), and further noting that the secured provision of 40.8% affordable housing across the Woodberry Down Estate Regeneration Scheme would continue to satisfy the threshold for the ‘Fast Track’ approach to applications under policies H6 and H7 of the draft London Plan, it is considered reasonable to progress the proposed application without the provision of a revised Financial Viability Appraisal (FVA) in this instance.

**Urban Design**

The design changes constitute minor amendments relating to the articulation and elevational views of the building. The central car parking area and podium are also to be removed and replaced with a ground floor landscaped courtyard.

The proposed scheme was previously subject to pre-application advice, and this has helped to inform the design approach to the proposal adopted by the applicant, which is welcomed. No concerns are raised with the nature of changes to the Block B building in respect of height and massing, external elevational treatments or internal layout changes.

**Transport**

The 34 additional units at Woodberry Down are unlikely to cause a severely negative impact on London’s strategic walking, cycling, public transport and highway networks. Cycle parking has been increased to meet the minimum requirements of Policy 6.9 and Table 6.3 of the current London Plan, which is satisfactory.

Car parking has been decreased by 62 spaces so that Phase 2 Block B of the overall Woodberry Down masterplan is now car-free except for disabled spaces, which is strongly supported in accordance with Policy 6.13 of the London Plan and Policies T6, T6.2 & T6.3 of the draft London Plan.

The applicant is strongly encouraged to consider further reducing the amount of car parking across the Woodberry Down development, in line with the parking standards of the new draft London Plan, as future phases of the masterplan come forward.

**Local planning authority’s position**

Planning Officers of the London Borough of Hackney are currently assessing the application, and are yet to identify a target committee date. It is nevertheless understood that the Council planning officers are minded to accept the principle of the proposed S73 amendments.
Legal considerations

27 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.

28 However, in this case GLA officers are recommending that the application is acceptable in strategic planning terms, and that Mayor agrees that the Council may proceed to determine the application itself, without the need for a further referral to the Mayor.

Financial considerations

29 There are no financial considerations at this stage.

Conclusion

30 London Plan policies on estate regeneration, affordable housing, urban design and transport are relevant to this application. The application complies with the London Plan and draft London Plan and is supported.

- **Estate Regeneration and Affordable Housing:** The application is consistent with the Mayor’s Good Practice Guidance for Estate Regeneration SPG (2018), Affordable Housing and Viability SPG (2017), as well as Policies H6 and H7 of the draft London Plan. The proposed amendments may be allowed without the provision of a revised Financial Viability Appraisal (FVA) in this instance.

- **Urban Design:** No concerns are raised with the nature of changes to the Block B building in respect of height and massing, external elevational treatments or internal layout changes.

- **Transport:** The reduction in car parking so that Phase 2 Block B of the overall Woodberry Down masterplan is now car-free, except for disabled spaces, which is strongly supported in accordance with Policy 6.13 of the London Plan and Policies T6, T6.2 & T6.3 of the draft London Plan.

For further information, contact GLA Planning Unit (Development & Projects Team):

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