

PLANNING COMMITTEE MEETING: 9 February 2011

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC
REPORT OF THE DIRECTOR OF PLANNING**

UDC CASE NUMBER:	LTGDC-11-062-REG3	DATE MADE VALID:	2011-07-20
APPLICATION NUMBER:	PA/11/01865/LBTH	TARGET DATE:	

APPLICANT:	LTGDC
AGENT:	AECOM Design and Planning
PROPOSAL:	Outline Planning Application for a mixed use redevelopment of up to 18,889 sq. m floorspace comprising up to 10,883 sq. m residential (Class C3), up to 6,342 sq. m employment space (Class B1), up to 1,596 sq.m retail, food and drink uses (Class A1-A5), together with up to 1,820 sq.m public realm and associated parking.
LOCATION:	Land To The North And South Of Hackney Wick Railway Station With Frontages On Wallis Road & White Post Lane.

1. SUMMARY

- 1.1 The site is located on land to the north and south of Hackney Wick Station and falls within the London Boroughs of Hackney and Tower Hamlets. Access to the site is from Wallis Road in Hackney and White Post Lane in Tower Hamlets.
- 1.2 The application seeks outline planning permission for mixed use development comprising a high proportion of affordable workspace, market housing, retail and open space.
- 1.3 The layout of the site is centred on two main yard areas either side of a proposed station entrance and underpass, however the works to the station do not form part of the application. The yards are fronted with retail units that intend to benefit from the increased footfall delivered by the station works.
- 1.4 The parameters seek buildings of between eight and ten storeys adjacent to Hackney Wick Station and four to six storeys at the site edges.
- 1.5 The London Borough of Hackney object to the proposal and the details of this objection are detailed later in this report. Officers consider that these objections can be overcome through conditions including a Grampian condition regarding securing

S106 requirements.

1.6 The London Borough of Tower Hamlets had not provided formal comments at the time of writing this report. However the views of individual officers have been listed.

1.7 The application is recommended for approval, subject to the Stage 2 referral from the Mayor of London and the securing of S106 obligations. The application is made by London Thames Gateway Development Corporation. Members are asked to note that, as the Corporation cannot enter into a s106 agreement with itself, it is proposed that a Grampian condition be imposed such that the development may not be commenced until the s106 requirements have been secured. References in the report to matters being secured in a s106 obligation should be construed accordingly.

2. SITE AND PROPOSAL

Application Site

2.1 The application site comprises two parcels of land either side of Hackney Wick Station and falls within the Boroughs of Hackney and Tower Hamlets. The London Overground network crosses the site from east to west and marks the boundary between the two Boroughs. The total site area is 0.65ha of which 0.51ha falls within Hackney to the north of the railway and 0.14ha falls within Tower Hamlets to the south. The northern portion is known as Wallis Yard and the southern portion is known as White Post Yard.

2.2 The area surrounding the site is industrial and predominately made up of warehousing and general industrial uses. To the north of the site, the uses are mainly contained in warehouse buildings with associated yard areas. Buildings range from single storey up to four storeys. To the south the industrial uses feature more open storage and yard uses with buildings of two to three storeys.

2.3 The nearest residential development is a four storey block of flats located roughly 30 metres to the north west of the site on the junction of Wallis Road and Berkshire Road. Beyond this development to the north is a wider social housing estate comprising terraced housing and flatted development to four storeys.

2.4 Other local features include small convenience shops on Felstead Road to the west and Gainsborough Primary School to the north. Both are located within walking distance of the site.

2.5 The Hackney Wick Conservation Area is to the north of the site and features Victorian industrial buildings of merit including the Central Books building, the Lion Works and Cells Studios. These buildings are locally listed.

2.6 Further to the east of the site is the Hackney Cut section of the River Lea which is the boundary of the Olympic Park. Buildings of note on the eastern bank of the Hackney Cut include the Cofely District Energy Centre and the Olympics International Broadcast Centre/Main Press Centre (IBC/MPC).

2.7 The site is accessed via Wallis Road to the west and White Post Lane to the south. The local road network links to the A12 via Chapman Road to the south or Wick Lane further to the south. Following the Olympic Games, access to the east will be

Meeting: 09 February 2012
Agenda Item: 4
Report No.: LTGDC/12/PC05

provided via White Post Lane and Carpenters Road.

- 2.8 Public transport to the site is provided via Hackey Wick Station with links to Stratford to the east or various north London locations to the west. Local bus services also serve the area. The PTAL of the site has been assessed as 3 which is considered 'good'.
- 2.9 The pedestrian and cycle conditions in the area are poor and are hampered by major barriers such as the major road (A12), railway lines and canals that transect the area.
- 2.10 The location and site plans can be found in appendix 1.

Proposal

- 2.11 The application is submitted on behalf of the London Thames Gateway Development Corporation and seeks outline planning permission for up to 18,889sqm of total floorspace comprising up to 10,883sqm of C3 residential, up to 6,342sqm of B1 employment space, up to 1,550sqm of A1-5 retail use, 1,820sqm of public realm and associated parking and access. These uses are to be delivered through a series of parameters for approval, however the details of the appearance, landscaping, layout and scale are to be secured through later reserved matters submissions.
- 2.12 The scheme is referred to as Hackney Wick Hub and aims to deliver a mix of uses around a new underpass beneath Hackney Wick Station linked to a new station entrance and pedestrian right of way. The underpass itself does not form part of the application as it is within Network Rail land, but the scheme provides areas of public realm either side that facilitate the construction of the route. The emphasis of the development is to deliver affordable workspace in the area to support cultural and creative industries that are already developing in the area. The scheme also aims to deliver private residential units above the workspace and an element of retail at ground level.
- 2.13 The parameters propose to deliver this mix of units in nine distinct blocks listed A to I. Blocks A and B are in Tower Hamlets to the south of the railway line and blocks C to I are in Hackney to the north.
- 2.14 Blocks A and B are linked together and are located between White Post Lane and the Hackney Wick Station. The ground floor provides a retail use of 598sqm across both blocks. The linked element continues over the first and second storeys and provides for employment use. From the third storey and above, blocks A and B form two separate building envelopes, A to the west and B to the east. Block A rises to nine storeys or 31 metres AOD and comprises 2,016sqm of residential, which equates to 24 units. Block B is six storeys or 22.4 metres AOD and is solely employment use.
- 2.15 Adjacent to block A to the east is a new area of public realm referred to as the new White Post Yard. This area measures 22 metres in depth and 13 metres wide and forms the key access to the proposed station underpass.
- 2.16 To the north of the railway, blocks C to I are arranged in three clusters. C, D and E adjacent to the railway; F, G and H on the northern site boundary and I on the eastern boundary of the site.

- 2.17 Block C is adjacent to the proposed station underpass and comprises 352sqm of ground floor retail and 2,719sqm of residential, or 28 units. Block C has a maximum building height of 28.8 metres AOD or eight storeys, with a step down to the station level of 13 metres.
- 2.18 Blocks D and E link to C at ground floor level, but provide employment use instead of retail. Block D is one storey and consists of 714sqm of employment space. Block E offers 366sqm of employment at ground floor level and is residential above, provided in a part 3, part 6 storey parameter comprising 1,833sqm of floorspace or 24 units. The maximum building heights for the three and six storey parameters are 11.5 metres AOD and 20.7 metres AOD respectively.
- 2.19 The cluster surrounds an internal courtyard between the buildings and the railway embankment that provides for service access from Wallis Road for the employment and retail units.
- 2.20 Blocks F, G and H are in the northern part of the site, F in the east, G the centre and H to the west fronting Wallis Road. The blocks are linked from ground to the fourth floor levels but do not share the same uses across the link. Service access to the site is provided to the northern side of each block via Wallis Road.
- 2.21 Block F comprises 271sqm of retail at ground floor level and 2,487sqm or 30 units of residential from first to tenth floor levels. The maximum building heights are 35.1 metres AOD for the ten storey element, but drops to 19.4sqm at the northern boundary of the site.
- 2.22 Block G is a four storey linking block comprising 168sqm of retail at ground floor level and 771sqm of employment use above. The maximum building height is 14.6 metres AOD.
- 2.23 Block H is a part three, part six storey block fronting Wallis Road with maximum heights to 11.5 metres AOD and 20.7 metres AOD respectively. The ground floor use provides 384sqm of employment use. Above is 1,828sqm or 24 units of residential.
- 2.24 Block I is the final block and is located on the western part of the Wallis Yard site. It proposes 161sqm of retail at ground floor level and 1,095sqm of employment space above. This is provided in a four storey block with a maximum building height of 19.7 metres AOD.
- 2.25 The Wallis Yard site also provides a new area of public space between each of the building clusters providing access to the northern side of the proposed station underpass. The primary space is 30 metres by 30 metres and fronted by blocks C to the west, F to the north, I to the east and the station to the south. Each of the buildings has a retail frontage to the square and the proposed station underpass is to the south linking the site to White Post Lane. Wallis Yard is also proposed to be accessed from the Wallis Road to the west via a seven metre side lane fronted either side by employment uses. Provision has also been made for a link to the north should future surrounding sites come forward for development.

3. MAIN ISSUES

- Principle of the development

- Scale and massing
- Layout
- Housing
- Transport and access
- Noise and Vibration
- Energy and Sustainability

4. RELEVANT SITE HISTORY

4.1 There is no planning history relevant to the application.

5. CONSULTATIONS/NOTIFICATIONS

London Borough of Hackney

5.1 The scheme was reported to Hackney's planning sub-committee on the 1st of February 2012 recommending that members object to the proposal. The grounds for this objection were as follows:

- 1 The proposed development, by reason of the failure to adequately justify the proposed quantum of retail floorspace results in an inappropriate provision of retail uses outside of a town centre site. As such the proposed development would be contrary to policies 1 (Main Town Centres) and 5 (Hackney Wick New Community) of the Hackney Local Development Framework Core Strategy, policy 4.7 (Retail and town centre development) of the London Plan 2011 and Planning Policy Statement 4 (Planning for Sustainable Economic Growth)
- 2 The proposed development, by reason of the provision of large numbers of studio and one bed units, would provide an unacceptable mix of residential units. As such the proposed development would be contrary to policy 19 (Housing Growth) of the Hackney Local Development Framework Core Strategy, policy 3.8 (Housing choice) of the London Plan 2011 and Planning Policy Statement 3 (Housing).
- 3 The proposed development, by reason of its failure to provide affordable housing, would fail to assist in adequately addressing the Borough's housing needs and would fail to assist in providing mixed and balanced communities. As such the proposal would be contrary to policies 19 (Housing Growth) and 20 (Affordable Housing) of the Hackney Local Development Framework Core Strategy, policies 3.9 (Mixed and balanced communities), 3.11 (Affordable housing targets) and 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes) of the London Plan 2011 and Planning Policy Statement PPS 3: Housing
- 4 The proposed development, by reason of the provision of significant numbers of single aspect units, lack of external amenity and play space and provision of high levels of overlooking within the development, would provide an unacceptable standard of accommodation to the detriment of future occupiers. As such the proposal would be contrary to policies 19 (Housing Growth) and 24 (Design) of the Hackney Local Development Framework Core Strategy and policies 3.5 (Quality and design of housing developments) and 3.6 (Children and young people's play and informal recreation facilities) of the London Plan 2011

- 5 The proposed development, by reason of the absence of contributions towards the provision of social infrastructure would result in unacceptable pressure upon existing social infrastructure in the Borough. As such the proposal would be contrary to policy 8 (Focusing Social Investment) of Hackney Local Development Framework, policies 3.16 (Protection and enhancement of social infrastructure), 3.18 (Education facilities) and 8.2 (Planning obligations) of the London Plan 2011, Hackney Planning Contributions Supplementary Planning Document and Alterations to SPD Appendix.
- 6 The proposed development, by reason of the provision of inadequate street widths and poor use of open space, would result in an unacceptable site layout. As such the proposal would be contrary to policy 24 (Design) of the Hackney Local Development Framework Core Strategy and policies 7.1 (Building London's neighbourhoods and communities), 7.4 (Local character) 7.5 (Public realm) and 7.6 (Architecture) of the London Plan 2011.
- 7 Insufficient information has been submitted to enable the Local Planning Authority to determine whether or not the proposal adversely impacts on the townscape, character and appearance of the area.
- 8 The proposed development, in the absence of sufficient justification for the impact of the proposed development on the adjoining conservation area and the failure to optimise views of surrounding heritage assets, results in a detrimental impact upon the character and appearance of the adjoining Hackney Wick Conservation Area and the setting of the Locally Listed Central Books building. As such the proposed development would be contrary to policy 25 (Historic Environment) of the Hackney Local Development Framework Core Strategy, policy 7.8 (Heritage assets and archaeology) of the London Plan 2011 and Planning Policy Statement 5 (Planning for the Historic Environment).
- 9 The proposed development, by reason of the absence of a commitment to 'car free' development, would result in unacceptable pressure on local on-street car parking and would encourage car ownership and use. As such the proposed development would be contrary to policy 33 (Promoting Sustainable Transport) of the Hackney Local Development Framework Core Strategy and policies 6.1 (Strategic approach) and 6.13 (Parking) of the London Plan 2011.
- 10 The proposed development, by reason of its failure to provide adequate access resulting in the loss of existing on street parking bays, would have an unacceptable impact on future occupiers and pedestrians and would give rise to unacceptable pressure on local on-street car parking. As such the proposed development would be contrary to policy 6 (Transport and Land Use) of the Hackney Local Development Framework Core Strategy and policies 6.1 (Strategic approach), 6.13 (Parking) and 7.5 (Public realm) of the London Plan 2011.
- 11 The proposed development, by reason of the absence of contributions towards improvements to the public realm surrounding the site would result in unacceptable pressure upon existing local transport infrastructure. As such the proposed development would be contrary to policy 6 (Transport and Land Use) of the Hackney Local Development Framework and policies 6.1 (Strategic approach), 6.4 (Enhancing Transport Connectivity) and 7.5 (Public realm) of the London Plan 2011.

12 The proposed development, by reason of the failure to exceed BREEAM very good in the non-residential elements of the building, would fail to adequately achieve energy efficiency and sustainable construction objectives. As such the proposed development would be contrary to policy 30 (Low Carbon Energy, Renewable Technologies and District Heating) of the Hackney Local Development Framework Core Strategy and policies 5.1 (Climate change mitigation), 5.2 (Minimising carbon dioxide emissions) and 5.3 (Sustainable design and construction) of the London Plan 2011.

5.2 Each of the above points is addressed in section 9 of this report. Also a detailed response to these points were provided to LB Hackney and reported to their Committee in an update report. The formal response from the borough will be reported to the Committee in an addendum report. However, the basis of the response is as follows:

1 Inadequate justification for quantum of retail.

The proposed 1500sqm is split between the two Boroughs, with 600sqm in blocks A and B in Tower Hamlets and 900sqm around the square in Hackney. The intention is that the 600sqm block would likely be a local needs retail use, such as a Tesco Express, while the Hackney retail element would comprise small retail units. It is proposed that a condition be imposed that restricts the size of any unit in Hackney to 150sqm and that the combining of units will not be permitted unless agreed in writing. Furthermore a S106 clause would be drafted to require the units to be marketed toward smaller retail occupiers. However a degree of flexibility will be necessary to ensure these units are not left vacant and hoarded.

2 Residential mix, particularly the high proportion of studio and one bed units.

There is understandable concern that the scheme should deliver as close to a policy compliant residential mix as reasonably possible. It is emphasised that the mix is not for approval and that consideration of the mix would occur at reserved matters stage. The indicative layout is not in any way tacitly agreed.

3 No on site provision of affordable housing

Whilst officers recognise the importance of providing affordable housing, this has to be balanced against the primary purpose of the application which is to deliver affordable workspace as sought through the Hackney Wick AAP. Furthermore the limited opportunity to provide such housing on site needs to be recognised.

It is proposed that affordable housing will be delivered by a payment in lieu of on site provision to be ring fenced within the S106 obligation. The applicant is providing £10,000 per residential unit which accords with the Corporation's Community Benefits Strategy. The alternative of providing on-site affordable housing would result in seven affordable units but no money for other local needs. If, for example, the figure was halved so as to provide some money for other needs, only four affordable units would be provided. In either scenario, the number of units would not be sufficiently attractive to a RSL to incur the management and servicing requirements.

It is proposed that the payments would be ring fenced within the S106 to ensure that 75% of the monies (or another percentage proposed by the Boroughs) are used to contribute to the Boroughs' housing needs and the remainder used for other local infrastructure needs. It may also be the case that by the time the phases of the development in Hackney are coming forward there may be interest from an RSL in being involved in a greater part of the scheme and the flexibility would exist to invest the ring fenced money in the scheme itself.

- 4 Unacceptable standard of accommodation due to single aspect units, lack of external amenity and play space and overlooking.

The application is for outline planning permission and such detail is to be secured at reserved matters stage. However, a condition will be imposed to require the reserved matters details to comply with the Mayor's Housing Design Guide.

- 5 No financial contribution towards social infrastructure

The Borough has provided a list of potential heads of terms, including suggested sums, based on its SPD. As stated above, it is considered that affordable housing should be the first priority for the use of the funds generated under the LTGDC's Community Benefits Strategy and a percentage proposed with the remainder available for other local needs. The Borough's views on this suggestion are welcomed.

- 6 Unacceptable layout due to street widths and poor use of open space.

The intention of open areas within the scheme is to reflect the existing urban grain in the area where creative and cultural uses occur. The layout details, when they are submitted at a later date, will also need to deal with potential overlooking issues between residential and non-residential uses reflecting Borough policies.

- 7 Insufficient information on townscape impact.

The heights of some buildings exceed the four to six storey heights as stipulated in the Hackney Wick AAP. However, regard has also been paid to the proposals in the GLA's draft OLSPG for scale around Hackney Wick station which is discussed later in this report.

- 8 Detrimental impact on the Hackney Wick Conservation Area

A further view assessment has been provided and is found at appendix 5 as the annotated view from Wallis Road. When details of design and materials are submitted for approval the impact on the Conservation Area will be a key consideration.

- 9 No car free agreement

The parking provided in the development is associated with businesses within the development, disabled parking, car club bays and electric vehicle charging bays. A parking management strategy will be secured by condition.

- 10 Inadequate access resulting in the loss of one on-street parking bay resulting in unacceptable pressure on local on-street parking.

The low number of estimated trips generated by the development coupled with the site's location on either side of a railway station implies that parking demand will not be significantly affected in the area. A Controlled Parking Zone has been implemented to the north of the railway line with hours of operation of between 0800 and 1830, and therefore control of new parking permits is in place.

- 11 No off site public realm contribution

The site is providing two new squares either side of Hackney Wick Station. These spaces will facilitate the delivery of the new station underpass and entrance. This will result in greater access to Hackney Wick Station and a better interchange between bus and rail on White Post Lane.

- 12 BREEAM rating of 'very good' rather than 'excellent'

The commercial units cannot achieve BREEAM 'excellent' as they are only being delivered to shell and core. More importantly, to move from 'very good' to 'excellent' is a significant cost that would have a significant impact on the levels of rents that would have to be charged and probably exclude the very types of occupants being sought by the Borough and the applicant

London Borough of Tower Hamlets

- 5.3 At the time of writing, Tower Hamlets had not issued its formal response to the application. It is expected that this response will be provided before the night of the committee. However, various internal consultation responses have been received and are reported as follows:

Biodiversity

- 5.4 The railway corridor is considered to be a suitable feeding habitat for black redstarts. A condition is recommended for a black redstart survey to ensure none are nesting on site.

- 5.5 A condition is also recommended to secure brown roofs.

Landscape

- 5.6 A robust scheme of tree planting has been requested due to the heat island effect of the development.

Sustainability and Energy

- 5.7 The principles of the energy strategy are supported by the Energy Team.

- 5.8 A commitment to a BREEAM rating of 'excellent' has been advised.

- 5.9 A condition to secure specific details of the energy and sustainability strategy has been requested.

Design and Conservation

- 5.10 The creation of a north-south link is welcomed, particularly as it brings a building of townscape merit into view creating a more prominent addition to the streetscape.
- 5.11 The height of block A at nine storeys is a concern as this height is not considered to be in keeping with the character of the area. Further consideration should be given to the emerging Fish Island AAP.
- 5.12 Further details have been requested on the status of the station proposals and its likely operation.
- 5.13 It has also been noted that the GLA Stage 1 refers to the OLSPG in relation to height but does not refer to any local aspirations.

Housing Strategy Group

- 5.14 The outcome of the viability assessment is awaited before formalising any comments.

Environmental Health - Noise

- 5.15 No objection in principle, however the acoustic report lacks detail on sound insulation between commercial and residential properties. The design needs to take into account the conflicting uses between residential and commercial properties. It is also important that structural transmission of noise from plant and equipment ventilation is taken into account. The glazing requirements, including acoustic ventilation require full details to be submitted for approval.

Transportation and Highways

- 5.16 The Transport Assessment is considered to be a fair and detailed account of the likely transport impact, which will be low in magnitude.
- 5.17 The pedestrian and cycle impact without the railway underpass is a cause for concern and the imposition of a condition to secure delivery of the underpass and rights of way has been queried as a potential option.
- 5.18 The existing pedestrian environment has not been adequately detailed in the event that the pedestrian underpass is not implemented.
- 5.19 Cycle provision is adequate, however the future detailed submission should secure the provision of secure, convenient and accessible cycle parking within the buildings. A small amount of motor cycle parking has also been recommended.
- 5.20 There are concerns about the lack of on-site disabled parking spaces for blocks A and B. These have been provided on the Hackney side of the development, but these cannot be considered to be accessible or convenient for residents or workers south of the railway line.
- 5.21 A car free agreement has been requested to be included within the S106.
- 5.22 The refuse lorry tracking is considered to be acceptable. Urban, articulated lorry tracking around White Post Lane is also considered to be acceptable. However, on

the information at hand, Highways are unable to support the servicing options for the commercial units. The applicant has provided further information in this respect but it is not known whether this information satisfies the Borough.

- 5.23 The on-street servicing proposed in the development also creates problems in terms of the loss of on street parking. Additionally, the layby proposed to be provided for the on street servicing is has not been demonstrated to fit the width of White Post Lane. The solution offered by the applicant is a managed shared arrangement whereby service vehicles use the bay in the morning and parking at other times.

Strategic Transport and Development Implementation

- 5.24 The scheme is generally positive in transport terms. The level of car parking and cycle parking are acceptable and the passive provisions of cycle hire is welcomed.
- 5.25 The considerations regarding the delivery of the underpass mentioned previously have also been raised.

Major Projects

- 5.26 The provision of affordable workspace is welcomed however a robust mechanism should be identified to ensure that workspaces are maintained affordable, such as ensuring the workspaces are managed by a specialist workspace provider.
- 5.27 The proposal will contribute towards Hackney Wick local neighbourhood centre and the provision of retail units is supported.
- 5.28 Full occupation of workspace units should be considered before residential occupation to ensure no ground floor vacancies.

Planning Policy

- 5.29 The scheme is not considered to be acceptable as no affordable housing is provided. The submitted viability report needs to be independently verified before this housing offer can be accepted.

Enterprise and Employment

- 5.30 20% of good and services procured during the construction of the scheme should be achieved by businesses in Tower Hamlets. This can be achieved through the Skillsmatch Construction Services scheme.

Communities, Localities and Culture

- 5.31 A number of financial contributions have been requested.

Education

- 5.32 A financial contribution has been requested, however this relates to the development as a whole rather than only the area within Tower Hamlets.

Greater London Authority

- 5.33 The GLA's Stage 1 response was received by the Corporation on the 23rd of September 2011. The principal consideration for the Mayor is the London Plan as well as the emerging Olympic Legacy Supplementary Planning Guidance (OLSPG).
- 5.34 The land use principle of the proposed development is supported by the GLA, in particular the introduction of additional uses to help bring forward the regeneration of this industrial land and take advantage of the substantial investment for the Olympic Games. The scheme is said to accord with London Plan policy 2.4B in promoting the managed release of appropriate industrial sites around the Olympic site for mixed use development. This also accords with the land use approach within the OLSPG.
- 5.35 The proposed creative and cultural floorspace also complies with the OLSPG in protecting and expanding such uses within Hackney Wick and Fish Island. The Mayor also supports the introduction of local retail, food and drink uses as these would reinforce and diversify the local economy and provide additional employment opportunities and services.
- 5.36 Housing supply principles are supported by the GLA. Specifically, London Plan policy 3.3 which seeks to increase London's supply of housing, setting a London wide target of 32,210 additional homes per year. This is supported by average housing provision monitoring targets, which, for Hackney and Tower Hamlets, are 1,160 and 2,885 additional homes per year respectively between 2011 and 2021. Policy 3.4 of the London Plan seeks to ensure that development proposals achieve optimum intensity of use taking account of local context, the design principles of the London Plan and public transport capacity.
- 5.37 The Mayor has identified the nil on-site affordable housing as requiring justification. The provision of affordable housing through Policy 3.2 is a key component of the London Plan, and further information on the availability of housing grant with lower levels of workspace has been requested. The Stage 1 report stresses the importance that a clear case in viability terms is made and that a credible review mechanism is put in place within the S106.
- 5.38 In terms of housing standards, the Mayor highlights Policy 3.8 regarding housing choice and policy 3.11 of the London Plan Housing Supplementary Planning Guidance which seeks to secure family accommodation within residential schemes. The Stage 1 Report acknowledges that the unit mix is not submitted for approval and therefore a conclusion as to whether London Plan policy is complied with is not possible. The point has been made that studio units should meet a minimum size of 37sqm and that the Mayor wishes to increase the proportion of family-sized accommodation around the Olympic Park.
- 5.39 The delivery of workspace units as a shell then sold to an appropriate operator has been acknowledged, along with the rent levels of £15 per square foot and the 5 to 7 year affordability lifetime. It has been suggested that this approach is secured in the S106, as well as a lettings policy to prioritise cultural and media industries. It has also been recommended that all employment floorspace is required to be made available for cultural and media industry tenants unless a new planning permission is granted.
- 5.40 The development is considered to be generally well designed, maximises the

potential of the site, significantly improves the permeability through the area and adds to the public realm network. It has been suggested that the route linking Wallis Yard to White Post Lane be aligned to allow long views through the area. It has also been suggested that the route to the north of the site be widened to further increase these long views through the site. The route connecting Wallace Road with Wallace Yard is strongly supported, however the 'kink' in block F and G is said to draw attention away from the Cell Studios building to the east.

- 5.41 The ground floor uses are considered to be well laid out and provide active frontages to publicly accessible routes and spaces. The arrangement of vertical circulation cores directly accessible from the public realm is also supported.
- 5.42 Small and independent retailers are also encouraged through Policy 4.9 and it is suggested that the possibility of providing affordable shop units for such occupiers be explored, as should the possibility of some units being provided for local community uses.
- 5.43 The Mayor emphasises the requirements for high quality housing in new developments through Policy 3.5 and the London Housing Design Guide. The indicative layout proposals have been examined and features such as the low number of single aspect units and the limited units accessing each core are supported. However, it has been suggested that this type of approach be built into any permission.
- 5.44 The buildings heights of between four and ten storeys are acknowledged to be significantly higher than the surrounding context but reflect well the aspirations set out in the OLSPG in respect of the central role of the site in the wider area, responding to its transport function and community focus, whilst not looking out of scale with surrounding buildings. The location of taller buildings surrounding the proposed Wallis Yard and along the new routes is supported, as it will aid legibility of the routes and help landmark the location of squares and the future station entrances. The strategy of having shorter buildings opposite buildings of townscape merit and adjacent to the Conservation Area to the north is welcomed, as it ensures that the height and massing of the proposed development blends well with the surrounding area and would not adversely impact on the character of these assets.
- 5.45 The requirement for child play space under Policy 3.6B has been raised. Areas of play space have been identified indicatively in the scheme but full details will be provided at reserved matters stage.
- 5.46 The outline nature of the application has meant that an assessment of whether the scheme complies with London Plan inclusive design policy is not possible. However, the applicant has provided confirmation of where Lifetime Homes standards can be met before the detailed design stage, namely parking standards, gradients, stairs and lifts, internal doors and hallways and circulation space. These and all other Lifetime Homes standards are to be secured by condition.
- 5.47 The proposed energy strategy has been considered and further information requested regarding carbon savings.
- 5.48 The sustainability statement has been acknowledged and a condition to secure the specific details of the strategy has been suggested.
- 5.49 The site's location either side of a railway line has been raised as being

susceptible to noise and vibration disturbance. The Mayor's Housing Design Guide has been highlighted once again in this respect, particularly where single aspect units are to be avoided.

Transport for London

- 5.50 The level of parking on site is welcomed, however it has been suggested that future occupiers of the scheme be restricted from obtaining on-street parking permits through the S106 agreement. Cycle parking is in accordance with London Plan policy 6.13, as is the passive provision for the Mayor's cycle hire scheme.
- 5.51 It was originally noted that the predicted additional bus trips generated by the development had not been included, therefore the impact on the bus network is not known. Additional assessments were provided by the applicant which demonstrate that the local bus network will be able to accommodate the additional trips.
- 5.52 The layout of the development is supported by TfL as it would facilitate improvements to Hackney Wick Station and provide key pedestrian and cycle linkages as identified in the emerging OLSPG.
- 5.53 The submission of a draft Travel Plan is welcomed, as well as the commitment to a Delivery and Servicing Plan and Construction Management Plan. These are to be secured in the S106 agreement.
- 5.54 Other matters discussed with TfL include commercial trip generation, wayfinding strategy, shared surfaces, taxi drop off and pedestrian improvement. These are all considered satisfactory.

English Heritage

- 5.55 English Heritage state that PPS5 is applicable to the scheme, in particular policies HE7.4 where local authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets, and policy HE7.5 where local authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment.
- 5.56 The Hackney Wick Conservation Area is identified along with the designated buildings of townscape merit and locally listed buildings adjacent to the site. English Heritage have also highlighted the Hackney Wick AAP where it sets out that building heights should be four to six storeys but higher elements can be considered if it can be demonstrated that they will not have any adverse impact on the Conservation Area.
- 5.57 English Heritage is concerned that the proposed scheme has taken insufficient consideration of the adjoining historic environment and is at odds with the AAP policy on building heights. They have asked for further views assessments from the north of the site along Berkshire Road and from the north side of Wallis Road looking south. A view from Berkshire Road has been provided and can be found at appendix 5.
- 5.58 A comment has also been made with regard to the amount of glazing shown in the scheme. This detail is indicative only.

Meeting: 09 February 2012
Agenda Item: 4
Report No.: LTGDC/12/PC05

5.59 On the Tower Hamlets portion of the scheme, the emerging Fish Island AAP has been referenced, including a potential conservation area adjacent to the site.

5.60 English Heritage has also voiced its preference for full applications for tall buildings rather than outline applications, as stated in the joint CABE/English Heritage guidance note of 2007.

5.61 A separate response was received from English Heritage GLAAS recommending an archaeology condition. This condition is to be imposed.

Environment Agency

5.62 The EA have confirmed they are satisfied with the submitted flood risk assessment and have advised that a Flood Emergency Evacuation Plan be produced in consultation with the Borough's emergency planners. Seven conditions have been recommended dealing with the following:

- Development to be in accordance with the FRA
- Surface water drainage scheme
- Four stage contamination assessment
- Verification report demonstrating completion of remediation strategy
- Actions if contamination not previously identified is found
- No infiltration of surface water drainage
- No piling or foundation designs without prior approval

5.63 These conditions are to be imposed on any permission.

Olympic Delivery Authority

5.64 The ODA has confirmed they have no objection to the scheme and have provided comments.

5.65 The development of the site should not adversely impact the White Post Lane/Carpenters Road route into and through the Olympic Park, however the conclusions of the TA in this respect are welcomed.

5.66 The ODA Planning Decisions Team would support the securing of a pedestrian route from Hackney Wick Station directly north to Wallis Road as the most direct route from the station and the development to the H10 crossing of the Lee Navigation and into the Olympic Park. This route provides access to the Multi Use Sports Venue and to anticipated future employment opportunities as well as the Olympic Park itself.

British Waterways

5.67 British Waterways has no objections to the proposed scheme but has commented that the new residential and workspace may result in additional burden to the maintenance regime along the canals.

Thames Water

5.68 Thames Water have indicated their requirements for surface water drainage, impact piling discharge into ground water public sewers, trade effluent consents,

Meeting: 09 February 2012
Agenda Item: 4
Report No.: LTGDC/12/PC05

petrol and oil interceptors and fat traps on catering establishments. The applicant will be made aware of these requirements by way of informatives.

- 5.69 Thames Water has also advised that the existing water supply infrastructure does not have capacity to meet the additional demands of the development. A condition will be imposed to secure impact studies of the existing water supply have been submitted to the local planning authority.

Other Consultation

- 5.70 The Olympic Park Legacy Company, Network Rail and London Overground were consulted but have not provided comment on the application.

6. APPLICATION PUBLICITY

- 6.1 Site Notice Expiry: 10/10/2011
6.2 Press Notice Expiry: 10/10/2011
6.3 Neighbour Notification: 07/09/2011

7. REPRESENTATIONS

- 7.1 A letter of representation has been received from Groveworld East London Regeneration Limited who own 117 Wallis Road, located to the north of the site. Groveworld state that they represent other parties in the area and that the comments should be read in this context. However no comments from other occupiers/owners in the area have been received.
- 7.2 Groveworld object to the application on the ground that Block I is contrary to the objectives of the Hackney Wick AAP and that Block F will have significant impacts on the existing premises at 80-84 Wallis Road, including the site's development potential.
- 7.3 In terms of block I, the parameter is consider to obstruct the line of sight and movement northwards from the station and obscures the route eastward from Wallis Yard.

Response: Block I is aligned with the eastern edge of the proposed station underpass and also allows for a route eastwards. The detailed design stage will secure the specific layout of this building, however the parameters have allowed for movement and sight lines around this block.

- 7.4 The lean-to structure to the side of Cell Studios is referenced in the objection as being retained in the application and suggests this should be removed.

Response: It is agreed that this structure should be remove. However this would be part of the redevelopment of Cell Studios. The application has allowed space for a route to continue to Wallis Road to the north. As and when a scheme comes forward for those adjacent buildings.

Meeting: 09 February 2012
Agenda Item: 4
Report No.: LTGDC/12/PC05

7.5 The angled route under the railway is said to deny a straight line of sight.

Response: The angle of the underpass is based on information provided by Network Rail and does not form part of the application

7.6 The accuracy of the plans and views submitted with the application have been questioned.

Response: On the information provided, there is no indication that the submitted information is inaccurate.

7.7 The development will inhibit the development potential of the site to the east.

Response: The site allows for connection through to this site. No clear indication of the proposed form of development on the adjacent site has been provided and it is not considered that development potential is impeded.

7.8 In terms of block F, the proposed building is said to have significant impacts on the existing premises at 80-84 Wallis Road and on the potential redevelopment of that site.

Response: The impact on the existing premises is not considered to be significant as the building is used for industrial purposes and therefore does not require the usual amenity requirements as for residential development.

The layout and scale of block F, along with the other blocks in this cluster, has taken the redevelopment of 80-84 Wallis Road into account. The service yard areas to the north of this site allow for access to this adjacent building and a potential route north to Wallis Road provides direct access through to the station.

8. RELEVANT PLANNING POLICY

National Planning Policies

PPS 1: Delivering Sustainable Development
PPS 3: Housing
PPS 4: Planning for Sustainable Economic Growth
PPS 5: Planning for the Historic Environment
PPG 13: Transport
PPG 22: Renewable Energy

London Plan (2011)

1.1 - Delivering the strategic vision and objectives for London
2.4 - The 2012 Games and their legacy
3.3 - Increasing housing supply
3.4 - Optimising housing potential
3.5 - Quality and design of housing developments
3.6 - Children and young people's play and informal recreation facilities
3.8 - Housing choice
3.9 - Mixed and balanced communities
3.11 - Affordable housing targets

Meeting: 09 February 2012
Agenda Item: 4
Report No.: LTGDC/12/PC05

- 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- 3.16 - Protection and enhancement of social infrastructure
- 3.18 - Education facilities
- 4.7 - Retail and town centre development
- 4.8 - Supporting a successful and diverse retail sector
- 4.9 - Small shops
- 5.1 - Climate change mitigation
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.5 - Decentralised energy networks
- 5.6 - Decentralised energy in development proposals
- 5.7 - Renewable energy
- 6.1 - Strategic approach
- 6.2 - Providing Public Transport capacity
- 6.3 - Assessing the effects of Development on Transport Capacity
- 6.4 - Enhancing Transport Connectivity
- 6.8 – Cycling
- 6.10 - Walking
- 6.11 - Smoothing Traffic Flow and Tackling Congestion
- 6.12 - Road Network Capacity
- 6.13 - Parking
- 7.1 - Building London’s neighbourhoods and communities
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character
- 7.5 - Public realm
- 7.6 - Architecture
- 7.7 - Location and design of tall and large buildings
- 7.8 - Heritage assets and archaeology
- 7.14 - Improving air quality
- 7.15 - Reducing noise and enhancing soundscapes
- 8.2 - Planning obligations

London Borough of Hackney Local Development Framework: Core Strategy (2010)

- Policy 1 – Main Town Centres
- Policy 5 – Hackney Wick New Community
- Policy 6 – Transport and Land Use
- Policy 8 – Focussing Social Investment
- Policy 16 – Employment Opportunities
- Policy 17 – Economic Development
- Policy 18 – Promoting Employment Land
- Policy 19 – Housing Growth
- Policy 20 – Affordable Housing
- Policy 21 – Supported Housing Requirements
- Policy 22 – Housing Density
- Policy 24 – Design
- Policy 25 – Historic Environment
- Policy 30 – Low Carbon Energy, Renewable Technologies and District Heating
- Policy 31 – Flood Risk
- Policy 33 – Promoting Sustainable Transport

Hackney Wick Area Action Plan

Meeting: 09 February 2012
Agenda Item: 4
Report No.: LTGDC/12/PC05

London Borough of Tower Hamlets Local Development Framework: Core Strategy (2010)

SP02 Healthy Neighbourhoods
SP03 Quality Urban Design within Places
SP04 Tall Buildings
SP08 Making Connected Places
SP09 Creating Attractive and Safe Streets and Places
SP10 Creating Distinct and Durable Places
SP12 Delivering Placemaking
8.1 London Borough of Tower Hamlets Unitary Development Plan 1998

London Borough of Tower Hamlets Unitary Development Plan (1998)

DEV1 Design Requirements
DEV2 Environment Requirements
DEV3 Mixed Use Developments
DEV4 Planning Obligations
DEV12 Provision of Landscaping in Development
DEV13 Design of Landscaping Schemes
DEV46 Protection of Waterway Corridors
DEV48 Strategic Riverside Walkways and New Development
DEV55 Development and waste disposal
DEV56 Waste Recycling
DEV57 Development Affecting Nature Conservation Areas
DEV63 Designation of Green Chains
DEV64 Strategic Riverside Walkway Designation
DEV66 Creation of New Walkways
DEV69 Water resources
HSG1 Provision of Housing Development
HSG2 Location of New Housing Development
HSG3 Affordable Housing
HSG7 Dwelling mix and type
HSG8 Mobility Housing
HSG10 Density in New Development
HSG13 Standards for residential development
HSG16 Housing Amenity Space
T15 & 16 Transport and development
T24 Cyclists Needs in New Developments
U2 Consultation Within Areas at Risk of Flooding
U3 Flood Defences

9. ASSESSMENT OF MAIN ISSUES

Principle of the Development

9.1 The site is identified in the London Plan as falling within the Lower Lea Valley Opportunity Area, which identifies the area as being a strategic location for the delivery of new housing and employment growth. The London Plan indicative targets for the entire Lower Lea Valley are 32,000 new homes and 50,000 new jobs between 2006 and 2026.

9.2 The Mayor is bringing forward more specific policy for the area in the Olympic

Legacy Supplementary Planning Guidance (OLSPG). The site falls within the Hackney Wick and Fish Island sub-area where significant land use change is sought through diversification and intensification. This includes areas identified as Strategic Industrial Locations being de-designated to maximise the opportunities and benefits of the Games Legacy. The OLSPG goes on to specifically identify Hackney Wick Station as the main public transport access into the north west of the Olympic Park. The area surrounding the station is highlighted as a “Hub” for the area with the creation of north-south links beneath the railway embankment and the area industrial buildings and yards being used to define the scale and character of new development.

9.3 The OLSPG states that Hackney Wick Station should be the location for clusters of well designed higher intensity commercial and residential development. The scale is envisaged up to eight storeys to create a sense of identity and to assist with orientation. The OLSPG goes on to emphasise that the quality of design should be very high in order to relate well to the established Conservation Area.

9.4 At a local level, the London Borough of Hackney has prepared and adopted the Hackney Wick Area Action Plan which includes an area of land encompassed by the A12, the Overground Line and the eastern branch of the River Lee within the Olympic Park. The AAP identifies the application site as one of two primary nodes within the Hackney Wick area. The key issues for the hub area are that creative and cultural industries are supported, services for the local community are provided and the connectivity throughout the area is improved. Land uses that would be considered by Hackney Council are an innovation centre, residential, studios, gallery and exhibition space, cafes/bars/restaurants, convenience food, education, community facilities and creative industries.

9.5 The equivalent document in Tower Hamlets is the Fish Island Area Action Plan which is currently at consultation stage on the proposed submission version. The AAP also identifies the area around Hackney Wick as a Hub and goes so far as to allocate the area as a new neighbourhood centre. The Hackney Wick Station improvements are seen as a specific catalyst for the creation of the Hub, particularly to ensure that new town centre uses are successful and to improve north-south connectivity through the area. Such uses have been listed in the AAP and include residential above ground floor, studios, galleries and exhibition space, cafes/bars/restaurants, convenience food shopping, education, community facilities, creative industries and business innovation.

9.6 The principles established in the adopted and emerging policy for Hackney Wick all steer development toward creative industries centred around improvement to the station and new north-south connectivity through the area. The proposal reflects these aspirations and is considered to be wholly acceptable in principle.

Scale and Massing

9.7 Of the three policy documents mentioned in the preceding paragraphs, two are prescriptive in terms of height. The OLSPG states that heights up to eight storeys can be considered and the Hackney Wick AAP sets building heights adjacent to the station in a range between four to six storeys. The Hackney Wick AAP goes on to state that the higher elements can be considered if they can be demonstrated to not have an adverse impact on the Conservation Area. The Fish Island AAP does not prescribe storey height but seeks that urban design principles build on the unique heritage landscape of the area.

- 9.8 Blocks A, C and F exceed the building height prescribed in the Hackney Wick AAP being nine, eight and ten storeys respectively. Hackney has highlighted concerns that inadequate information has been provided to demonstrate that the heights over six storeys are appropriate in townscape terms. Similarly, Tower Hamlets design officers have noted that the nine storey element is not in keeping with the surrounding area. English Heritage has also raised concerns that, in line with the point CABE/EH Guidance on tall buildings, the tall building elements of the proposal ought to be detailed rather than outline. However, it should be noted that the building heights meet the aspirations of the OLSPG, as has been confirmed by the Mayor in his Stage 1 report.
- 9.9 The applicant's approach to building heights has located the taller elements to mark the new Wallis Yard and the station entrance. The three and six storey buildings are towards the edges of the site. The significance of this approach to the north of the railway alignment is that the taller buildings are towards the centre of the site while lower elements mark the edges and reflect the scale of development in the surrounding area. This means that the buildings facing the existing public realm, conservation area and locally listed buildings are of a scale that reflects the existing built environment. Specifically, buildings E and H which mark the entrance to the pedestrian route through to Wallis Yard from Wallis Road are part 3, part six storey buildings. These buildings are considered to be in keeping with the scale of the three to four storey locally listed buildings on the opposite side of Wallis Road. Although greater in height, the separation distance of the road width provides a reasonable gap between the height differences. This is consistent with the Hackney Wick AAP objective of buildings being of an appropriate and comparable scale and massing to historic buildings and also reflects the building heights plan shown at part 5.8 of the document.
- 9.10 The townscape implications of the eight storey block C next to the station and the ten storey block F have also been considered both in the application documentation and through the submission of an additional view from Berkshire Road (which can be found at appendix 5). This has shown that, although the buildings can be seen from the north, these buildings form the backdrop to lower buildings on the Wallis Road street frontage. This arrangement of lower frontage buildings stepping up to taller backdrop buildings marking the station is considered to be acceptable by officers.
- 9.11 To the south of the railway, blocks A and B are nine and six storeys respectively. Both buildings front White Post Lane and the taller block A also fronts the proposed open space forecourt to the new station entrance. The nine storey height of block A, while greater than the surrounding context, is considered to be an appropriate marker for the site and the railway station. Buildings of historic merit to the east are offset by the open space so that the building is not overbearing. It should also be noted that most of the surrounding area that does not feature buildings of historic merit will undergo redevelopment in coming year as the Fish Island AAP is adopted. Therefore, the surrounding context to the south will undergo its own change and should not necessarily be treated as a guide in terms of scale and massing.
- 9.12 The scale and massing of the development is considered to be appropriate for the location. The detailed design of each individual building is a reserved matter, however the application parameters are considered to offer sufficient control to deliver a development suitable for the location.

Layout

- 9.13 The layout of the development is orientated around the two yards to the north and south of Hackney Wick Station. These establish improved permeability through the area while establishing views through to historic buildings outside the site boundary. Characterised by active ground floor uses, these new yards would represent the key foci for mixed use activity within the development, whilst allowing future connections between the spaces on a north – south axis which will increase the pedestrian permeability of Hackney Wick.
- 9.14 Routes through to Wallis Road are narrower than usually expected, however this approach has taken its lead from the established historic grain of the area rather than trying to establish a wider straighter route which would be unlike anything in the area.
- 9.15 This approach is supported by the OLSPG which states that the area's yards and historic buildings should be retained and adapted to help define the scale and form of new development.
- 9.16 The layout also generally accords with the form shown in the Hackney Wick AAP in terms of the location of Wallis Yard and the north-south and east-west movement corridors.

Employment Use

- 9.17 The strategic and local policy context of the area promotes Hackney Wick as an important employment location within the context of the land use change in favour of new cultural and creative industries.
- 9.18 The London Plan states at Policy 2.4 that the implementation of a sustainable and viable Olympic Legacy is London's most important regeneration project for the next 25 years. As part of this wider objective, the policy supports "*...the creation of a high quality media and creative industry cluster at Hackney Wick that would provide premises and opportunities for local and global businesses*".
- 9.19 The Hackney Wick AAP seeks to harness the creative and cultural industries within the area through employment led regeneration which provides a range of new workspaces. The hub area surrounding Hackney Wick Station is identified in the AAP as an important location for the delivery of a range of workspaces which can foster the growth of creative and cultural businesses.
- 9.20 The draft Fish Island AAP sets out that the concentration of employment activity at Hackney Wick would help to deliver successful employment hubs, concentrated in areas of good access to public transport.
- 9.21 The application is seeking approval for 6,342sqm of B1 employment space. It is intended that half of the workspace will be affordable to encourage small cultural and creative businesses to locate within the Hub. This will be provided in the first phase of development within an 'innovation centre' located in blocks A and B. The innovation centre is intended to accommodate workspaces of varying sizes and types to reflect the diverse range of potential occupiers within the CCI sector. The remainder of the space will provide 'grow on' workspaces for larger or growing businesses.

- 9.22 A S106 obligation will offer a definition for the intended tenants of the affordable workspace. It is considered that a B1 use class will be stipulated with a presumption in favour of cultural and media industry tenants. An appropriate operator of the affordable workspace will guarantee that space is provided and maintained at an affordable rent, shell and core fit out, marketing, rent levels, and facilities such as superfast broadband in the area in response to the potential user need will be key elements in defining the focus around the cultural and media industries.
- 9.23 In order to ensure appropriate rental values are set, market research has been undertaken by the applicant to define the affordable rental level. Firstly, consideration has been given to other creative and cultural industry cluster areas, including sites in Old Street, Clerkenwell, Brick Lane, Angel, Battersea, Soho, Kings Cross and Stratford. This allowed an appreciation for the rents paid by more established businesses operating in this economic sector. The analysis revealed that the rent levels in these established area range from £25 to £55 per square foot. It has also been noted that new build schemes often require rental levels of around £22.50 per square foot.
- 9.24 Comparable areas of Tower Hamlets, Hackney, Stratford and Dalston were also considered and it was noted that affordable workspace averaged between £12 and £15 per square foot for refurbished property.
- 9.25 To attract the desired users and maintain scheme viability, the affordable workspace rent level for Hackney Wick Hub is proposed to be £15 per square foot. The level is high enough to assist in the delivery of the first phase while being low enough to be considered affordable for future occupiers. It will be important to protect this rental level and it is therefore considered that it should be indexed linked to an index to be determined such as RPI. This will be reviewed annually from the date of securing planning consent through the time frame that the accommodation is designated as affordable workspace.
- 9.26 The length of lease for the affordable workspace is intended to be five to seven years from first occupation. This gives sufficient time for CCI businesses to establish while not curtailing successful commercial enterprise.
- 9.27 An Affordable Workspace Statement has been provided that seeks to justify the proposed quantum, rental values and delivery mechanisms for the employment space. These are to be secured in a S106 obligation.

Affordable Housing

- 9.28 The application proposes no on-site provision of affordable housing. However, in lieu of on-site provision, the applicant has offered a financial contribution of £10,000 per unit, equating to a total payment of £1.3m. The intention is that the affordable housing payment will be ring fenced and provided proportionally to each Borough. Provision of social infrastructure as required by each Borough will also be deducted from the £1.3m.
- 9.29 The decision by the applicant not to provide affordable housing on site is based on financial viability and the attractiveness of such units to an affordable housing provider.
- 9.30 In terms of the financial viability, the principal issue relates to the requirement to

provide affordable workspace. Effectively, the applicant argues that the scheme is required to subsidise a large quantum of workspace which creates pressure on the overall viability before affordable housing is even considered. Therefore, the scheme receives a 'double hit' in financial terms when required to provide both affordable workspace and affordable housing.

- 9.31 Supporting this position, the applicant has submitted a financial appraisal in accordance with GLA and Borough guidance, investigating a number of development scenarios for the development. This has been assessed by an independent consultant appointed by the Corporation who concludes that the majority of appraisal inputs can be regarded as being reasonable. The main divergences of opinion relates to the affordable housing revenues, market sales values, and the current use value. At the time of drafting their report, the applicant made assumptions on their understanding of how the Boroughs were likely to address the issues in the Affordable Homes Programme Framework document. The Corporation's consultant adopted the same approach as the applicant but arrived at different values for the affordable units.
- 9.32 The applicant initially adopted a zero land value benchmark. Against this benchmark they concluded that the maximum amount of affordable housing that the development could viably support was 15%. However, since the original appraisal the viability benchmark has been reviewed and the conclusion is that no affordable housing provision would be viable.
- 9.33 The residual land value for a 100% market scheme has been considered against a range of benchmarks whereby varying landowner premiums are adopted. This analysis has established that a landowner premium of 20% or more would render the development unviable. However, a lower premium would give rise to a surplus which could be used to provide a contribution towards affordable housing.
- 9.34 The option of on-site affordable housing instead of the £10,000 per residential unit has also been examined. The result would be an offer of around four to five affordable units and no financial contribution towards any other social infrastructure. This on-site offer of around 4% by unit is not considered to be a practical solution for the site as it would not be attractive to an affordable housing provider, presents difficulties with management and results in no other financial payments toward other social infrastructure demands.
- 9.35 A mechanism for the application of further viability testing in relation to this will be established through a S106 obligation.

Transport and Access

- 9.36 Access and movement have been a key consideration as the scheme has evolved. Local policies, PPG13 and the London Plan all emphasise the need to ensure built development, transport provision, and access are well integrated. Specifically, development proposals should reduce the need to travel by car and increase uptake of more sustainable modes such as public transport, cycling and walking, including through the minimisation of on-site car parking.
- 9.37 The scheme responds to these policy ambitions through the creation of two new yard spaces which lay the foundations for improving permeability within Hackney Wick and upgrading the railway station. Wallis Yard and White Post Yard will establish pedestrian-friendly spaces north and south of Hackney Wick Station which

will create future links. As such, the proposed yards respond to projected increases in passenger numbers at Hackney Wick Station and emerging desire lines between the station and key destinations such as the Olympic Park and legacy IBC/MPC. In particular, the proposed layout enables the creation of a route between Wallis Yard and Wallis Road, which would further strengthen connectivity through the Hub as other development proposals come forward. Additionally, the proposals provide the foundation for the delivery of the planned underpass through the rail embankment which would enhance the permeability of the area by linking the two new yards.

9.38 The development conforms to policy at a national, regional and local level, including the Hackney Wick AAP and the emerging Fish Island AAP. It will be a virtually car free development, providing just 10 spaces to meet the needs of the disabled, potential car club requirements and a small number of operational spaces to support the employment uses. The scheme will therefore have a negligible impact upon the local highway network and the Transport Assessment has demonstrated that the scheme will generate less peak hour traffic than did the historic uses on the site.

9.39 The development is highly accessible by public transport. The area currently has a PTAL rating of 3 but this does not consider the accessibility of the wider area, since Hackney Wick Station is located just one stop from the Stratford Regional transport hub. It is also likely that bus services in the area will be improved as part of TfL's proposals to improve access to Stratford City. It is also served by an emerging network of pedestrian and cycle routes which are being upgraded as part of the Olympics and Olympic Legacy transformation.

9.40 As a separate study, Network Rail is progressing an improvement scheme for Hackney Wick Station. This scheme is facilitated by the proposed development since it allows for the new link under the embankment which is a crucial part of the rail improvement scheme along with new accesses to the platforms, as well as other improved pedestrian access links to the station.

9.41 A servicing strategy for the site has been submitted with the application. For the northern parcel, the majority of servicing will take place from the two courtyards. Tracking plots have shown that a large panel van can access the service bays that have been identified within these courtyards (appendix 6). The shared footways and plaza will also be used on an accessional basis for servicing, including for refuse collection. For the southern parcel, which includes the small convenience food store, servicing is proposed to be undertaken from White Post Lane.

Noise and Vibration

9.42 A noise and vibration assessment has been undertaken to support the application. Consultation was been undertaken with the London Borough of Hackney to agree the survey and assessment methodologies. The noise and vibration survey was undertaken between 17th and 18th February 2011.

9.43 The suitability of the site for residential development has been assessed with regards to Planning Policy Guidance 24. The site lies within Noise Exposure Category B and C.

9.44 Outline mitigation measures have been provided to achieve the internal noise levels for habitable rooms required by Hackney and will be verified at the detailed design stage.

9.45 Noise limits have been recommended for the employment and retail uses in accordance with BS4142 and Hackney's noise policy and will be controlled by condition.

9.46 A railway groundborne vibration assessment has been undertaken having regard to BS6472 and has determined a 'low probability of adverse comment'.

Energy and Sustainability

9.47 Sustainability and energy statements have been submitted with the application and provide key evidence bases informing scheme evolution throughout. The proposed development will meet Code for Sustainable Homes Level 4 and BREEAM 'Very Good', aspiring towards BREEAM 'excellent' where achievable for specific commercial buildings. Although provision has been made for a Combined (Cooling) Heat and Power (C(C)HP) plant within the proposed development it is hoped that a connection will be established to the CCHP system proposed at Kings Yard and therefore begin to develop a much wider heat network in East London. In addition design proposals for the site include green roof areas to improve urban biodiversity.

10. CONCLUSION AND REASONS FOR APPROVAL

10.1 The application sets out the framework for the delivery of Hackney Wick Hub in line with the aspirations of the emerging OLSPG, adopted Hackney Wick AAP and draft Fish Island AAP. Whilst not all of the proposals in the Hackney Wick AAP are fully met and also having regard to the objections from Groveworld Ltd, when proposed conditions and terms in a S106 are taken into account it is not considered that refusal is justified.

10.2 The delivery of affordable workspace is a key objective of the scheme, however such a high quantum has had implication on financial viability at the cost of on site provision of affordable housing. The alternative payment in lieu offer is considered to be acceptable, especially given the emphasis in various policy documents on delivering workspace including units at subsidised rates.

10.3 The scale of the parameters is considered acceptable, particularly the taller buildings clustered around the main yards and proposed station entrance and underpass.

10.4 The mix of retail units around these yard spaces will create a vibrant local centre supported by the workspace units. The main purpose of bringing forward this scheme now, rather than delaying proposals to develop a much larger scheme, is to act as a catalyst for further redevelopment on the area, building on the potential from the future uses in the IPC/MPC buildings post Games and hopefully also taking advantage of a 'window of opportunity' next Christmas to create the link through the railway viaduct.

RECOMMENDATION

Committee is recommended to **GRANT OUTLINE PLANNING PERMISSION** subject to:

- Referral to the Mayor of London for his Stage 2 determination

- The conditions set out at 11 (below) including a Grampian condition preventing commencement of the development until the satisfactory completion of a Section 106 obligation to secure the following:
 - A financial contribution of £10,000 per unit to be provided toward affordable housing and social infrastructure
 - An affordable workspace strategy
 - Retail units initially offered to independent retailers
 - Car free agreement
 - Travel plan monitoring
 - Wayfinding Strategy consistent with the Olympic Fringe Wayfinding Strategy.

In coming to their recommendation to committee, Officers were satisfied that the community benefits under the proposed section 106 obligation meet the statutory tests prescribed in regulation 122 of the Community Infrastructure Levy Regulations 2010 in that they are:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

11. CONDITIONS AND REASONS

1. No development shall commence on site until such time as the applicant has made provision to the reasonable satisfaction of the local planning authority to secure full compliance with all of the following:
 - (i) Payment of a financial contribution of £10,000 per unit in line with the LTGDC Planning Obligations Community Benefits Strategy with a proportion of the payment ring fenced for off site affordable housing provision.
 - (ii) An affordable workspace unit strategy to be first approved by the local planning authority covering the marketing of the affordable workspace units to appropriate users and ensuring that such units remain affordable in the long term..
 - (iii) A retail unit marketing strategy to be first approved in writing by the local planning authority ensuring that the retail units are offered to independent retailers
 - (iv) A scheme to ensure that occupiers of units in the development are aware that (other than disabled people) they are not eligible for an on-street parking permit.
 - (v) The submission for approval by the local planning authority of a travel plan and subsequent compliance with the approved travel plan.
 - (vi) A Wayfinding Strategy consistent with the Olympic Fringe Wayfinding

Strategy to be first approved by the local planning authority.

Reason: To ensure that the requirements arising from the development which have not been provided for in the application are addressed and ensure that the development is constructed in accordance with and does not prejudice policies [to be provided in addendum].

1. The approved of details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereafter referred to as "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site, with the exception of those pre-commencement works as required by this permission. The reserved matters shall be submitted in accordance with the approved parameter plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the Local Planning Authority has control of those matters that have been reserved from the grant of this outline planning permission and in accordance with DEV1 of the London Borough of Tower Hamlets Unitary Development Plan, Policy 24 of the London Borough of Hackney Core Strategy and policies 7.6 and 7.7 of the London Plan.

2. The reserved matters, as described in condition 1, shall be submitted to the Local Planning Authority for approval by no later than three years from the date of this outline planning permission and carried out as approved thereafter.

Reason: In order that the detailed matters are submitted within a reasonable time period and in accordance with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The development hereby permitted shall be commenced no later than the expiry of two years from the approval of the last reserved matters permission or the expiry of five years from the date of this outline planning permission, whichever is the later.

Reason: In order to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

4. All residential units shall meet the Mayor of London Housing Design Guide.

Reason: To ensure a satisfactory standard of development, in accordance with policy 3.5 of the London Plan.

5. No retail units to the north of Hackney Wick Station shall exceed 150sqm in gross floor area.

Reason: To ensure the retail offer within the London Borough of Hackney meets local needs.

6. Prior to the commencement of the development hereby approved, full details of the internal circulation routes, car parking, servicing arrangements, cycle parking and motorcycle parking shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in full thereafter.

Reason: To ensure sufficient parking and circulation space is provided, in

accordance with Policy 6 of the London Borough of Tower Hamlet Core Strategy and policies T15, T16, T17 and T24 of the London Borough of Tower Hamlets Unitary Development Plan.

7. Prior to the commencement of the development hereby permitted, full details of acoustic mitigation between commercial and residential units shall be submitted to and approved in writing by the local planning authority. The details shall be implemented in full thereafter.

Reason: To ensure an adequate standard of residential amenity and in accordance with policy 7.15 of the London Plan

8. Prior to the commencement of the development hereby permitted, full details of the acoustic glazing to residential units shall be submitted to and approved in writing by the local planning authority. The details shall demonstrate adequate internal sound environment from railway noise and shall be implemented in full thereafter.

Reason: To ensure an adequate standard of residential amenity and in accordance with policy 7.15 of the London Plan.

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (a) Building, engineering and other operations to be carried out only between the hours of 0800 and 1800 Monday to Friday, 0800 to 1300 Saturdays and shall not be carried out at any time on Sundays or Public Holidays
- (b) Noise and vibration controls
- (c) An air quality and dust management plan
- (d) Surface/foul water drainage plans and associated control measures
- (e) Recycling plan for waste and material reuse
- (f) Details of wheel washing facilities to prevent the carriage of mud and material onto the public highway
- (g) A construction traffic logistics plan, including details of on-site construction parking, delivery arrangements and routing.

The construction of the development shall thereafter be implemented in accordance with the approved Management Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the local residential amenity and in accordance with policies DEV2 and DEV50 of the London Borough of Tower Hamlets Unitary Development Plan.

10. At least 20% of the energy supply for the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 1. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable development and in accordance with Policy 30 of the London Borough of Hackney Core Strategy 2010 and policies 5.1, 5.2, 5.5, 5.6 and 5.7 of the London Plan.

11. The development shall only be carried out in accordance with the approved flood risk assessment (Peter Brett Associates, June 2011, 23232/008) and the following mitigation measures:
- Flood resilience measures at ground floor level
 - Residential development at first floor and above.

Reason: To reduce the impact and risk of flooding to future occupiers in accordance with PPS25.

12. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved plans.

Reason: to prevent the increased risk of flooding, in accordance with PPS25.

13. Prior to the commencement of any works on site, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

- (a) A preliminary risk assessment which has identified:
- i) All previous uses
 - ii) Potential contaminants associated with those uses
 - iii) A conceptual model of the site indicating sources, pathways and receptors
 - iv) Potentially unacceptable risks arising from contamination at the site
- (b) A site investigation scheme, based on (a) to provide information for a details assessment of the risk to all receptors that may be affected, including those off site.
- (c) The results of the site investigation and detailed risk assessment referred to in (b) 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.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy (c) 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 consent of the Local Planning Authority. The scheme shall be implemented in full thereafter.

Reason: To protect the quality of controlled waterways and in accordance with policies DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary

Development Plan and policy 5.21 of the London Plan.

14. Prior to the occupation of any part of the permitted development, 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 criteria have been met. It shall also include any plan (a long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To protect the quality of controlled waterways and in accordance with policies DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary Development Plan and policy 5.21 of the London Plan

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

Reason: To protect the quality of controlled waterways and in accordance with policies DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary Development Plan and policy 5.21 of the London Plan

16. 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 the approved details thereafter.

Reason: To protect the quality of controlled waterways and in accordance with policies DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary Development Plan and policy 5.21 of the London Plan

17. Piling of any other foundation design using penetrative measures shall not be 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 ground water. The development shall be carried out in accordance with the approved plans.

Reason: In order to prevent pollution pathways to underlying aquifers, in accordance with DEV22 and DEV51 of the London Borough of Tower Hamlets Unitary Development Plan and policy 5.21 of the London Plan

18. Prior to the commencement of the development hereby permitted, an impact study of the existing water supply infrastructure shall be submitted to and approved in writing by the local planning authority. The study shall determine the magnitude of any new additional capacity required in the water system and a suitable connection point. The findings of the study shall be implemented in full thereafter.

Meeting: 09 February 2012
Agenda Item: 4
Report No.: LTGDC/12/PC05

Reason: To ensure water supply infrastructure has sufficient capacity to with additional demand.

19. Prior to the first occupation of the development hereby permitted, the applicant shall submit the final Code for Sustainable Homes Assessment, verified by the awarding body (Building Research Establishment) under the Code for Sustainable Homes certification scheme, showing that the development phase will achieve a minimum of Code Level 4. The development shall be implemented in accordance with the approved details thereafter.

Reason: To ensure that sustainability measures have been implemented into the development, in accordance with policy 5.3 of the London Plan.

20. All residential units development hereby approved shall comply with Lifetime Homes standards and 10% of such accommodation shall be accessible by wheelchair users or easily adaptable to such use.

Reason: To ensure that the appropriate level of accessibility is achieved within the development, in accordance with policy HSG8 of the London Borough of Tower Hamlets Unitary Development Plan and policy 7.2 of the London Plan.

21. Prior to the commencement of the development hereby permitted, a Black Redstart survey shall be undertaken and the results reported to the Local Planning Authority. If Black Redstarts are found to be present on site, suitable mitigation shall be agreed in writing with the Local Planning Authority prior to the commencement of any works on site and no demolition or clearance shall take place during nesting season from April to August.

Reason: In the interest of maintaining the ecological value of the site by securing a potential existing bird population, in accordance with 7.19 of the London Plan.

12. INFORMATIVES

1. It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. The applicant is advised to contact Thames Water Developer Services on 0845 850 877 in this respect.
2. Where the developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. The applicant is advised to contact Thames Water Risk Management Team on 0208 507 4890 or by emailing wwriskmanagement@thameswater.co.uk
3. A trade effluent consent will be required for any discharge other than domestic. The applicant is advised to contact Waste Water Quality on 0208 507 4321.
4. The local planning authority expects that condition 1 to this permission will be discharged by the entering into of a s106 agreement in the form attached to this permission.
5. In compliance with the provisions of Reg 9 of the Town and Country Planning General Regulations 1992 this permission shall enure only for the benefit of

Meeting: 09 February 2012
Agenda Item: 4
Report No.: LTGDC/12/PC05

London Thames Gateway Development Corporation and may not be implemented by any other person.

CASE OFFICER: Stephen Allen

- Appendix 1:** Site Location Plan
- Appendix 2:** Outline Parameters
- Appendix 3:** Illustrative Elevations
- Appendix 4:** Illustrative Floor Plans
- Appendix 5:** Perspective Views
- Appendix 6:** Swept Path Analysis