



PLANNING SUB - COMMITTEE SUPPLEMENTARY PAPER - ADDENDUM

Wednesday 27 April 2022
at 6.30 pm Council Chamber, Hackney Town Hall

The live stream can be viewed here:
https://youtu.be/_ILfnFmPjjU

In case any technical issues arise with the main Livestream please use this
alternative link:
https://youtu.be/5E-S8_qaECU

Members of the Planning Sub-Committee:

Councillor Brian Bell, Councillor Ajay Chauhan, Councillor Humaira Garasia,
Councillor Katie Hanson (Vice Chair), Councillor Clare Joseph, Councillor
Michael Levy, Councillor Steve Race, Councillor Vincent Stops (Chair) and
Councillor Sarah Young.

Substitute Planning Sub-Committee Members:

Councillor Anna Lynch, Councillor M Can Ozsen, Councillor Benzion Papier,
Councillor Clare Potter and two majority group vacancies.

Mark Carroll
Chief Executive
Published: 26 April 2022

Gareth Sykes
Governance Officer
Email: governance@hackney.gov.uk
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**Planning Sub-Committee
Wednesday 27 April 2022
Agenda**

8 Any Other Business (Pages 9 - 14)

- Addendum

Public Attendance

The Town Hall is not presently open to the general public, and there is limited capacity within the meeting rooms. However, the High Court has ruled that where meetings are required to be 'open to the public' or 'held in public' then members of the public are entitled to have access by way of physical attendance at the meeting. The Council will need to ensure that access by the public is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice.

Those members of the public who wish to observe a meeting are still encouraged to make use of the live-stream facility in the first instance. You can find the link on the agenda front sheet.

Members of the public who would ordinarily attend a meeting to ask a question, make a deputation or present a petition will be able to attend if they wish. They may also let the relevant committee support officer know that they would like the Chair of the meeting to ask the question, make the deputation or present the petition on their behalf (in line with current Constitutional arrangements).

In the case of the Planning Sub-Committee, those wishing to make representations at the meeting should attend in person where possible.

Regardless of why a member of the public wishes to attend a meeting, they will need to advise the relevant committee support officer of their intention in advance of the meeting date. You can find contact details for the committee support officer on the agenda front page. This is to support track and trace. The committee support officer will be able to confirm whether the proposed attendance can be accommodated with the room capacities that exist to ensure that the meeting is covid-secure.

As there will be a maximum capacity in each meeting room, priority will be given to those who are attending to participate in a meeting rather than observe.

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present. This is particularly important in the case of the Planning Sub-Committee, as it may have a number of items on the agenda involving public representation.

Before attending the meeting

The public, staff and councillors are asked to review the information below as this is important in minimising the risk for everyone.

If you are experiencing covid symptoms, you should follow government guidance. Under no circumstances should you attend a meeting if you are experiencing covid symptoms.

Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through the NHS website. If you do not have access to the internet, or have difficulty with the digital portals, you are able to call the 119 service to book a test.

If you're an essential worker and you are experiencing Coronavirus symptoms, you can apply for priority testing through GOV.UK by following the guidance for essential workers. You can also get tested through this route if you have symptoms of coronavirus and live with an essential worker.

Availability of home testing in the case of people with symptoms is limited, so please use testing centres where you can.

Even if you are not experiencing covid symptoms, you are requested to take an asymptomatic test (lateral flow test) in the 24 hours before attending the meeting.

You can do so by visiting any lateral flow test centre; details of the rapid testing sites in Hackney can be found here. Alternatively, you can obtain home testing kits from pharmacies or order them here.

You must not attend a lateral flow test site if you have Coronavirus symptoms; rather you must book a test appointment at your nearest walk-through or drive-through centre.

Lateral flow tests take around 30 minutes to deliver a result, so please factor the time it will take to administer the test and then wait for the result when deciding when to take the test.

If your lateral flow test returns a positive result then you must follow Government guidance; self-isolate and make arrangements for a PCR test. Under no circumstances should you attend the meeting.

Attending the Town Hall for meetings

To make our buildings Covid-safe, it is very important that you observe the rules and guidance on social distancing, one-way systems, hand washing, and the wearing of masks (unless you are exempt from doing so). You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

To minimise risk, we ask that Councillors arrive fifteen minutes before the meeting starts and leave the meeting room immediately after the meeting has concluded. The public will be invited into the room five minutes before the meeting starts.

Members of the public will be permitted to enter the building via the front entrance of the Town Hall no earlier than ten minutes before the meeting is scheduled to start. They will be required to sign in and have their temperature checked as they enter the building. Security will direct them to the Chamber or Committee Room as appropriate.

Seats will be allocated, and people must remain in the seat that has been allocated to them.

Refreshments will not be provided, so it is recommended that you bring a bottle of water with you.

RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting.

Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting. The press and public are not permitted to use any means which might enable them to see or hear the

proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to all Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- Director of Legal, Democratic and Electoral Services
- the Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

You will have a disclosable pecuniary interest in a matter if it:

- i. relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- ii. relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- iii. affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

If you have a disclosable pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- ii. You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the meeting, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the meeting. Once you have finished making your representation, you must leave the meeting whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal, Democratic and Electoral Services via email dawn.carter-mcdonald@hackney.gov.uk

LONDON BOROUGH OF HACKNEY

PLANNING SUB-COMMITTEE
27/04/2022

ADDENDUM SHEET

ITEM 5: 14 to 40 Newnton Close and 456 to 484 Seven Sisters Road, Hackney, London N4 2RQ, application number 2021/2732

Amendment to recommendation:

Due to the scale of the proposal, the application is referable to the Mayor of London, and as such the recommendation summary should read as follows (amendment in bold):

Grant planning permission subject to conditions and completion of a S106 Legal Agreement **and referral to the Mayor of London.**

Para 7.3 of the report should read as follows (amendment in bold):

The proposal is, on balance, therefore considered to comply with pertinent policies in the Hackney Local Plan 2033 (2020) and the London Plan (2021), and the granting of permission therefore is recommended subject to conditions and completion of the S106 legal agreement **and referral to the Mayor of London**, as set out in the main body of this report.

Officer note - for the avoidance of doubt, a stage 1 referral to the GLA has been undertaken, and the response summarised in the main report.

Further amendments and changes to drawing numbers:

Since publication of the report some further amendments have been made to the scheme. These include an increase in the width of the windows to the lift lobbies on the east elevation of the north building. An additional drawing clarifying the separation distances between the proposed development and openings to existing properties and amendments to the CAVAT calculations have also been provided in support of the application. The amendments are minor in nature and they, and the additional supporting information, do not substantially change the nature of the proposal or its impact and therefore no additional reconsultation on these matters is necessary. As a result, the approved documentation list is amended as follows (amendments in bold):

NEW-PTE-ZZ-XX-DR-A-99000, NEW-PTE-ZZ-ZZ-DR-A-10001 rev ~~C4~~ **C5**,
NEW-PTE-ZZ-ZZ-DR-A-10010 rev C1, NEW-PTE-ZZ-ZZ-DR-A-10110 rev C1,
NEW-PTE-ZZ-ZZ-DR-A-10111 rev C1, NEW-PTE-ZZ-ZZ-DR-A-10112 rev C1,
NEW-PTE-ZZ-ZZ-DR-A-10113 rev C1, NEW-PTE-ZZ-ZZ-DR-A-10114 rev C1,
NEW-PTE-ZZ-ZZ-DR-A-10210 rev C1, NEW-PTE-ZZ-ZZ-DR-A-10305 rev ~~C3~~ **C4**,
NEW-PTE-ZZ-ZZ-DR-A-10306 rev C3, NEW-PTE-ZZ-ZZ-DR-A-10307 rev C3,

NEW-PTE-ZZ-ZZ-DR-A-10308 rev C3, NEW-PTE-ZZ-ZZ-DR-A-10310 rev C2, NEW-PTE-NB-00-DR-A-10100 rev C3, NEW-PTE-NB-10-DR-A-10100 rev C1, NEW-PTE-NB-ZZ-DR-A-10100 rev ~~G2~~ C3, NEW-PTE-NB-ZZ-DR-A-10200 rev C3, NEW-PTE-NB-ZZ-DR-A-10300 rev C3, NEW-PTE-NB-ZZ-DR-A-10301 rev ~~G3~~ C4, NEW-PTE-NB-ZZ-DR-A-10401 rev C1, NEW-PTE-SB-00-DR-A-10100 rev C4, NEW-PTE-SB-07-DR-A-10100 rev C1, NEW-PTE-SB-ZZ-DR-A-10100 rev C3, NEW-PTE-SB-ZZ-DR-A-10101 rev C4, NEW-PTE-SB-ZZ-DR-A-10200 rev C3, NEW-PTE-SB-ZZ-DR-A-10300 rev C4, NEW-PTE-SB-ZZ-DR-A-10301 rev C3, NEW-PTE-SB-ZZ-DR-A-10402 rev C3, **1703 L 01 rev G H**, 1703-SK-05 rev A, C13152-PER-ZZ-XX-DR-C-02001 rev P4

Air Quality Assessment ref 91339 rev C dated 18/03/2022 (Aval Consulting Group), BNG Assessment dated 10/03/2022 (Applied Ecology), Circular Economy Statement (Hill Group), Construction Traffic Management Plan (Anchor Hanover), covering letter dated 22/03/2022 (Pegasus Group), Daylight, Sunlight and Overshadowing to Neighbouring Buildings and Proposed Accommodation Report ref 11781 dated 20/08/2021 (Brooke, Vincent and Partners), Design and Access Statement rev B dated 24/08/2021 (Pollard, Thomas Edwards) Design and Access Statement Addendum rev A dated 21/03/2022 (Pollard, Thomas Edwards), Drainage Strategy red C13152-PER-ZZ-XX-RP-C-00002 rev P5 dated 17/03/2022 (Perega), Energy and Sustainability Statement rev 04 dated 18/03/2022 (JRB Environmental), Fire Statement Form and Fire Strategy Statement ref AFF_20961_01_Newnton Close Fire Statement Form_A_04 and AFF_20691_Newnton Close_FSS_A_06 (Affinity Fire Engineering), Framework Travel Plan ref MT/5615/FTP.3 dated August 2021 (Bellamy Roberts), GLA Carbon Emission Reporting Spreadsheet, Health Impact Assessment ref P20-1952 dated August 2021 (Pegasus Group), Noise Assessment ref RP01-2174-R2 rev 2 dated 20/08/2021 (Cass Allen), Pedestrian Level Wind Desk-based Assessment ref RWDI #2203287 rev A dated 25/03/2022 (RWDI), Planning Statement ref EB/JR P20-1952 dated August 2021 (Pegasus Group), Preliminary Ecological Appraisal and Bat Report Ref AEL1843 rev 2.1 dated 18/08/2021 (Applied Ecology), SINC Impacts Note dated 17/03/2022 (Applied Ecology), Statement of Community Involvement ref EB/JR P20-1952 dated August 2021 (Pegasus Group), Tall Buildings Assessment ref P20-1952_10A dated 01/10/2021 (Pegasus Group), Transport Statement ref MT/5615/TS.4 dated August 2021 (Bellamy Roberts), Transport Statement Addendum red MT/5615/TSA.2 dated March 2022 (Bellamy Roberts), Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan ref 8445 dated 30/03/2022 **and amended CAVAT calculations** (Hayden's Arboricultural Consultants), Updated Affordable Housing Statement ref EB/JR P20-1952 dated March 2022 (Pegasus Group), Urban Greening Factor Calculation rev D dated 14/03/2022 (Portus + Whitton), Viability Statement rev 3 (Anchor Hanover)

Additional representations:

Since finalisation of the report to Planning Sub-Committee, additional representations have been received, as summarised below.

Stoke Newington Conservation Advisory Committee - welcome some of the amendments, but raise concern over the quality of the proposed amenity space making the following detailed comments:

"The modified plans are more acceptable. SN-CAAC feel that there is insufficient seating provision in the central garden area. People will enjoy sitting outside in groups in good weather."

Hackney Society - support the additional comments of the Stoke Newington Conservation Advisory Committee.

Officer comment - the scale of the communal open space is offset by the proposed open space contribution, which may be used to provide additional seating in public spaces local to the site.

LBH Environmental Protection (Noise) - raise no objection subject to the conditions set out on the main papers.

S106:

Highways - a financial contribution of £36,780.35 is sought towards highways works associated with the proposed development, which include the removal of the existing vehicular crossover and the installation of a new vehicular crossover to serve the two proposed on site blue badge parking spaces, together with the provision of 5 on street blue badge parking spaces.

Landscaping and open space - the open space contribution set out on the papers has been reviewed and is now calculated to be £157,221.20. The CAVAT of the two trees to be lost has been calculated as being £105,358. Given the limited prospect of securing equivalent planting in terms of specimen size and biodiversity and carbon sequestration value within the site, this sum is sought in full to mitigate the loss of the specimens through replacement planting local to the site.

Accordingly, para 6.2.12 should be amended to read as follows:

“A communal amenity space is proposed at ground floor level, which would be primarily located in a central landscaped area between the two buildings, which would provide a seating area and sensory garden. The open space requirement for the expected population yield of the development is 1,568m², which the proposed amenity space will clearly not satisfy, resulting in a shortfall of 1,370m². There will therefore be a financial contribution of £114.76 per m² shortfall in provision or £157,221.20, which will be secured by way of S106 legal agreement. A microclimate report has been provided which indicates that the development is largely acceptable in terms of its impact on wind flows local to the site, with the potential exception of this garden area, which is expected to experience “windier than desired conditions”. However, the report concludes that the proposed landscaping will adequately alleviate this for users of the space.”

A Head of Terms set out in para 6.5.11 relating to the final energy strategy was not included in recommendation B. This is corrected below under Amendment to Recommendation B.

Amendments to the wording of conditions:

The following amendments to the wording of conditions are proposed (amendments in bold):

8.1.3 - Materials

Details, including specifications and physical samples and a brickwork panel made available on site, of all materials and brickwork finishes to be used on the external surfaces of the building, hard surfaced areas and means of enclosure to the boundaries shall be submitted to and approved by the Local Planning Authority, in writing, prior to commencement of above ground works.

Notwithstanding the details shown on the approved plans, the details of materials submitted shall include lighter coloured brickwork to the parapet level of the northern building, **and shall not include pre-made brick panels.**

The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the development is satisfactory, and preserves and enhances the character and appearance of the Stoke Newington Reservoirs, Filter Beds and New River Conservation Area.

8.1.4 - Details

Detailed drawings to an appropriate scale of 1:20 or 1:50 and full particulars of all external windows, doors, louvres, trellising, living walls and rainwater goods shall be submitted to, and approved by, the Local Planning Authority, in writing, prior to commencement of ~~above-ground works~~ **the relevant works.**

The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the development is satisfactory, and preserves and enhances the character and appearance of the Stoke Newington Reservoirs, Filter Beds and New River Conservation Area.

8.1.15 - Tree protection plan

The development shall not commence until an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), which shall include details of the hedges and trees on and off the site, and proposed measures of protection, undertaken in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction-Recommendations' has been submitted to, and approved in writing by, the Local Planning Authority. **The details shall include protection of the Pyrus to the west of the site, including prevention of compaction of the soil within the Root Protection Area.**

The approved barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority. In the event of the tree(s) dying, being removed or becoming seriously damaged or diseased within 5 years from the completion of the development die, it shall be replaced within the next planting season with another of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard existing trees neighbouring the site to be retained and ensure a satisfactory setting and external appearance to the development.

Amendment to Recommendation B: the Heads of Terms are now as follows (amendments in bold):

Affordable Housing

- Delivery of 100% affordable housing in the size and tenure mix set out in the main body of the report together with appropriate review mechanisms to safeguard delivery
- Securing right to return of existing tenants

Healthcare

- A healthcare contribution of £73,204

Highways and Transportation

- Travel Plan
- Parking Management Plan
- A contribution of £5,000 towards Travel Plan monitoring
- A contribution of £8,750 towards Construction Logistics Plan monitoring
- **A contribution of £36,780.35 towards highways work, including the making good of the site access, installation of a new site access, and associated pavement works on Newton Close and the provision of 5 on street disabled parking bays local to the development**
- Car free development

Construction

- Considerate Constructor Scheme – the applicant to carry out all works in keeping with the National Considerate Constructor Scheme.
- Employment and skills plan (including 25% local labour, apprenticeships, employment and training contribution and procurement plan)

Carbon Offset Payment

- A Carbon Offset Payment of £39,900

Landscaping and Open Space

- An open space contribution of **£157,221.20**
- A CAVAT contribution of **£105,358 towards mitigation of loss of existing trees in respect of public amenity, biodiversity and carbon sequestration**

Energy and Sustainability

- **Details of a final energy strategy which shall include details of air source heat pump installation and performance, monitoring and commitment to future connection to a local DEN**

Costs

- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement, payable prior to completion of the deed
- Monitoring costs of **£21,642.10** payable on completion of the deed

Signed..... **Date**.....

ALED RICHARDS
Strategic Director Sustainability and Public Realm