



L I C E N S I N G S U B C O M M I T T E E D

Thursday 28 March 2024 at 2.00pm

**Supplementary: Agenda item 8 paper:
Environmental Protection submission**

Members of the Sub-Committee:

Cllr Yvonne Maxwell

Cllr Gilbert Smyth

Cllr Sheila Suso-Runge

Dawn Carter-McDonald
Interim Chief Executive
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www.hackney.gov.uk

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Licensing Sub Committee D

Thursday 28 March 2024

Supplementary: Agenda item 8 paper: Environmental Protection submission

- 8 Variation to a Premises Licence: Balls, 333 Old Street, London EC1V 9LE
(Pages 3 - 6)**



London Borough of Hackney
Planning and Regulatory Services
2 Hillman Street
London E8 1FB
www.hackney.gov.uk
Hackney Reference: 2018/4731

Mr Cohan Zedek
20 Clissold House
Lordship Road
London
N16 0PS

27/02/2019

**Town and Country Planning (Development Management Procedure)
Order 2015**

Application Number: 2018/4731
Site Address: 333 Old Street London EC1V 9LE

Thank you for your recent application for the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council, either by post to the Hackney Planning Service, 2 Hillman Street, London, E8 1FB, by email to planning@hackney.gov.uk, or by phone to 020 8356 8062.

Yours faithfully

A handwritten signature in black ink, appearing to read 'I. Rae', written over a light grey rectangular background.

Ian Rae
Head of Planning
Planning Service
Neighbourhoods and Housing

PLANNING DECISION NOTICE
Town and Country Planning Act 1990 as amended
Town and Country Planning (Development Management Procedure) (England)
Order 2015

Agent: Mr Cohan Zedek
20 Clissold House
Lordship Road
London
N16 0PS

Applicant: Mrs Vicki Giselle Pengiley
82 Culford Road
London
N1 4HN

Part 1 - Particulars of the Application **Application No:** 2018/4731
Date of Application: 02/01/2019
Date Validated: 02/01/2019
Application Type: Full Planning Permission

Proposal: Installation of seating, pergola, and fencing/screening on roof.

Location: 333 Old Street London EC1V 9LE

Plan Numbers:

180627-01 A, 02 A, 03 A, 04 A, 05 A, 06 A, 07 A, 08 A, 09 A and Design Access and Planning Statement

Part 2 – Particulars of Decision: **REFUSED**

Notice is hereby given that the London Borough of Hackney as local planning authority in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made thereunder refuses to permit the development referred to in Part 1, in accordance with the plan(s) submitted.

Reasons for Decision:

1. The proposed development, by reason of its siting, prominence and detailed design, would result in an incongruous addition which would not be a suitable for the host building or wider conservation area. The proposal would therefore be contrary to policies 7.4 (Local Character); 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan (2016); policies 24 (Design) and 25 (Historic Environment) of the Hackney Local Development Framework Core Strategy (2010), policies DM1 (High Quality Design) and DM28 (Managing the Historic Environment) of the Hackney Development Management Local Plan (2015), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant paragraphs within the NPPF.

2. The use of the main roof as an area to provide additional seating for customers would result in unacceptable noise and disturbance impacts. As such, the proposal would be contrary to Policy 7.6 (Architecture) of the London Plan 2015, policy 24 (Design) of the Hackney Local Development Framework Core Strategy, and policy DM2 (Development and Amenity) of the Hackney Development Management Local Plan 2015.

Informative/s:

1. Hackney Planning Service adopts a positive and proactive approach when engaging with applicants / agents in line with the National Planning Policy Framework. As part of our planning process, we endeavour to contact applicants / agents regarding any minor issues that may be able to be resolved during the course of the application, providing an opportunity to submit amendments before a final decision is made. We also encourage the pre-application service to avoid delays as a result of amendments and unforeseen issues during the planning process.

Date of Decision: 27/02/2019

Yours faithfully



**Ian Rae
Head of Planning
Planning Service
Neighbourhoods and Housing**

Statement of Applicant's Rights - Appeals to the Planning Inspectorate

If your application has been refused by the London Borough of Hackney or granted subject to conditions that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

The time limits for submitting an appeal may vary. The period after the date of the Council's decision within which an appeal must be received by the Secretary of State is:

- **28 days** in the case of an appeal against refusal of a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice.
- **8 weeks** in the case of an appeal against refusal of advertisement consent.
- **12 weeks** in the case of appeals made under against refusal of any 'householder application' (including refusals to approve details following permission granted for a householder application; and, refusal of prior approvals relating to dwelling houses)
- **12 weeks** in the case of 'minor commercial applications (the refusal of an application for development of an existing building or part of a building currently in use for any purposes in Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building).
- **6 months** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building consent application. The 6 month time limit also applies to any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

Appeals must be made using a form which you can get from the Planning Inspectorate at Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate>

Purchase Notices

If either the local planning authority or the Planning Inspectorate refuses planning permission or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990 and Section 32-37 of the Planning (Listed Buildings & Conservation Areas) Act 1990.