

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY, 3RD DECEMBER, 2008

- Councillors Present:** Councillor Vincent Stops in the Chair
- Cllr Michael Desmond (Vice-Chair), Cllr Ian Sharer, Cllr Brian Bell (Substitute), Cllr Linda Smith, Cllr Joseph Stauber, Cllr Katie Hanson and Cllr Jessica Webb
- Apologies:** Cllr Barry Buitekant
- Officers in Attendance** Adam Flynn (Planning Officer, Major Team), Rokos Frangos (Senior Planning Officer), Rosemary Lansdowne (Principal Solicitor), Graham Loveland (Interim Head of Regulatory Services), Ron Madell (Senior Planning Officer), John McRory (Team Leader, Major Applications), Gillian Nicks (Deputy Team Leader, Major Applications Team), Femi Nwanze (Planning Applications Unit Manager), Ray Rogers (Urban Design and Conservation Manager), Scott Schimanski (Team Leader, Area Team) and Russell Smith (Planning Officer)
- Also in Attendance** Kevin Moore (Hackney Society)

1 APOLOGIES FOR ABSENCE

- 1.1 An apology for absence was received from Councillor Buitekant, with Councillor Bell in attendance as a substitute.
- 1.2 Apologies for lateness were received from Councillors Desmond and Hanson.
- 1.3 Councillor Sharer gave his apologies as he needed to leave the meeting early.

2 MEMBERS TO AGREE THE ORDER OF BUSINESS

- 2.1 Item 13 – 2-4 Sharon Gardens was withdrawn from the agenda at the request of the Planning Officer.

3 DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest made at the meeting.

4 MINUTES OF THE PREVIOUS MEETING

- 4.1 **RESOLVED** – that the minutes of the meeting on 5 November 2008 be APPROVED as a true and accurate record.

5 50 WENLOCK STREET, LONDON, N1 7QN

Demolition of existing building and the erection of a 6 storey building to comprise of 22 residential units with associated car parking (2 disabled spaces) and landscaping.

(**NB:** Members are requested to note a previously refused application (Council reference 2007/2732) was subsequently appealed. Though the appeal was dismissed, there were specific aspects of the previous proposal that the inspector found to be acceptable and thus will form the basis of this planning analysis. The appeal matters have been discussed below under ‘Part 3 History’ of this report).

- 5.1 The Planning Officer introduced the report, as set out in the agenda. She added that the previous application did not include the provision of affordable housing and that the new scheme had been designed in-line with conservation design officers.
- 5.2 Councillor Sharer referred to the S106 agreement and the contribution of £13,250 towards healthcare and the Planning Officer explained that this figure was supported by the PCT and that this type of contribution would be seen more regularly in future.
- 5.3 Nick Makasis (architect) was in attendance to answer any questions that arose.
- 5.4 Members wished to clarify the materials to be used and the architect confirmed that the scheme would comprise pigment render, blue zinc panelling at the central unit, with timber panels at ground floor level.
- 5.5 In response to a question from the Chair regarding the perceived effectiveness of the sonar panels, it was explained that there would be 14 panels which were tremendously efficient and an alternative to a bio-mass boiler system.
- 5.6 The Chair referred to the streetlamps and whether these could be placed on the proposed building, in order to help de-clutter the area. The applicant welcomed this proposal, in principle. The Chair requested that this be added as an additional condition. This was **AGREED**.

(**Councillors Hanson and Smith did not take part in the vote, as they arrived during the discussion of the item**).

RESOLVED that:-

A) Planning Permission be GRANTED, subject to the following conditions:

1. SCBO – In accordance with plans

The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

2. SCB1N - Commencement within three years

The development hereby permitted must be begun not later than three years after the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

3. SCM2 - Materials to be approved

Details, including samples, of all materials to be used on the external surfaces of the building and boundary walls shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. 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 building is satisfactory and does not detract from the character and visual amenity of the area.

4. SCD2 - Provision of access and facilities

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

5. SCT1 - Landscaping

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

6. SCR3 - Mobility standards

Ten-percent of all housing units proposed must be designed to mobility standards and be in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest in providing satisfactory and convenient housing accommodation for persons with disabilities.

7. SCS5 - Waste

Except on day(s) of collection, all refuse and waste shall be stored in sealed containers in the refuse area shown on the plans hereby approved.

REASON: To ensure refuse is not left in the street in the interests of visual amenity and to reduce the likelihood of infestation.

8. SCH10 - Cycle spaces

Provision for at least 50 cycles spaces are to be provided securely on site. Details of which are to be submitted to an approved by the Local Planning Authority, in writing, before the commencement of works on site, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of cycles/motorcycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

9. NSC - Wheel washing facilities

Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details approved by the Local Planning Authority prior to the commencement of works on site.

REASON: In the interest of highway safety.

10. NSC - External ventilation

Full details of mechanical ventilation equipment from kitchen areas, bathroom areas and any air conditioning units must be submitted for approval by the Local Planning Authority, in writing, before the commencement of works on site, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences. Mechanical ventilation equipment from kitchen areas, bathroom areas and any air conditioning units must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of residents as a result of fume or odorous discharge.

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

11. NSC - External Fixed Plant Items

Any external fixed plant items must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of residents. As such they shall be designed to operate at a cumulative noise level of $L_{Aeq Tr}$, measured or predicted at 1 metre from the façade of the nearest noise

sensitive premises and shall be a rating level of 10dB(A) below the background noise level of L_{AF90} .

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

12. NSC - Dust emissions

An environmental plan demonstrating how dust emissions from the site, traffic and plant during the construction phase will be controlled shall be submitted to and agreed by the Local Planning Authority in writing, and implemented, prior to any works commencing on site.

REASON: To ensure that the development is not prejudicial to the health of environment and prospective occupiers.

13. NSC - Ecological roofs

Full details of a biodiverse, substrate-based (75mm minimum depth) extensive 'green' roof shall be submitted and approved in writing by the Local Planning Authority before any building works commence. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building.

14. CLS1 - Contaminated Land Condition

Before any remediation work, enabling works or development commences at the site a Desk Study report including full details of Site Reconnaissance, and a report containing full details of Site Investigation and Risk Assessment works completed for the site shall be produced to the satisfaction of and approved in writing by the Pollution Section.

15. NSC - Car Parking and Private Amenity Space

Full details of the screening to the car parking and amenity areas of ground floor Unit 3 and Unit 4 of the hereby approved scheme shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure the on-site amenity areas provided for the two ground floor units (U3 and U4) are maintained as outdoor amenity space and not used as additional car parking.

16. Street lamps

Reasonable endeavours shall be undertaken to locate street lights to the highway immediately adjoining the site onto the face of the building hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

B) That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Corporate Director of Neighbourhoods and Regeneration and the Interim Corporate Director of Legal and Democratic Services:

1. Securing 12 units (54.5% of the proposed 22 units and 58.5% by habitable room) as affordable housing to include 8 social rented units with remaining affordable units to be either social rented or intermediate housing.
2. Contribution of £47,683.80 towards education.
3. Contribution of £3103.90 towards libraries.
4. Contribution of £920.04 towards open space.
5. The signing of a Section 278 legal agreement under the Highways Act for works to the public highway and securing of £29,600.00 to fund these works.
6. The provision of a Green Travel Plan to all residents and commercial lease holder/employees on occupation of the site.
7. Commitment to the Council's local labour and construction initiatives (25% on site employment).
8. No occupation of the Open Market Dwellings until all the affordable units have been transferred to the approved RSL.
9. 20% reduction in carbon emissions through the use of renewable energy sources and use of low energy technology.
10. Considerate Contractor Scheme – the applicant to carry out all works in keeping with the National Considerate Contractor Scheme
11. Achievement of a minimum Level 3 under the Code for Sustainable Homes and to use all reasonable endeavours to achieve Level 4.
12. Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the negotiations and completion of the proposed Section 106 Agreement.
13. Car free development. No car parking permits for residents.
14. Sustainable transport contribution to the amount of £7260.00. (Calculated at £330 per residential unit).
15. All residential units are to be built to Lifetime Homes Standards.
16. Contribution of £13,250.00 towards Healthcare.

REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission:

EQ1 - Development Requirements
H03 - Other sites for housing
TR19 - Planning Standards

INFORMATIVES

The following informatives should be added:

SI.1 Building Control
SI.2 Work Affecting Public Highway

- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.8 Soundproofing
- SI.19 Health, Safety and Welfare at Work
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultations with TWU

NSI.1 The hours of construction work on site that are audible at the nearest noise sensitive premises shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday and at no time on Sundays & public holidays except by written permission of the Council or where the works are approved under section 61 Control of Pollution Act 1974.

NSI.2 The best practice detailed within the Building Research pollution control guides Parts 1 to 5 for controlling particles, vapour and noise pollution from construction sites must be followed throughout the enabling works, demolition and construction phase of the development.

NSI.3 The applicant is advised that they will be required to enter into a Section 61 agreement under the Control of Pollution Act 1974 with the Pollution Section before commencing work on site in order to control noise and vibration from the demolition/construction work.

NSI.4 Your attention is drawn to the need to comply with the provisions of the Regulatory Reform (Fire Safety) Order 2005 where applicable. The provision of satisfactory means of escape in the event of a fire is the concern of the London Fire and Emergency Planning Authority as fire authority, and information relating thereto may be obtained from the Fire Safety Department, 210 High Street, East Ham, E6 3RS.

6 33-35 HOXTON SQUARE, LONDON, N1 6NN

Erection of a part 4 storey, part 5 storey building plus basement to provide Class B1 and/or Class A1 (retail gallery on the basement and ground floor), Class B1 on part of the first and second floors and 8 residential units on the remainder of the upper floors.

- 6.1 The Planning Officer introduced the report, as set out in the agenda. A model of the scheme was displayed at the meeting for Members' information and the Planning Officer explained that the application had been slightly altered since the model had been produced, details of which were identified within the presentation.
- 6.2 The Planning Officer referred to the addendum which identified that South Shoreditch Conservation Area Advisory Committee had since made representations against the proposal, as they felt that by the nature of its scale and mass, the proposed building would have a detrimental impact on the setting and character of the conservation area. The addendum also detailed

additional comments received on behalf of a neighbouring resident in Hoxton Square, with a response from the Planning Officer.

6.3 The addendum also detailed the following which should be added to Section 5.2 of the report:

1. PPS1 – Sustainable Development and Climate Change;
2. PPS3 – Housing;
3. PPG4 – Industrial/Commercial;
4. PPS10 – Waste Management;
5. PPS12 – Local Spatial Planning;
6. PPG13 – Transport;
7. PPG15 – Historic Environment;
8. PPG16 – Archaeology;
9. PPS22 – Renewable Energy; and
10. PPG24 – Noise.

6.4 Steve Rankin and Dillon Lin spoke in support of the scheme, their comments are summarised as follows:

- The design has slightly changed from the original scheme submitted.
- Building designed in consultation with Planning Officers.
- The building is designed as a prism to ensure the required daylight/sunlight for the neighbouring properties.
- Fresh approach which adheres to planning guidelines.
- Disappointed with the comments made by English Heritage, as they have not recognised the varied nature of the buildings located in Hoxton Square.

6.5 The Chair asked for the view of the Urban Design and Conservation Manager, his comments are summarised as follows:

- Respect the views of English Heritage and he would not disagree if he was considering Shoreditch as a whole, however due to the nature of Hoxton Square and the buildings located there he took a different view.
- Each side of Hoxton Square is unique due to the varying nature of the buildings located there.
- Of the opinion that the proposed scheme follows the nature of the existing buildings and that Hoxton Square is the only place where this type of development could be built.
- The building responds well at street level and it is an opportunity to make a positive contribution to the area.

6.5 Kevin Moore stated that people would have different views on this development, however he was of the opinion that if you were building next to a listed building you should build the best development possible and he was firmly in support of this scheme.

6.6 The Chair asked the Planning Officer whether granting permission would give any precedent on this site should this exceptional building not be built out. The Planning Officer assured Members that this was very much approval on its own merit and therefore would not easily provide a precedent.

Wednesday, 3rd December, 2008

- 6.7 Councillor Webb referred to the streetlamps and whether these could be placed on the proposed building, in order to help de-clutter the area. The applicant agreed, in principle, for best endeavours to be made for the streetlamps to be placed on the building. The Chair requested that this be added as part of the section 106 agreement. This was **AGREED**.
- 6.8 The Chair also asked whether rain water harvesting was being provided and the architect stated that they had submitted a sustainability report and that this could be explored. The Chair requested that this be added as an additional condition. This was **AGREED**.

(Councillors Desmond did not take part in the vote, as he arrived during the discussion of the item).

RESOLVED that:-

A) Planning Permission be GRANTED, subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.
2. The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.
3. Details including samples, of all materials to be used on the external surfaces of the building shall be submitted to and approved by the Local Planning Authority, in writing, before work on the external surfaces commences on site. 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 building is satisfactory and does not detract from the character and visual amenity of the area.
4. No roof planes facing southwards or south of the highest part of the roof shall be clad in reflective materials. The details, including samples submitted for approval under condition (3) above shall incorporate all necessary information to demonstrate that no undue reflection of sunlight is likely to occur.

REASON: To ensure that no dazzle or concentrated sunlight is focussed on the enclosed courtyard and surrounding windows of the properties to the rear of the site in Hoxton Street.

Wednesday, 3rd December, 2008

5. Detailed drawings showing the following shall be submitted to and approved by the council before any work is commenced on site and the development shall be completed only in accordance with the details thus approved:
- Details and representative cross-sections of windows, doors and balconies and glazing to all elevations;
 - Detailed design and materials of the open front basement area and railings at pavement level;
 - Signage planned for the building;
 - External landscaping of any part of the development;
 - Details of the location and capacity of storage facilities for refuse and waste stored for recycling from the premises.

REASON: To ensure that the external appearance of the development building is satisfactory and does not detract from the character and visual amenity of the area, and enables waste materials to be stored satisfactorily.

6. Three of the residential units hereby approved shall be constructed to conform to the Lifetime Homes standards as specified in 'Meeting Part M and designing Lifetime Homes' (published in 1999), in accordance with the submitted information, unless otherwise agreed by the Local Planning Authority.'

REASON: As proposed in the scheme, in order to ensure that a significant proportion of the dwellings are capable of use or adaptation for a wide range of future household needs, including people with disabilities.

7. A level access shall be provided to all ground floor units hereby approved before the use is first commenced.

REASON: In order to ensure that people with disabilities are able to gain proper access to the development

8. No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to either of the street frontage elevations of the building or roof planes.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

9. Level access shall be provided to all ground floor units or accommodation hereby approved before the use is first commenced.

REASON: In order to ensure people with disabilities are able to gain proper access to the development.

10. No construction shall commence until such time as the Applicant has entered into a legal Agreement with the Council pursuant to S278 Highways Act 1980 substantially in the format appended at Second Schedule to cover the following works to the public highway:

- Take up existing bitmac paving and replace with new PCC (Pre-cast Concrete).
- Take up and dispose of granite kerbs and replace with new.
- Mesh reinforced slabs 75mm thick to be used across two cross over areas
- Install tactile paving where required.

- Upgrade/installation of road markings
- Adjustments to stats covers where acceptable

11. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation for each Quarter, which has been submitted and resubmitted until such time as approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: To safeguard the archaeological interest of the site, which is within an Area of Archaeological Priority.

12. Prior to occupying any residential dwelling forming part of the Development each new resident of the Development shall be informed by the relevant Owner of the Council's policy that they shall not be entitled (unless they are the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a Residents Parking Bay and will not be able to buy a contract to park within any car park owned, controlled or licensed by the Council.

REASON: To ensure that the development advances the principles of sustainable transport embodied in the London Plan

13. The approved mixed use housing and commercial building shall be constructed to take account of the best practice sustainable development principles embodied in the Building Research Establishment Code for Sustainable Homes and BRREAM assessment methods. Details of an independent code assessor's report (based on a submission aiming for the highest practicable level based on the submitted scheme and incorporating all relevant and readily available environmental management measures) and utilising either separate assessments or a bespoke overall assessment shall be submitted prior to any work commencing on the development. Details of the final Code Assessment for dwellings or groups of dwellings shall be submitted and approved in writing as soon as they have been carried out, prior to first occupation of any relevant part of the development.

REASON: To ensure that the development makes a contribution to the Council's energy and resource efficiency priorities and other sustainable planning objectives, by reference to the government's Code for Sustainable Homes and/or the BREEAM accreditation scheme, as appropriate.

14. Before development commences, details of the following shall be submitted to and approved in writing by the Local Planning Authority and the approved measures implemented:

- soundproofing of premises;
- insulation of premises (including ventilation);
- extraction of fumes (for any Class A3, A4 and A5 uses);

- Details of insulation of plant/machinery before use on the non-residential parts of the building

REASON: To ensure no undue loss of amenity for nearby occupiers or prospective occupiers or prospective occupiers of the development

15. The A1/B1 Gallery use hereby permitted may only be carried out between 08:00 hours and 23:00 hours on any day, and 09.00 hours and 20.00 hours on Sundays and Bank Holidays.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

16. Except on day(s) of collection, all refuse and waste shall be stored in sealed containers in the refuse area shown on the details required by condition (4) above, as subsequently approved.

REASON: To ensure refuse is not left in the street in the interests of visual amenity and to reduce the likelihood of infestation.

17. No roof plant enclosures, machinery or other installations shall be placed upon or attached to the roof or other external surfaces of the building unless otherwise approved by the Local Planning Authority.

REASON: To safeguard the appearance of the property.

18. Internal lockable storage space shall be made available for the secure parking of 8 cycles within the building as shown on the plans hereby approved before the first occupation of the development.

REASON: To ensure that a reasonable provision is made within the site for the parking of cycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

19. The use of the basement, ground floor and non-residential part of the first floor shall be within Use Classes B1 and A1 only.

REASON: To ensure that the proposal gives the opportunity to maximise and maintain both employment and commercial floorspace within this Defined Employment Area in the Hackney USP (Saved designation).

20. The entrance doors in the Hoxton Street elevation shall open inwards clear of the public footway.

REASON: To avoid any obstruction of the public highway, in the interests of pedestrians and other highway users.

21. The eastward-facing windows of the western bedroom in flats 2 and 5 (First and Second Floor respectively), and the eastern-facing edge of the external terrace of flat 7 (Third Floor), all as annotated in red on submitted plan Nos A-SK110, 120 and 130, shall be glazed in obscured glass and so maintained thereafter.

Wednesday, 3rd December, 2008

REASON: To ensure that no direct or perceived overlooking of nearby residential accommodation takes place.

22. A rainwater harvesting system shall be installed and details thereof shall be submitted to the local planning authority and approved in writing prior to occupation of the building.

REASON: In the interests of maximising the environmental performance of the building.

23. Reasonable endeavours shall be undertaken to locate street lights to the highway immediately adjoining the site onto the face of the building hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

B) Conservation Area Consent be GRANTED, subject to the following conditions:

1. The development hereby permitted must be begun no later than the expiration of three years beginning with the date of this consent.

REASON: In order to comply with the provisions of Section 18 (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission reference 2006/3381 is granted and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

REASON: As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the character and appearance of the Kingsland Conservation Area.

C) That the above recommendations be subject to the applicant, the landowners and their mortgagees enter into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended) in order to secure the following matters to the satisfaction of the Assistant Director of Regeneration and Planning and the Interim Corporate Director of Legal and Democratic Services:

1. Payment by the landowner/developer of an education contribution of money with respect to anticipated child yield from the additional residential housing units being provided in accordance with the DFES cost of providing a school place. - total contribution of £24,440.
2. Contributions to library facilities, amounting to £553.
3. Agreement and compliance with an implementation plan under the Considerate Contractor scheme.
4. Achievement of a car-free scheme by no entitlement to residents' parking permits in CPZ.

Wednesday, 3rd December, 2008

5. Highway re-instatement works (S278)- mainly footways and carriageway markings – total estimated cost of £38,200.
6. Measures to recruit local employment both in construction and within the completed development.
7. Training opportunities for 2 local employees during construction.
8. Completion of employment & retail uses prior to occupation of new residential.

D) That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 18 December 2008, the Interim Head of Regulatory Services be given the authority to refuse the application for the following reasons:

- The proposed development, in the absence of a legal agreement for securing educational and library facilities contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to policies EQ1, H03, CS2, and CS10 of the Hackney Unitary Development Plan and policy 3A.21 of the London Plan 2004.
- The proposed development, in the absence of a legal agreement for securing a commitment towards local employment and training initiatives sustainable travel initiatives/ walking and cycling/ and public transport in the area, would be contrary to policy E15 of the Hackney Unitary Development Plan and policy 3B.11 of the London Plan 2007.
- The proposed development, in the absence of a legal agreement for securing highway reinstatement contributions and a commitment towards achievement of a car-free housing element through restriction of parking permit applications would fail to contribute to sustainable travel in an area of excellent public transport availability, contrary to policies TR6 and TR19 of the Hackney Unitary Development Plan and policy 3C.23 of the revised London Plan 2007.

REASONS FOR APPROVAL

1. The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development and uses and were considered by this Council in reaching the decision to grant planning permission:

Hackney Unitary Development Plan 1995:

EQ1 Development Requirements
EQ12 Protection of Conservation Areas
EQ13 Demolition in Conservation Areas
EQ14 Alterations & Extensions of Buildings in Conservation Areas
EQ16 Protection of Listed Buildings
EQ18 Setting of Listed Buildings
EQ20 Buildings of Local Significance
EQ29 Archaeological Heritage
HO3 Other Sites for Housing
TR19 Planning Standards

Proposals Map: Within the South Shoreditch Defined Employment Area (Saved designation)
South Shoreditch SPD:

Policy 1.2 Mixed uses

Policy 2.3 Retail

London Plan Policies:

- 3A.1 Increasing London's Supply of Housing
- 3A.5 Housing Choice (Inc Lifetime Homes)
- 3A.6 Quality of New Housing Provision
- 3C.2 Matching Development to Transport Capacity
- 3C.23 Parking Strategy
- 4A.3 Sustainable Design and Construction
- 4B.1 Design Principles for a Compact City
- 4B.2 Promoting World-Class Architecture
- 4B.5 Creating an Inclusive Environment
- 4B.11 London's Built Heritage

INFORMATIVES:

The following informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultations with TWU
- SI.33 Landscaping

The applicants are reminded about the provisions of the Building Regulations in relation to fire precautions and access to buildings.

7 32-38 SCRUTTON STREET, LONDON

Demolition of existing building and erection of 6-storey building to provide 7713sqm B1 (business), 75sqm A1 (shop) and 270sqm A3 (restaurant) plus 2 internal courtyards with ancillary car parking for 3 vehicles, cycle and refuse storage.

Conservation area consent for demolition of existing buildings.

- 7.1 The Planning Officer introduced the report, as set out in the agenda and informed Members that the demolition of the existing building was not included within the application.
- 7.2 Anthony Thistleton (architect) was in attendance to answer any questions that arose.
- 7.3 Councillor Desmond referred to the level of car parking and particularly where loading for the businesses would happen, and asked why the number of parking spaces had been reduced from 30 to 5 spaces. The architect stated that the development was located within a highly accessible area with good

public transport links and that it also achieved the low parking criteria. The internal courtyard was also large enough for vehicles to turn and load.

- 7.4 Councillor Smith asked how the Planning Officer intended to stop people parking on the courtyard and the Planning Officer referred to the addendum where an additional condition had been added to ensure that parking shall only occur in the spaces shown on the plans, which was backed up in the section 106 agreement.
- 7.5 The Chair referred to the streetlamps and whether these could be placed on the proposed building, in order to help de-clutter the area. The applicant agreed, in principle, for best endeavours to be made for the streetlamps to be placed on the building. The Chair requested that this be added as part of the section 106 agreement. This was **AGREED**.
- 7.6 The Chair asked whether rain water harvesting was being provided and the architect agreed, in principle, for best endeavours to be made to provide rain water harvesting. The Chair requested that this be added as an additional condition. This was **AGREED**.
- 7.7 The Chair also asked whether the development included a green roof and the architect agreed, in principle. The Chair requested that this be added as an additional condition. This was **AGREED**.

Unanimously RESOLVED that:-

A) Planning Permission be GRANTED, subject to the following conditions:

1. SCB0 – Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

2. SCB1 - Commencement within three years

The development hereby permitted must be begun not later than three years after the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

3. SMC6 – Materials to be approved (entire site)

Details, including samples, of materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. 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 building is satisfactory and does not detract from the character and visual amenity of the area.

4. Non standard condition

Details of the thermal labyrinth and combined heat and power (CHP) system shall be submitted to and approved in writing by the Local Planning Authority prior to installation or commencement of operations and the systems shall be installed in accordance with such approved details.

REASON: To ensure that the development makes a contribution to the energy and resource efficiency priorities and other sustainability objectives which are embodied in the London Plan, Hackney UDP and emerging Core Strategy

5. Non standard condition

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

6. SCM9 - No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

7. SCH8 – Parking for persons with disabilities

Before the use hereby permitted first commences the 3 disabled car parking spaces shall be provide for use by the vehicles of persons with disabilities as located on drawing number 1-304-100.

REASON: In order to ensure that a reasonable minimum of parking spaces are located for persons with disabilities prior to occupation.

8. SCH10- Provision for cycles

Secure, covered parking shall be provided for 52 bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

9. SCH11-Adequate visibility

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: In the interests of highway safety.

10. SCH14-Closure of existing access

The existing access(es) to the site shall be closed permanently when the use of the new access(es) shown on the plans hereby approved is/are provided and in use.

REASON: In the interests of highway safety.

11. SCH15 – Access only as approved

Vehicular access to the site shall be only via the permitted access.

REASON: In the interests of highway safety.

12. Non standard condition

Adequate refuse storage shall be provided as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: In order to assist in the proper disposal of waste and to protect the appearance of the area.

13. SCS1 – Shopfront details to be approved

Details of the proposed shopfront on drawings on a scale of 1:50, together with materials used in construction, shall be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced on this part of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the design of the shopfront is not detrimental to the appearance of the building.

14. SCG1 – Restricted hours of use

The A1 use hereby permitted may only be carried out between the hours of 0800 to 2000 Mondays to Saturdays.

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

15. SCG1 – Restricted hours of use

The A3 use hereby permitted may only be carried out between the hours of 0630 to 17:30 Mondays to Fridays.

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

16. NSC2 – Internal Flue

Prior to the commencement of development, full details of the provision of an internal flue to serve the A3 use hereby approved, to terminate at roof level, shall be submitted to and approved in writing by the Local Planning Authority. 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 building is satisfactory and does not detract from the character and appearance of the building.

17. NSC3 – No roof plant

No roof plant (including all external enclosures, machinery and other installations, except for photovoltaic and solar hot water heating panels) shall be placed upon or attached to the roof or other external surfaces of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

18. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: Important archaeological remains may exist on the site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG 16.

19. No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes. Parking shall only occur in the spaces shown on the plans hereby approved, and not on any other area of the site.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/loading and unloading purposes.

20. Provision to allow the placement of street lighting on the proposed buildings where appropriate.

21. The First Owner, Second Owner and Third Owner shall use best endeavours to provide a Rainwater Harvesting System.

22. The First Owner, Second Owner and Third Owner shall use best endeavours to provide a Green Roof.

Recommendation B

1. Payment by the landowner/developer of a sustainable transport contribution of £3000 towards works to the public highway.
2. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £27782.11 for required works to the highway. Unavoidable works required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment.
3. Payment by the landowner/developer of a libraries contribution of £19205.37 with respect to anticipated child yield from the additional residential housing units being provided in accordance with the DFES cost of providing a school place.
4. Payment by the landowner/developer of an open space contribution of £7935.71 towards the supply and quality of open space in the immediate locale.
5. Commitment to the Council's local labour and construction initiatives (25% on site employment).
6. 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 Section 106 Agreement.
7. Achievement of a very good rating under BREEAM with best endeavours to achieve excellent.
8. 20% reduction in carbon emissions through the use of renewable energy sources and use of low energy technology.
9. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
10. A Green Travel Plan to include servicing of the sites, to be submitted to and agreed with the Council, to include the provision of a car share scheme.
11. The applicant is advised that they will be required to enter into a highways Section 278 legal agreement with TfL.
12. Provision to allow the placement of street lighting on the proposed buildings where appropriate.
13. Best endeavours to provide a car club.
14. The Owner shall use best endeavours to ensure that Motor Vehicles are parked only on the parking spaces provided shown coloured xxxxx on the Drawings.
15. The Owner shall procure that the restriction set out in Clause 18.28 above is

included in any freehold, leasehold, option, licence or other disposal of a Commercial Unit or retail Unit to any occupant.

16. The Owner for itself and its successors in title to the Property hereby acknowledges that the provisions in Clauses 18.28 and 18.29 above will remain permanently.

C) That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 24th December 2008, the Assistant Director of Regeneration and Planning be given the authority to refuse the application for the following reasons:

1. The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to the provisions of Supplementary Planning Document: Planning Contributions (2006) and policy 3A.21 of the London Plan (2004).
2. The proposed development, in the absence of a legal agreement for securing open space contributions, would be likely to contribute to pressure and demand on the Borough's open space provision contrary to policies to the provisions of Supplementary Planning Document: Planning Contributions (2006) and policy 3A.21 of the London Plan (2004).
3. The proposed development, in the absence of a legal agreement for securing a sustainable transport contribution and Green Travel Plan, would be likely to contribute to pressure and demand on the Borough's highway network provision contrary to policies to the provisions of Supplementary Planning Document: Planning Contributions (2006) and policy 3A.21 of the London Plan (2004).

REASONS FOR APPROVAL

1. The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 – Development Requirements, E12 – Office Development, EQ48 – Designing out Crime, TR19 – Planning Standards.
2. The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 – Sustainability Criteria, 3A.1 – Increasing London's Supply of Housing, 3A.2 – Borough Housing Targets, 3A.3 – Maximising the Potential of Sites, 3A.17 – Addressing the Needs of London's Diverse Population, 3B.2 - Office demand and supply, 3B.3 - Mixed use development, 3B.4 - Industrial Locations, 3C.1 – Integrating Transport and Development, 3C.2 – Matching Development to Transport Capacity, 3C.3 – Sustainable Transport in London, 3C.23 – Parking Strategy, 4A.1 – Tackling Climate Change, 4A.3 – Sustainable Design and Construction, 4A.7 – Renewable Energy, 4A.22 – Spatial Policies for

Waste Management, 4B.1 – Design Principles for a Compact City, 4B.3 – Enhancing the Quality of the Public Realm, 4B.5 – Creating an Inclusive Environment, 4B.6 – Safety, Security and Fire Prevention and Protection, 4B.8 – Respect Local Context and Communities.

INFORMATIVES

The following Informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping

The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

8 HACKNEY HOSPITAL SITE, KENWORTHY ROAD, LONDON, E9 5TD

Redevelopment of southern site at Hackney Hospital to provide a primary care resource centre located in a part 2, 3 and 4 storey building to contain 2 GP practices, a community dental facility and primary care function (2239 sqm), plus residential accommodation providing 48 flats (25 x 1b, 23 x 2b) in a 5 storey building with penthouse level, parking provision for 18 cars and 111 cycle spaces with associated amenity area.

(Councillor Hanson informed the Sub-Committee that she lived in the vicinity of the proposed development but did not have a personal or prejudicial interest in the application).

- 8.1 The Planning Officer introduced the report, as set out in the agenda. He explained that the design of the proposal had evolved over the course of the application and revisions had been made to address concerns regarding the design of the PCT building. Further revisions had been made to the courtyard layout to address concerns regarding the legibility of pedestrian access to the residential building. Minor revisions had also been made to the residential entrance and cycle store layout. The cycle storage provided would now be 16 spaces for the PCT building and 63 spaces for the residential building.
- 8.2 The Principal Solicitor explained that this was a linked site, as 14-16 Kenworthy Road to the north of the site had previously been approved by the Sub-Committee. A Section 106 agreement would be required for each of the sites

as the developments were intrinsically linked as part of a wider development scheme for the PCT, as detailed within the addendum.

- 8.3 Steve Gilven and Paul Brand spoke in support of the scheme, their comments are summarised as follows:
- Presented at Full Council last June regarding GP services.
 - Diagnostic services being provided for the south east of Hackney.
 - The development will allow the Lee Surgery to be brought to the area.
 - The GP elements of this service will be available to local residents.
- 8.4 Councillor Smith expressed concern that the majority of affordable housing units were one bedroom, as there was a need for larger family units in the area.
- 8.5 The Planning Officer explained that there were a number of constraints that had restricted the number of larger units that could be located on the site, the main ones being that it was located adjacent to the mental health unit so there was a need for separation between the two sites and also the size of the plot was also unsuitable for larger family units. He added that the previously approved site at 14-16 Kenworthy Road did have family units.
- 8.6 Councillor Smith felt that the Council's normal rules on the provision of larger sized units should apply, regardless of proximity to the mental health unit. She believed that children would end up living in the block even if only smaller units were provided and raised the issue that families already live around the mental health unit site in other developments. As a consequence, it is imperative that the mental health unit has the appropriate safeguards in place with regard to all of its neighbours in what is an area densely populated by all age groups. This was supported by Councillor Webb
- 8.7 The Interim Head of Regulatory Services explained that this site offered a mix of tenure and that the wall to the rear of the site was not a solid brick wall but that it had timber elements and due to the constraints of the site the residential units faced into the square at the centre of the building.
- 8.8 The Chair asked about the transport catchment area, as he was concerned that the location did not have sufficient transport links. The applicant stated that the majority of patients using the GP services were expected to come from the local area and a recent study had identified that 98% of visitors to GP practices lived within ½ mile of the facility. He added that there was a bus link down Homerton High Street and that the site would also provide blue badge parking and drop off points.
- 8.9 In response to a question regarding why this particular site was chosen, the applicant stated that they had searched for quite a while to find a suitable site in south east Hackney, as they wanted to have a practice in the 4 quadrants of Hackney and thought that this particular site was large enough to provide all the services they required. Public consultation had also taken place which had determined that the majority of residents were broadly happy with the proposed location.
- 8.10 Councillor Desmond proposed that the item be DEFERRED to allow the applicant to go back and look at the mix of units as the Sub-Committee would

Wednesday, 3rd December, 2008

be more minded to accept the scheme if larger family units were included within the residential section of the scheme. This was seconded by Councillor Webb.

(Councillors Stauber did not take part in the vote, as he left the meeting).

(Councillor Sharer voted against the recommendation).

RESOLVED that:-

The item be DEFERRED to allow the applicant to go back and look at the mix of units as the Sub-Committee would be more minded to accept the scheme if larger units were included within the residential section of the scheme.

9 1-29 LYME GROVE HOUSE, LYME GROVE, LODDIGES ROAD, LONDON

Demolition of existing buildings and the construction of a new part 3, part 8 storey building to provide 36 residential units (6 x 1 bed flats, 18 x 2 bed flats, 2 x 3 bed flats, 6 x 3 bed houses, 1 x 4 bed flat and 3 x 4 bed houses), along with 4 disabled car parking spaces and associated landscaping.

- 9.1 The Planning Officer introduced the report, as set out in the agenda.
- 9.2 Martin Sugarman and Leslie Mapp spoke in objection to the scheme, their comments are as follows:
- Recognise the need for more affordable housing in the area but strongly oppose the tower block.
 - Located on the edge of the conservation area, feels the design is unsuitable and out of character with the surrounding area.
 - Only given 3 working days notice of the meeting.
 - Previously submitted a petition which had not been taken into consideration.
 - Happy with the rest of the development but would like to see the tower block reduced to 3-4 floors.
 - The tower block would create considerable overshadowing to the neighbouring properties.
 - The report only mentioned Shakespeare House and concern was raised that at least 2 neighbouring properties had been ignored.
- 9.3 Justin Kelly and Colin Archer spoke in support of the scheme, their comments are as follows:
- There was a need for affordable housing in the area and the development addresses this need and provides a more appropriate residential mix, with no single aspect units.
 - They had already invested heavily in the adjoining buildings.
 - A number of local exhibitions were held to inform residents of the proposals and they had also been involved in pre-application discussions with planning officers since 2007.
 - The surrounding buildings are already between 6 and 10 storeys high.
 - The number of units had already been reduced from 41 to 36 and the height of the lower units had also been reduced.

- 9.4 Kevin Moore felt that the design of the proposed development was disappointing and not of a high enough standard for the surrounding area. In response, the Urban Design and Conservation Manager stated that given the setting he was of the opinion that the area could cope with the 8 storey tower proposed and that the outstanding issues from the previously withdrawn application had now been resolved.
- 9.5 Reference was made to the petition and the Planning Officer stated that the petition had been received for the previous application.
- 9.6 The Planning Officer referred Members' attention to the addendum which identified that the submitted daylight and sunlight assessment submitted also assessed the impact of the development on Pilgrims Lodge (55 Lyme Grove). It was considered that the tower portion of the development was sufficient distance from surrounding properties, including being at least 14 metres from the narrow front elevation of Pilgrims Lodge.
- 9.7 The Chair asked about the materials proposed and the Urban Design and Conservation Manager stated that the conservation team agreed with the materials, in principle, and that the materials would be submitted, in writing, before any work commences on site.
- 9.8 The Chair asked whether rain water harvesting was being provided and the architect agreed, in principle, for best endeavours to be made to provide rain water harvesting. The Chair requested that this be added as an additional condition. This was **AGREED**.
- 9.9 Councillor Webb stated that she would like the opportunity to view other similar buildings to see how they worked, especially with regard to the family units.
- 9.10 Councillor Desmond proposed that the item be DEFERRED to allow Members to attend a site visit to view similar schemes before considering the application. This was seconded by Councillor Webb.

(Councillors Sharer and Bell voted against the recommendation).

RESOLVED that:-

The item be DEFERRED to allow Members to attend a site visit to view similar schemes before considering the application.

10 3-8 AND JACK DUNNING COMMUNITY HALL, FURROW LANE, LONDON

Demolition of existing buildings and construction of a three to six storey building comprising 41 affordable flats (8 x 1 bed, 19 x 2 bed, 7 x 3 bed, 7 x 4 bed) and the provision of a new 265m² community hall (Class D1) on ground floor, with car parking, refuse provision and landscaping.

- 10.1 The Planning Officer introduced the report, as set out in the agenda. He confirmed that the site of the Jack Dunning Community Hall was owned by the Council.

- 10.2 Karl Homerstone (applicant) spoke in support of the scheme, his comments are summarised as follows:-
- Worked in consultation with Planning Officers on the design of the development and the design benefits are detailed within the report.
 - The Jack Dunning Community Hall formed part of the proposal and the scheme is 100% affordable.
 - The RSL had just submitted an alternative S106 agreement to Planning Officers, looking at the affordable contribution and the cost of providing the community hall.
- 10.3 The Principal Solicitor wished to clarify who owned what areas of land and it was determined that the land and community hall were leased back to the Council and that the Council was the freeholder. She added that the Council cannot enter into a S106 agreement with itself.
- 10.4 The Planning Officer referred to the issue surrounding the S106 agreement and stated that the figures would need to be brought back to the Sub-Committee if any alterations were required, which was subject to a viability report. This was **AGREED.**
- 10.5 In response to concerns raised by Councillor Desmond regarding graffiti, the applicant stated that the white rendered walls were set back from the street area with railings in front.
- 10.5 The Sub-Committee requested that the following conditions be added to the recommendation:-
- Best endeavours for street lamps to be placed on the building. This was **AGREED.**
 - 1 car parking space to be allocated as a Car Share scheme. This was **AGREED.**
 - The internal corridors to be a minimum of 1.45m. This was **AGREED.**
 - Parking only to be permitted on the areas shown on the plans. This was **AGREED.**

RESOLVED that:-

A) Planning permission be GRANTED, subject to the following conditions:

1. Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

2. Commencement within three years

The development hereby permitted must be begun not later than three years after the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

3. Materials to be approved (entire site)

Details, including samples, of materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. 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 building is satisfactory and does not detract from the character and visual amenity of the area.

4. Details to be Approved

Notwithstanding the materials shown on the plans hereby approved, detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved:

- The design details and materials of the composition of coloured glass panels used on community hall.
- The design details and materials of projecting box feature on Furrow Lane.
- The design details and materials of signage on Furrow lane façade and Community Hall.
- Details of all types of windows, doors and gates, balconies (including soffits and balustrades).
- Details of typical wall sections.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

5. No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

6. Parking

No part of the development hereby approved shall be occupied until detailed plans showing the car parking and turning areas for the development have been submitted to and approved in writing by the Local Planning Authority and such parking shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/ loading and unloading purposes.

7. Parking for persons with disabilities

Before the use hereby permitted first commences the 4 accessible car parking spaces shall be provide for use by the vehicles of persons with disabilities as located on drawing number 0276 D0100 P4.

REASON: In order to ensure that a reasonable minimum of parking spaces are located for persons with disabilities prior to occupation.

8. Provision for cycles

Secure, covered parking shall be provided for 44 bicycles, as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

9. Landscaping to be Approved

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

10. No roof plant

No roof plant (including all external enclosures, machinery and other installations, except for photovoltaic and solar hot water heating panels) shall be placed upon or attached to the roof or other external surfaces of the building.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

11. Archaeological Investigation

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: To safeguard the archaeological interest of the site, which is within an Area of Archaeological Priority.

12. Refuse Disposal

Adequate refuse storage shall be provided as shown on the plans hereby approved, prior to the occupation of the development hereby permitted.

REASON: In order to assist in the proper disposal of waste and to protect the appearance of the area.

13. Waste Storage

Except on days of collection, all refuse and waste shall be stored in sealed containers in the refuse areas shown on the plans hereby approved.

REASON: In the interests of the appearance of the street and the amenity of adjoining occupiers.

14. Level Access

A level access shall be provided to all ground floor units hereby approved before the use is first commenced.

REASON: In order to ensure that people with disabilities are able to gain proper access to the development.

15. Provision of access and facilities

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

16. Ecological (Green) Roof

Full details of a bio-diverse, substrate based (75mm minimum depth) extensive brown/green roof shall be submitted to and approved by the Local Planning Authority, in writing, before construction commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage, and to enhance the performance and efficiency of the proposed building.

17. Noise

The rating level of the noise emitted from fixed plant on the site shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997. Full details of a scheme to comply with this noise level shall be submitted to and approved by the Local Planning Authority, in writing, before construction commences.

REASON: To ensure the development does not unreasonably impact upon surrounding and future residents.

18. Noise

The development hereby permitted shall not be occupied until the scheme approved pursuant under Condition 17 of this permission has been implemented in its entirety. The scheme shall thereafter be maintained in perpetuity.

REASON: To ensure the development does not unreasonably impact upon surrounding and future residents.

19. Secured by Design

The development shall achieve a Certificate for Compliance to Secure by Design or alternatively achieve Secure by Design standards to the satisfaction of the Metropolitan Police, details of which, to include consultation with the police during the construction period, shall be provided in writing to the Local Planning Authority within one month of the completion date.

REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.

20. Construction Method Statement

Full details of a work method statement including measures to control and minimise noise and dust emissions, and details of measures for the disposal of materials from the site, during demolition and construction, shall be submitted to, and approved by, the Local Planning Authority prior to any work commencing on the site. The development, including disposal of materials from the site, shall in all respects be carried out in accordance with the approved details.

REASON: In order to safeguard the amenities of neighbouring properties and the area generally.

21. Before any development commences, detailed plans of the proposal must be submitted to Cross London Rail Links Limited, at Portland House, Bressenden Place, London SW1E 5BH. Any amendments required as a result of such notification shall be submitted to the local planning authority for discharge.

REASON: To ensure that the proposed development does not prejudice the implementation of proposed Chelsea-Hackney Line rail project.

22. No demolition, site clearance or building operations shall commence until chestnut paling fencing of a height not less than 1.2 metres shall have been erected around each tree or tree group to be retained on the site, at a radius from the trunk of not less than 4.5 metres. Such fencing is to be maintained during the course of development to the satisfaction of the Local Planning Authority.

REASON: In order to protect the existing trees during building operation and site works.

23. Details of a rainwater harvesting system for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the system shall be installed in accordance with such details.

REASON: To ensure that the development makes a contribution to the energy and resource efficiency priorities and other sustainability objectives which are embodied in the London Plan, Hackney UDP and emerging Core Strategy.

24. Notwithstanding the details shown on the plans hereby approved, the corridors within the development shall be a minimum width of 1.45 metres, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the development provides a good quality living environment and is accessible for all.

25. No parking of any vehicles on the communal and landscaped areas (shown on the approved plan) and the freeholder to ensure that this restriction is included within all leases of all commercial and residential areas within the development.

B) The above recommendation be subject to the applicant, the landowners and their mortgagees entering into a section 106 agreement in order to secure the following matters to the satisfaction of the Assistant Director of Regeneration and Planning and the Interim Corporate Director of Legal and Democratic Services:

1. To secure the provision of 100% of units as affordable housing, with a split of 54%:46% socially rented/intermediate.
2. That the provision of 100% (41 units) affordable housing be secured by Metropolitan Housing Partnership providing 22 social rented units and 19 intermediate units.
3. Payment by the landowner/developer of an education and libraries contribution of £116,322.32 with respect to anticipated child yield from the additional residential housing units being provided in accordance with the DFES cost of providing a school place.
4. Payment by the landowner/developer of an open space contribution of £1,882.72 towards the supply and quality of open space in the immediate locale.
5. Payment by the landowner/developer of a sustainable transport contribution of £13,500.00 towards works to the public highway.
6. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £56,561.94 for required works to the highway. Unavoidable works

Wednesday, 3rd December, 2008

required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment.

7. The community hall shall be built to shell and core level prior to occupation of the residential units.
8. The landowner/developer covenants to use all reasonable endeavours to ensure that the residential development is retained as car free with the exception of those who are medically certified disabled.
9. All residential units to be built to Lifetime Home standards.
10. Commitment to the Council's local labour and construction initiatives (25% on site employment).
11. Achievement of a level 3 rating, with all reasonable endeavours to achieve level 4, under the proposed Code for Sustainable Homes and achievement of a BREEAM 'Very Good' rating for the community hall element.
12. 20% reduction in carbon emissions over the whole site through the use of renewable energy sources and use of low energy technology.
13. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
14. At least 10% of units provided shall be wheelchair accessible.
15. Best endeavours to provide a car club parking space.
16. Provision to allow the placement of street lighting on the proposed buildings where appropriate.
17. The community hall shall be maintained as such in perpetuity.
18. 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 Section 106 Agreement.

C) In the event of the Section 106 agreement referred to in Recommendation B not being completed by 24 December 2008, the Assistant Director of Regeneration and Planning be given the authority to refuse the application for the following reasons:

1. The proposed development, in the absence of a legal agreement for securing affordable housing, would be to the detriment of housing needs in the Borough and would fail to promote a mixed and inclusive community and as such would be contrary to Policy H03 of the Hackney Unitary Development Plan, Affordable Housing SPD (2005), Policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.8 and 3A.9 of the London Plan, and advice contained in PPS1 and PPS3.
2. The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to Policies EQ1 and CS2 of the

Hackney Unitary Development Plan, Planning Contributions SPD (2006), and Policy 3A.24 of the London Plan.

REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 – Development Requirements; EQ48 – Designing out Crime; CS2 – Provision of Community Facilities as Part of Development Schemes; CS3 – Retention of Community Facilities; HO3 – Other sites for Housing; TR19 – Planning Standards; SPG1 New Residential Development; SPD Affordable Housing; SPD Planning Contributions.

The following policies contained in the London Plan 2004 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 – Sustainability Criteria; 3A.1 – Increasing London's Supply of Housing; 3A.2 – Borough Housing Targets; 3A.3 – Maximising the Potential of Sites; 3A.5 – Housing Choice; 3A.6 – Quality of New Housing Provision; 3A.8 – Definition of Affordable Housing; 3A.9 – Affordable Housing Targets; 3A.10 – Negotiating Affordable Housing; 3A.11 – Affordable Housing Thresholds; 3A.17 – Addressing the Needs of London's Diverse Population; 3A.18 – Protection and Enhancement of Social Infrastructure and Community Facilities; 3C.1 – Integrating Transport and Development; 3C.2 – Matching Development to Transport Capacity; 3C.3 – Sustainable Transport in London; 3C.23 – Parking Strategy; 4A.1 – Tackling Climate Change; 4A.3 – Sustainable Design and Construction; 4A.7 – Renewable Energy; 4A.22 – Spatial Policies for Waste Management; 4B.1 – Design Principles for a Compact City; 4B.3 – Enhancing the Quality of the Public Realm; 4B.5 – Creating an Inclusive Environment; 4B.6 – Safety, Security and Fire Prevention and Protection; 4B.8 – Respect Local Context and Communities; Housing SPD 2005.

INFORMATIVES

The following Informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping
- NSI With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage. Contact Thames Water, Ph. 0845 850 2777, for further information.

11 11-23 WESTGATE STREET, LONDON, E8 3RL

Erection of a five-storey building to provide twenty-two flats (ten one-bedroom units, four two-bedroom units, six three-bedroom units and two four-bedroom units), 285.9 sqm commercial; floorspace (use class B1 or B2) and disabled car parking.

11.1 The Planning Officer introduced the report, as set out in the agenda. He referred to the addendum, which set out an additional representation received on 1 December 2008 from the head of the Ann Taylor Children's Centre and the Planning Officer's response to this.

11.2 Jonathan Hurd spoke in objection to the scheme, his comments are summarised as follows:-

- There is already a parking issue in the area and the new development will only add to this problem. Feels it is unrealistic to believe that the new residents will not have cars.
- The existing site is a car park which is heavily used by surrounding businesses.
- The development will adversely impact Broadway Market due to the lack of parking and loading facilities.
- There is no provision for loading bays for the new commercial units.
- Strangely shaped units being proposed.
- Feels that it doesn't meet the minimum living space required.
- Issue with noise pollution with the railway line.

11.3 Nick Makasis (architect) spoke in support of the scheme, his comments are summarised as follows:-

- This will be a car free development so residents will not be able to apply for a permit to park on the street. However, there is parking available in the surrounding area.
- Due to the unusual shape of the site it was not possible to incorporate loading bays for the commercial units, however there is a loading facility at the triangle piece of land opposite the site.
- The sound report submitted has dealt with the issue of noise generated by the railway line.
- The units will be dual aspect, with all 22 of the units having balconies. 17 of the units will also have 2 rooms accessing the balcony.

11.4 In response to a question from Councillor Desmond, the architect stated that it was his understanding that the flats would be marketed for sale.

11.5 In response to a request from the Chair the architect gave a brief explanation of the Westgate Road elevation at ground floor level and explained that the previous applications had been refused due to issues surrounding parking, which had now been resolved.

RESOLVED that:-

A) Planning permission be GRANTED, subject to the following conditions:

1. SCB0 – Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

2. SCB1 – Commencement within three years

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

3. SCM6 – Materials to be approved

Details, including samples, of all materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls and ground surfaces commences on site. 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 building is satisfactory and does not detract from the character and visual amenity of the area.

4. SCM9 – No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

5. SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations) other than any shown on the drawings hereby approved shall be placed upon or attached to the roof.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

6. SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, at least two car parking space shall be marked and retained permanently for use by the vehicle of a disabled badge-holder.

REASON: In order to ensure that a reasonable number of parking spaces are located conveniently for use by people with disabilities.

7. SCH10 – Secure bicycle parking

Secure, covered parking shall be provided for thirty bicycles, as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

8. NSC1 – Non-standard condition

The timber proposed for exterior use on the elevations shall be pre-treated to prevent discolouration with a suitable water-repellant wood-preserving pigmented surface coating, with details of which finish/treatment has been used, a sample and full specifications of all timbers proposed for use anywhere on the building, together with a maintenance schedule, to be submitted to the local planning authority and approved in writing before any timber cladding is applied.

REASON: In order to make best endeavours to retain the original colour of the material, thereby preserving the appearance of the development hereby approved.

9. NSC3 – Non-standard condition

The developer/landowner shall carry out a renewable energy options appraisal setting out how at least ten per cent of the proposed development's energy requirements will be provided through on-site renewable energy, to be submitted to the local planning authority and approved in writing prior to the commencement of construction of the development hereby approved. In the event that the ten per cent on-site renewable energy requirement is met by means other than the installation of solar thermal collectors on the roof, a sedum roof (or 'green roof') shall be implanted in their place.

REASON: In the interests of maximising the environmental performance of the building.

10. NSC4 – Non-standard condition

Reasonable endeavours shall be undertaken to locate street lights to the highway immediately adjoining the site onto the face of the building hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

11. NSC5 – Non-standard condition

No doors along the site frontage shall open outwards over the public footway.

REASON: In order to ensure that pedestrian safety/amenity and the access needs of pedestrians with mobility impairments are considered and maintained.

12. NSC6 – Non-standard condition

All windows on the facade facing the existing railway line should be non-openable, with acoustically-treated ventilation, and comply with the

specification in the Noise Assessment report of October 2006 carried out by RPS.

REASON: In order to safeguard the amenity of future occupiers from excessive noise disturbance.

13. NSC7 – Non-standard condition

The rating level of noise emitted from external plant and equipment, where present, shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the nearest noise sensitive premises. The measurements and assessments shall be made according to BS4142: 1997.

REASON: In order to safeguard the amenity of future occupiers from excessive noise disturbance.

14. NSC8 – Non-standard condition

The proposed development shall achieve an Ecohomes rating of no less than 'very good', with certification to that effect to be submitted to the local planning authority and acknowledged in writing prior to occupation of the building.

REASON: In the interests of maximising the environmental performance of the building.

15. NSC9 – Non-standard condition

A rainwater harvesting system shall be installed and details thereof shall be submitted to the local planning authority and approved in writing prior to occupation of the building.

REASON: In the interests of maximising the environmental performance of the building.

B) The above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Assistant Director of Planning and Regeneration and the Interim Corporate Director of Legal and Democratic Services:

1. Payment by the landowner/developer of £3438.64 as a financial contribution towards Council library facilities. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
2. Payment by the landowner/developer of £53,237.44 as a financial contribution towards education facilities in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006), with child yield information based on the GLA 'DMAG Briefing Note' 2005/25 (updated in May 2006), using Wandsworth survey data as the best available proxy for inner London.)
3. Payment by the landowner/developer of £1,019.26 as a financial contribution towards open space in the borough. (This sum has been calculated in

accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)

4. The developer is required to pay, under Section 278 of the Highways Act (1980), a financial contribution (of a sum to be established by the Council's Highways department) to reinstate and improve the highway adjacent to the boundary of the site, to include access to the highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements.
5. Provision by the landowner/developer for the use of local labour for construction in the form of twenty-five per cent on-site employment, including the facilitation of an apprentice for a defined period.
6. No resident's parking permits are to be issued to occupiers of the development other than disabled badge-holders.
7. Residential units to be built to Lifetime Homes standard and comply with Code for Sustainable Homes.
8. 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 Section 106 Agreement.
9. Achievement of a level 3 rating under the proposed Code for Sustainable Homes all reasonable endeavours to achieve level 4.
10. Achievement of a rating of very good with all reasonable endeavours to a rating of excellent.
11. 20% reduction in carbon emissions through the use of renewable energy sources and use of low energy technology.
12. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
13. A Green Travel Plan to include servicing of the sites, to be submitted to and agreed with the Council, to include the provision of a car share scheme.
14. At least 10% of units provided shall be wheelchair accessible.
15. Provision to allow the placement of street lighting on the proposed buildings where appropriate.
16. Provision by the landowners/developer of seven units as affordable housing to be given over to Islington and Shoreditch Housing Association (or an alternative RSL (Registered Social Landlord) as agreed by the local planning authority), the dwelling mix to comprise one two-bedroom unit and two three-bedroom units under shared ownership tenure, and two two-bedroom units and two four-bedroom units for social rental.

REASONS FOR APPROVAL

1. The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ40 - Noise Control; E18 - Planning Standards; HO3 - Other Sites for Housing; TR19 - Planning Standards.
2. The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3A.1 - Increasing London's supply of housing; 3A.2 - Borough housing targets; 3A.5 - Housing choice; 3A.6 - Quality of new housing provision; 3A.7 - Large residential developments; 3A.8 - Definition of affordable housing; 3A.9 - Affordable housing targets; 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes; 3B.1 - Developing London's economy; 3B.2 - Office demand and supply; 3B.3 - Mixed use development; 3B.4 - Strategic Industrial Locations; 3C.1 - Integrating transport and development; 3C.2 - Matching development to transport capacity; 3C.3 - Sustainable transport in London; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.6 - Decentralised energy: Heating, cooling and power; 4A.7 - Renewable Energy; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 5C.1 - The strategic priorities for North London.

INFORMATIVES

The following Informatives should be added:

- SI.1 Building Control
 - SI.2 Work Affecting Public Highway
 - SI.3 Sanitary, Ventilation and Drainage Arrangements
 - SI.6 Control of Pollution (Clean Air, Noise, etc.)
 - SI.7 Hours of Building Works
 - SI.25 Disabled Person's Provisions
 - SI.27 Regulatory Reform (Fire Safety) Order 2005
 - SI.28 Refuse Storage and Disposal Arrangements
 - SI.33 Landscaping
- NSI.1 All materials submitted pursuant to the discharge of condition 3 of this approval should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/0595, and accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

NSI.2 This decision notice is accompanied by a Section 106 legal agreement. It shall be implemented in full accordance with the details of that agreement.

12 CLAPTON LIBRARY, NORTHWOLD ROAD, LONDON, E5 8RA

(A) Full Planning Application (Ref: 2008/2525):

Refurbishment of existing grade II listed building together with the erection of a two storey extension above the existing battery room and to the rear of the library with a glazed link to provide a meeting room, plant room and staff office, and the installation of new glazed automatic entrance doors, we roof light and solar panels to the roof.

(B) Listed Building Consent Application (Ref: 2008/2527):

Internal and external works comprising of the demolition of part of the rear single storey pitched roof and erection of a two storey extension above the existing battery room and rear of the library with a glazed link; the installation of new glazed automatic sliding entrance doors, entrance lobby with ramp, repair of existing rooflights to the rear, installation of a glazed screen in place of roller shutters and internal glazed door to lift area and the removal of a partition wall.

12.1 The Planning Officer introduced the report, as set out within the agenda.

12.2 Nicola Baker (Assistant Director Community Services) spoke in support of the scheme, her comments are summarised as follows:-

- This was included within the strategy for the development of libraries 2005.
- Opportunity to regain the integrity of the building.
- The Council had worked in consultation with the Clissold Library User Group and the scheme was also fully supported by the Cabinet Member for Community Services.

12.3 Steven Pidwell (architect) also spoke in support of the scheme, his comments are summarised as follows:-

- Seek to re-establish the Edwardian simplicity of the building and all of the works will compliment the existing building.
- The suspended ceilings will be removed in order to bring back the glazed roof and also a revealing slot for ventilation.
- The partitions will also be removed on the first floor to open up the space.
- The battery room will be retained and a glazed plane will take the place of the existing roller shutter.
- The new section of the building will provide solar hot water panels and rain water harvesting.

12.4 In response to questions from Councillor Desmond, it was explained that there would be a large illuminated sign above the door to inform people of its location and that due to the size limitations there would not be a dedicated coffee shop located within the building. It was also confirmed that there was a courtyard to the rear of the building to accommodate bins.

RESOLVED that:-

A) Members be minded to APPROVE planning application ref. 2008/2525 subject to there being no adverse comments from the Government Office for London (GOL), and with the following conditions:

1. SCB1N – Commencement within 3 years

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of the Town and Country Planning Act 1990 as amended.

2. SCB0 – Development only in accordance with submitted plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

3. SCM2 – Materials to be approved

Full details, with samples, of the materials to be used on the external surfaces of the building, including glazing, shall be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

4. SCM7 – Details to be approved (General)

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

1. Detailed drawings of all joinery, including doors and windows and new partitions.
2. Details of the treatment of the ceiling bulkhead in the lending library.
3. Details of the restoration of the original ceilings in the entrance stair hall and the children's' library.
4. Details of doors and windows.
5. Details of the lettering above the entrance.
6. Details of the proposed post book box.

5. NS01 – Non-Standard

No cleaning of the exterior of the building other than by nebulous water spray.

REASON: To prevent damage to the historic fabric of the building through abrasive cleaning techniques.

6. NS02 – Non-Standard

No re-pointing of the exterior of the building.

REASON: To ensure the integrity and special interest of the listed building is maintained.

7. L3 – Details to Match Existing

- (i) The new joinery work shall match exactly the materials, dimension and profiles of existing original work, except where otherwise shown in the drawings hereby approved.
- (ii) All new external rainwater and soil pipes shall be formed in metal and painted black.
- (iii) All new partitions shall be scribed around the existing ornamental plaster mouldings.

REASON: In order that the works approved are carried out in a satisfactory manner which safeguards the special historic and/or architectural interests of the building.

B) The Council is minded to grant Listed Building Consent ref. 2008/2527 subject to there being no adverse comments from the Government Office for London (GOL), and with the following conditions:

1. SCB2 – Commencement within Three Years (LBC)

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this.

REASON: In order to comply with the provisions of Section 18(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. SCL5 – Details of Structural Protection

Detailed drawings showing the method by which the existing structure is to be supported and protected during building works so as to ensure the structural ability and integrity of all the elements which are to be retained shall be submitted to and approved by the Local Planning Authority, in writing, before works commence on site.

REASON: To ensure the retention of those parts of the building which contribute to its special architectural and historic interests and to ensure they are not damaged during building works.

3. L3 – Details to Match Existing

- (i) The new joinery work shall match exactly the materials, dimension and profiles of existing original work, except where otherwise shown in the drawings hereby approved.
- (ii) All new external rainwater and soil pipes shall be formed in metal and painted black.
- (iv) All new partitions shall be scribed around the existing ornamental plaster mouldings.

REASON: In order that the works approved are carried out in a satisfactory manner which safeguards the special historic and/or architectural interests of the building.

4. L6B – Original Features to be Retained (General)

All existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircases balustrading shall remain undisturbed in their existing position and shall be fully protected during the course of works on site, unless specifically authorised otherwise on the drawings hereby approved.

REASON: To ensure that those features which contribute to the special architectural and historic interests of the building are retained.

5. NS01 – Non-Standard

No cleaning of the exterior of the building other than by nebulous water spray.

REASON: To prevent damage to the historic fabric of the building through abrasive cleaning techniques.

6. NS02 – Non-Standard

No re-pointing of the exterior of the building.

REASON: To ensure the integrity and special interest of the listed building is maintained.

7. SCM7 – Details to be approved (General)

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

1. Detailed drawings of all joinery, including doors and windows and new partitions.
2. Details of the treatment of the ceiling bulkhead in the lending library.
3. Details of the restoration of the original ceilings in the entrance stair hall and the children's' library.
4. Details of doors and windows.
5. Details of the lettering above the entrance.
6. Details of the proposed post book box.

INFORMATIVES

1. Policies contained in the Hackney Unitary Development Plan:

ST1 (Strategic Policy-Appropriate Development), ST2 Strategic Policy-Local Character), ST4 Strategic Policy-Design), EQ1 (Development Requirements).

2. Building Control

Your attention is drawn to the provisions of the Building Act 1984 and other Building Control legislation, which must be complied with to the satisfaction of the Planning and Transportation Service, Dorothy Hodgkin House, 12 Reading Lane, London, E8 1HJ. Telephone No: 020 8356 5000. Before any building work (including improvements to means of

Wednesday, 3rd December, 2008

escape and changes of use) is commenced on site, detailed plans, together with the appropriate application form must be submitted for approval and early consultation is advised.

3. Hours of Building Works

Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 which imposes requirements as to way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Council's Pollution Control Service, 205 Morning Lane, London, E9 6JX (Telephone: 020 7356 5000) and you are advised to consult that Division at an early stage.

Listed Building Consent (Ref. 2008/2527):

1. The Listed Building Consent is granted in conjunction with Planning Application ref. 2008/2525, and the same informatives apply.

13 2-4 SHARON GARDENS, LONDON, E9 7RX

Erection of two storey side extension and single storey rear extension to provide 2 x 3 bed flats, 2 x 2 bed flats and 4 x 1 bed flats.

RESOLVED that:-

The item be DEFERRED, at the request of the Planning Officer, due to a technical issue.

Duration of the meeting: 18.30 – 21.15

Signed

.....

Chair of the Planning Sub-Committee

Contact:

Emma Perry

020 8356 3338

Emma.Perry@hackney.gov.uk