

## MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY, 4TH FEBRUARY, 2009

**Councillors Present:** Councillor Vincent Stops in the Chair  
Cllr Barry Buitekant, Cllr Michael Desmond (Vice-Chair), Cllr Ian Sharer, Cllr Simon Tesler, Cllr Linda Smith, Cllr Katie Hanson and Cllr Jessica Webb

**Apologies:** Cllr Joseph Stauber

**Officers in Attendance** Rokos Frangos (Senior Planning Officer), Adam Flynn (Senior Planning Officer, Major Team), Rosemary Lansdowne (Principal Solicitor), Graham Loveland (Interim Head of Regulatory Services), John McRory (Team Leader, Major Applications), Gillian Nicks (Deputy Team Leader, Major Applications Team), Scott Schimanski (Team Leader, Area Team), Anthony Traub (Senior Planner, Major Team) and Femi Nwanze (Planning Applications Unit Manager), Emma Perry (Democratic Services Officer) and David Rees (Democratic Services Manager)

### 1 **APOLOGIES FOR ABSENCE**

- 1.1 Apologies for absence were received from Councillor Stauber and Kevin Moore (Hackney Society).

### 2 **MEMBERS TO AGREE THE ORDER OF BUSINESS**

- 2.1 The order of business remained as per the agenda.

### 3 **DECLARATIONS OF INTEREST**

- 3.1 Councillor Desmond declared a prejudicial interest in Item 14 – 86 Mount Pleasant Lane, as he lived in close vicinity to the site and left the Chamber during the discussion of this item.

### 4 **MINUTES OF THE PREVIOUS MEETING**

- 4.1 The minutes of the previous meeting were not considered and stand referred to the next meeting.

**5 74 AMHURST PARK, LONDON, N16 5AR**

Conversion of existing residential premises to create 8 self contained units comprising (7x1 bedroom flats and 1x4 bedroom flat) together with excavation and the erection of a rear extension at lower ground floor below lower ground floor and ground floor levels with lower ground floor balcony: erection of rear and side dormer windows and the provision of cycle stand and bin stores to the front.

- 5.1 The Planning Officer introduced the report, as set out in the agenda, and explained that it had come to Committee due to the number of objections received.
- 5.2 Franco Caramazza spoke in objection to the scheme, his comments are summarised as follows:
- Loss of daylight/sunlight to the lower ground floor level, which is the main area of concern.
  - The proposed extension is overbearing.
  - Issue of overlooking from the proposed balcony into number 76 Amhurst Road.
  - Loss of amenity/garden space.
  - The extension covered the full width of the rear of the property.
  - Issue of town cramming – excessive number of flats being provided in the building.
- 5.3 Andy Meader (Pegasus Planning Group) spoke in support of the scheme, his comments are summarised as follows:
- The previous scheme had been refused in 2007 due to no family units being provided and also some issues with the rear extension. These issues had now been resolved in the revised scheme.
  - A minor amendment to the design of the proposed dormer roof extension to the side elevation had now been submitted.
  - The ground floor extension was only 2.9m deep and therefore was in accordance with building regulations.
  - The lower ground floor level was not visible from the neighbouring property.
  - The balcony referred to by the objector was not intended to be used as a balcony.
- 5.4 Councillor Smith queried the materials to be used on the roof and asked whether they were providing a green roof. The agent stated that the materials were to be approved, however, they were happy to consider providing a green roof. The Chair asked that this be added as an additional condition. This was **AGREED**.
- 5.5 The Chair asked whether the extension to the full width of the rear of the property was in accordance with daylight/sunlight regulations.
- 5.6 The Planning Officer explained that the extension was one storey in height and displayed this on the plans. With regard to daylight/sunlight, he stated that the extension was over 30m away from the nearest property and therefore satisfied the requirement for daylight/sunlight.

**(Councillors Buitekant and Tesler abstained from the vote).**

RESOLVED that:-

**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 buildings, boundary walls and ground surfaces of this development shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on implementing this planning permission. 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 roof plant (including all external enclosures, machinery and other installations) 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.

**6. SCR4 – Wheelchair-accessible homes**

The housing units proposed to be located on the ground floor must be designed to wheelchair standards and be in accordance with details to be submitted to and approved by the Local Planning Authority.

REASON: In the interests of providing satisfactory and convenient housing accommodation for persons with disabilities.

**7. SCH10 – Secure bicycle parking**

Lockable space shall be made available within the site for the secure parking of 9 bicycles, 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 bicycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

**8. NST – No Use of Flat Roofs as Terraces**

The flat roofs at first and ground floor levels as shown on the approved plans shall not be converted into balconies or roof terraces or other amenity areas and shall not be used for any purposes other than for maintenance.

REASON: To safeguard the amenities of neighbouring occupiers

**9. A vegetation-covered roof (or 'green roof') system is to be established on the flat roof(s) hereby approved. Details thereof shall be submitted to and approved by the Local Planning Authority in writing before occupation or the first use of the development hereby approved commences.**

REASON: To encourage sustainable urban drainage systems in order to increase biodiversity and minimise water run off.

**REASONS FOR APPROVAL**

The following policies are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 (Development Requirements), HO3 (Other Sites for Housing) of the Hackney Unitary Development Plan 1995; and policies 3A.1 (Increasing London's Supply of Housing), 3A.2 (Borough Housing Targets), 3A.4 (Housing Choice), 3A.6 (Definition of Affordable Housing), 3A.7 (Affordable Housing Targets), 4B.1 (Design Principles for a Compact City), 4B.4 (Sustainable Design and Construction) and 4B.7 (Respect Local Context and Communities) of the London Plan 2008.

**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.32 Consultations with TWU

SI.33 Landscaping  
SI.36 Soil Contamination Survey

## 6 LONDON FIELDS PARK, LONDON, E8

Erection of a multi-use games area (MUGA) on London Fields comprising of one pitch on Tarmac base enclosed by perimeter mesh fencing and 4 floodlights.

(Councillors Desmond and Sharer arrived during the discussion of this item and so did not take part in the vote).

- 6.1 The Planning Officer introduced the report, as set out in the agenda. Reference was made to the addendum as line three of paragraph 6.4.1 should have stated that an example of a MUGA was the astro-turf football pitch on Mabley Green and Haggerston Park.
- 6.2 Ashleigh Arrell spoke in objection to the scheme, her comments are summarised as follows:
- The proposed development will spoil the beautiful green area of the park.
  - Concerned with the floodlights, which were felt to be a waste of electricity.
  - Feel that an alternative indoor venue could have been utilised instead.
  - The community had not been properly informed and felt that signs should have been located around the park giving local residents the opportunity to have their say on the location of the MUGA.
- 6.3 Kim Wright (Corporate Director, Community Services), Mike Martin (London Fields User Group) and Jordon Hamer (local teenager) spoke in support of the scheme, their comments are as follows:
- Mike Martin had been the Chair of the London Fields User Group for a number of years and had been involved in the London Lido project.
  - The Council had previously promised that a MUGA could be located in the park.
  - Feel that it is located in the right place and would make the park better for everyone.
  - A large number of youngsters want and would use this facility, as opposed to playing in disused car parks.
- 6.4 Discussion took place surrounding the proposed location of the MUGA as a number of Members felt that it was inappropriate to locate it in the centre of the park and that the area of hard standing was often used for community events. Kim Wright responded by stating that the proposed site was located in a dilapidated area of the park and that, if approved, more greenery would be introduced to this area. She added that 80% of the hard standing area would be returned back to the park and that the MUGA would constitute the other 20%. The existing fencing would also be taken down.
- 6.5 In response to a query from the Chair, the Corporate Director explained that the area next the Lido had been rejected as a potential site due to the location of the existing depot and it was also felt that it would increase congestion around the area in the summer months when the Lido was heavily used.

- 6.6 Councillor Webb made reference to the angle and location of some of the benches surrounding the MUGA and the Corporate Director confirmed that they would look at locating the benches in a more appropriate place. Reference was also made to the number of cycle stands being provided as Councillor Webb felt that two stands was not sufficient. The Corporate Director stated that she was happy to provide more cycle stands. The Chair requested that this be added as an additional condition. This was **AGREED**.
- 6.7 Discussion took place regarding the fence and whether 2m was high enough. The Planning Officer confirmed that 2m was recommended by the manufacturer. Councillor Smith requested that the perimeter of the MUGA be tree lined and the Planning Officer explained that this was already covered by the landscaping condition.

**(Councillor Smith voted against the recommendation).**

**RESOLVED that:-**

**Planning Permission be GRANTED, subject to the following conditions:**

**1. SCB1 Commencement within 3 years**

**SRB1**

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**

**SRB0**

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. SCT3 Protection of trees during site works**

No development will take place on site until full details of tree protection have been submitted to, and approved in writing by, the Council and until such approved protection has been erected on site. Tree protection will be in accordance with BS5837:2005 (Trees in relation to construction - Recommendations) and will protect the root protection area calculated as described in Table 2 of that British Standard.

Unless otherwise agreed in writing The protective fencing will be 2.4m high and conform to Figure 2 of BS5837:2005 i.e. a scaffold framework comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3m. On to this weldmesh panels should be securely fixed with wire or scaffold clamps. The details of tree protection will include a method statement detailing how any work to service runs (electric), new or old, will be avoid harm to the trees.

**4. SCM2 Materials to be Approved**

**SRM2**

Full details, with samples, of the materials to be used on the external surfaces of the MUGA, including ground surfaces, 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.

**5. SCM11 Modifications to be Approved**

**SRM11**

Detailed drawings showing the following modification(s) to the scheme shall be submitted to and approved by the Council before any work is commenced on site: Avoid consolidation of hard and soft landscaping and fragmentation (paths, and grass areas) paving for the bicycle parking area and path should be the same.

REASON: The layout outside the MUGA is not acceptable and is considered unsatisfactory in the form on the drawings submitted to date and this aspect of the scheme should be modified to ensure an acceptable form of development.

This part of the development shall be completed only in accordance with the modification(s) thus approved.

**6. SCG1 Restricted hours of use**

The MUGA hereby permitted may only be carried used between 09:00 hours and 21:00 hours on any day.

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

**7. SCM7 Details to be approved (General)**

**SRM7**

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.

Details of flood lights

Details of cycle stands (including type, number and location)

Details of landscaping

Details of boundary walls and enclosures

Details of locking mechanism

**INFORMATIVES**

The following Informatives should be added:

SI Policies contained in the Hackney Unitary Development Plan:

EQ1 (Development Requirements), EQ31 (Trees), OS2 (Open Spaces and Parks), OS3 (Loss of Open Spaces and Parks), OS4 (Protection of Character of Open Spaces and Parks), OS5 (Development Affecting

Open Spaces and Parks), OS19 (Planning Standards), Policy 3D.7  
Realising the value of open space, Policy 3.244 Improving  
London's open environment  
Policy 3.245, Policy 3.246, Policy 3.254 Open space strategies, Policy  
3D.10 Open space provision in UDP's, Policy 3D.11 Open space  
strategies.

SI.1 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 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.

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

S3 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 the way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Councils 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.

Free Text

This proposal is not a precedent for other hard surface areas within London Fields or similar proposals in the future.

**7 85 GREENWOOD ROAD, LONDON, E8 1NT**

- (A) Full Planning Permission: Conversion of former Light Industrial premises, demolition of outhouses and erection of part two storey rear extension, part single storey rear extension and part two storey side extension, together with balconies alterations to front elevation to provide 8 units (3 x 1 bed, 4 x 2 bed and 1 x 3 bed).
- (B) Conservation Area Consent: Demolition of outhouses and ad-hoc extensions.

7.1 The Planning Officer introduced the report, as set out in the agenda.



7.2 Claire Milhench and Ian Rudolph spoke in objection to the scheme, their comments are summarised as follows:

- Felt that the scheme was worse than the previously rejected proposal, as a sun terrace had now been added.
- The sun terrace will create overlooking into the lounge of the neighbouring property and also a security issue.
- Feel that the objections raised had not been addressed in the report.
- Issue of noise nuisance.
- No dimensions given on the plans and they made reference to photos circulated at the meeting.
- Issue with insufficient headroom in one of the proposed bedrooms.
- The site boundaries are incorrect.
- The proposed building would be located less than 10m away from 25 Fassett Square.

7.3 David Gibson and Ingmar Wilken spoke in support of the scheme, their comments are summarised as follows:

- This was not just a re-submission of the previous scheme, as the architects were not involved in the previous design.
- The officer report sets out the responses to the objections received.
- The sun terrace faces towards the railway and not into the neighbouring property. There was no issue of overlooking.
- Do not feel that the proposed scheme would create additional noise.
- The site had been assessed by a surveyor who confirmed that all the measurements confirmed with guidance.

7.4 Discussion took place regarding room sizes and whether there was sufficient head room in some of the bedrooms. The Planning Officer confirmed that the overall height of the building had been increased to 5.7 metres to allow for sufficient head room in each of the rooms.

7.5 Reference was made to the distance between the proposed development and the neighbouring property, as identified by the objector. The Planning Officer explained that the proposal accords with the policies in the Hackney Unitary Development Plan and the London Plan.

7.6 In response to a query from the Chair regarding materials, the architect stated that the roof would be made of zinc, with white render and brick work on the north elevation and timber sunscreen to the south elevation. The materials were to be approved, as set out in condition 3 of the recommendation.

**(Councillor Sharer voted against the recommendation).**

**RESOLVED that:-**

**Planning Permission be GRANTED, subject to the following conditions:**

**1. 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.

**2. SCB1N Commencement within 3 years  
SRB1**

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

**3. SCM2 Materials to be Approved  
SRM2**

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)  
SRM7**

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.

Detailed drawings of all windows and doors  
Details of front porch and bay features to a scale of 1:20

**5. SCM9 No extraneous pipe work  
SRM9**

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

**6. SCR2 Dustbin Enclosures**

Details of dustbin and recycling enclosures showing the design, and external appearance, shall be submitted to and approved by the Local Planning Authority, in writing, before the use/development commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In order to provide for adequate bin and recycling enclosures in the interest of the appearance of the site and area.

**7. NS01 Non-Standard**

Screening shall be erected to the second floor rear extension to a height of 1.8 m and details 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 protect the amenities of adjoining occupiers.

**8. SCR8 Obscured Glazing  
SRR8**

The windows in the south elevation wall of the outbuilding shall be permanently glazed in obscured glass.

REASON: To safeguard against overlooking of adjoining sites and premises.

**9. NS01 Non-Standard**

A survey and assessment in accordance with Planning Policy Guidance "Planning and noise (PPG24) along with proposed mitigation measures should be submitted and approved by the Local Planning Authority prior to commencement of works on the site.

REASON: To protect the amenity of future occupiers against adverse acoustic disturbance.

**INFORMATIVES:**

SI Reason 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], HO3 [Other Sites for Housing], EQ12 [Protection of Conservation Areas], EQ13 [Demolition in Conservation Areas], EQ14 [Alterations and Extensions of Buildings in Conservation Areas], EQ48 [Designing out Crime], Policy 3A.1 [Increasing London's supply of housing], Policy 3A.2 [Borough housing targets], Policy 3A.3 [Maximising the potential of sites], Policy 4B.1 [Design principles for a compact city]

**SI.1 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 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.

**SI.2 Works affecting Public Highway**

The Highways and Engineering Team, Environment Services Division, Dorothy Hodgkin House, 12 Reading Lane, London, E8 1HJ, Telephone 0208 356 5000, should be consulted regarding any works to, on or under the public highway, including vaults and thresholds, vehicle crossing, access, parking and sight

lines. Any vehicle crossing works are to be carried out by the London Borough of Hackney.

The developer/landowner will be responsible for all costs relating to the closure of existing vehicular and pedestrian accesses to the site, the construction of new accesses and the reinstatement and repair of public footways where

### **S3 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 the way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Councils 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.

### **SI.3 Sanitary, Ventilation, and Drainage Arrangements**

Before any drainage works are commenced on site, detailed plans, giving notice of intention to build/permission to drain/construct/reconstruct or alter pipes and drains must be submitted for approval under the Building Regulations 1991 to the Planning and Transportation Service, Dorothy Hodgkin House, 12 Reading Lane, London, E8 1HJ, Telephone No: 020 8356 5000. Please note that it will be necessary to consult the Thames Water Utilities Ltd., Waste Water Connections, Kew Business Centre, Brentford, Middlesex, TW8 0EE. Telephone No: 020 7713 3865, Fax No: 020 7713 3875.

- 1) All information appertaining to the existing public sewerage system.
- 2) Requests for sewer connections. All works will be carried out by the London Borough of Hackney at the applicant expense. All new developments will be required to have new sewer connections.
- 3) Building over sewers.
- 4) System of drainage to be provided on site.
- 5) Adoption of sewers.

#### **Advisory Note:**

It should be noted that most sewers throughout the Borough flow full or surcharge during periods of heavy storm and conditions may be imposed restricting discharge to the system. The prime condition is that any large development shall not cause an increase in the rate of flow to the public sewerage system. This requirement is normally met in the case of new developments by separation on site and storage of surface water flows in tanks or oversized pipes on sites. Where sites adjoin a suitable watercourse or storm relief sewer into which surface water can be discharged by gravity then the policy is for sites to be separated and have their surface water discharged to the watercourse or storm relief sewer. In the case of developments/rehabilitation/ conversions etc., involving the use of basements these are likely to be particularly vulnerable to the effects of surcharge and applicants must therefore demonstrate that adequate drainage arrangements exist at all times.

**8 FORMER REDRUTH LIBRARY SITE, CORNER OF REDRUTH ROAD AND VICTORIA PARK ROAD, LONDON, E9 7JS**

Demolition of the existing building and the erection of a part-four-, part-five-storey building containing nineteen residential units and two parking spaces, together with associated outdoor amenity space, storage access and landscaping.

**NOTE TO MEMBERS:** This planning application was initially presented to members of the Planning Sub-Committee on 7 January 2009. At that meeting, members deferred a decision on the determination for the following reasons:

- a) concern over the loss of a part of the Parkside Estate's communal green space to make way for the proposed development's two disabled parking spaces, plus questions over the ownership of this space;
- b) insufficient replacement bin storage for an existing Parkside Estate refuse storage facility, which is part of the application site;
- c) officers' failure to consult the residents association and Hackney Homes regarding the planning application.

8.1 The Planning Officer introduced the report, as set out in the report. He explained that this application had previously been presented to the Planning Sub-Committee on 7 January 2009. At that meeting, members deferred the decision for the reasons set out in the report.

8.2 Pamela Watson spoke in support of the scheme, her comments are summarised as follows:

- The consultation undertaken after the deferral of the application had been very positive and constructive.
- A number of changes had now been agreed regarding the amenity space and bin storage.
- The applicants had been very accommodating and additional money had been put towards the re-landscaping of the Parkside Estate communal area to the rear of the application site.
- Herself and the other local residents now supported the scheme.

8.3 There being no questions from Members, the Chair moved to the vote.

**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. 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) 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.

**6. SCH8 – Parking for people with disabilities**

Before the use hereby permitted first commences, at least two car parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities at locations close to the entrances to the buildings.

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

**7. SCH10 – Secure bicycle parking**

Internal lockable space shall be made available within the curtilage of the building for the secure parking of nineteen bicycles, before the first occupation of the development.

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

**8. NSC1 – Non-standard condition**

A biodiverse, substrate-based extensive green roof (75mm minimum depth) is to be established on the roof of the proposal. Full details thereof shall be

submitted and approved in writing by the local planning authority, prior to occupation. 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 and the river corridor, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building.

**9. NSC2 – 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 before occupation of the development hereby approved first commences.

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

**10. NSC3 – 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.

**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 Assistant Director of Planning and Regeneration and the Corporate Director of Legal and Democratic Services:**

1. Provision of one-hundred per cent affordable housing, comprising four one-bedroom flats, eight two-bedroom flats, four three-bedroom flats and three four-bedroom flats, all for social rental.
2. Payment by the landowner/developer of £3022.29 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).)
3. Payment by the landowner/developer of £51,145.14 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.)
4. Payment by the landowner/developer of £895.85 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).)

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5. Payment by the landowner/developer of £6930.00 towards sustainable travel initiatives in the borough. (This sum was calculated by the Council's Traffic and Transport team for the previous planning application for this site (ref. 2008/0342).)
6. The developer is required to pay, under Section 278 of the Highways Act (1980), £28,500.00 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.
7. 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.
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. Residential units to be built to Lifetime Homes standard and to achieve Code for Sustainable Homes level 3, with all reasonable endeavours to achieve level 4.
10. Achievement of twenty per-cent reduction in carbon emissions through the use of renewable energy sources and use of low-energy technology.
11. The applicant is to carry out all works in accordance with the National Considerate Constructors Scheme.
12. Provision for at least ten per cent of units to be wheelchair accessible.
13. Payment by the landowner/developer of £3000.00 towards the re-landscaping of the Parkside Estate communal area to the rear of the application site. (This sum was offered by the developer as a gesture of goodwill to Parkside Estate residents, with the aim of designing and creating an area of paving and shrubbery consistent with the proposed development's communal garden, as requested by the chair of the Parkside Estate's residents association).

### **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; HO3 - Other Sites for Housing; CS3 - Retention and Provision of Community Facilities; 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.5 - Housing choice; 3A.6 - Quality of new housing



provision; 3A.9 - Affordable housing targets; 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes; 3A.11 - Affordable housing thresholds; 3C.2 - Matching development to transport capacity; 3C.17 - Tackling congestion and reducing traffic; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 - Renewable energy; 4A.11 - Living roofs and walls; 4A.14 - Sustainable drainage; 4A.16 - Water supplies and resources; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.3 - Enhancing the quality of the public realm.

### **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 ['materials to be approved', as per paragraph 8.1.3 of this report] 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 2008/2764, 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.

## **9 HACKNEY DOWNS, DOWNS PARK ROAD, LONDON, E5 8NP**

Demolition of existing park ranger's facility and replacement with single-storey building containing sports changing room facilities, park ranger's accommodation, multi-purpose community room, public toilets and sports equipment storage; resurfacing of existing tarmac basketball area and erection of fenced multi-use games area (MUGA), to include floodlighting; addition of further two tennis courts adjacent to existing tennis courts, to include floodlighting.

- 9.1 The Planning Officer introduced the report, as set out in the agenda. He informed the Sub-Committee that the people that had objected to the 3 previously refused applications had not been consulted this time round. However they had consulted residents within a 650m radius. The Principal Solicitor stated that this was not

considered to be an issue and the Planning Officer confirmed that their issues had now been resolved.

- 9.2 The Planning Officer stated that in response to the Chair's query regarding fencing, the applicant confirmed that the MUGA shall be enclosed by welded wire fencing to a general height of three metres, increasing to four metres for the areas behind the goal face, in accordance with Sports England guidelines. The fencing would be finished in a green coating and the tennis courts would feature chain link fencing to a general height of 2.75 metres, also finished in a green coating.
- 9.3 Alan Maddox and Daniel Gordon spoke in objection to the scheme, their comments are summarised as follows:
- Generally in favour of the scheme and the enhancement of education facilities in the area and recognise the work that has been undertaken in submitting the application.
  - The main issue is concerning the consultation process.
  - Local residents wish to be informed of management, maintenance and budget issues.
  - The consultation that was promised for the summer did not happen and the other consultation session finished early.
  - Believe that there are a number of inconsistencies in the report.
  - Request that the application be deferred to allow for better consultation.
  - Concern was raised regarding the need for additional tennis courts, when the existing ones were perfectly adequate.
  - Loss of green space.
  - Wish to know how many children will be using the tennis courts.
- 9.4 Nicola Baker (Assistant Director Community Services) and Rob Martell spoke in support of the scheme, their comments are summarised as follows:
- A number of significant changes had been made as a result of the consultation process, including the provision of public toilets.
  - She issued an apology as the consultation closed early due to staff sickness on that day.
  - This was a partnership between Hackney Council and the Learning Trust, with funding provided by a lottery grant.
  - A total of 2 new tennis courts are proposed, in order to encourage tennis coaching, especially as they would be located within an Olympic borough.
  - The design is sympathetic to the area and also sustainable.
  - The courts will primarily be used by schools, with public use outside of school hours and during holiday periods.
- 9.5 Councillor Buitekant raised the issue of demand and whether there was a need for the 2 additional tennis courts, as the park would lose valuable green space. Nicola Baker responded by stating that the Council and the Learning Trust had liaised with the Hackney City Lawn Tennis Club who had identified that there was a large demand for coaching facilities in the area.
- 9.6 Councillor Webb referred to the flood lighting, as the report specified that it would operate until 4pm. She believed that it would be more appropriate for it to operate between 2pm and 8pm everyday and also on bank holidays. Nicola Baker indicated

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that she would not have an objection to the proposed changes. The Chair asked that condition 9 be amended to reflect this proposal. This was **AGREED**.

- 9.7 Discussion took place regarding the proposed pattern of use for the facilities and Nicola Baker stated that Mossbourne Academy would be given priority during school booking hours, however she did not know the exact requirements at present. She added that two other schools, namely Stormont House School and Brook School would also be able to use the facilities and that all of the schools and any groups would need to book the facilities in advance.
- 9.8 The Chair asked the Leisure Department to develop a Management Plan and that this be reported back to the Sub-Committee for approval. This was **AGREED**.

**(Councillor Buitekant voted against the recommendation).**

**RESOLVED that:-**

**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. SCM6 – Materials to be approved**

Details, including samples, of all materials to be used on the external surfaces of the building, fences, 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 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) shall be placed upon or attached to the roof or other external surfaces 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. SCH10 – Secure bicycle parking**

Space shall be made available for the secure parking of thirty bicycles, in accordance with 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 bicycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

**7. NSC1 – Non-standard condition**

The existing oak tree situated at the location of the two new tennis courts (as per drawing 0802\_101) shall be removed and replanted, or alternatively a new semi-mature oak tree of similar height planted, no further than five metres to the east of the existing oak tree's current location before the end of the existing planting season, with details to be submitted to the local planning authority and approved in writing before use of the tennis courts hereby approved first commences.

REASON: To safeguard the green character of the park.

**8. NSC2 – Non-standard condition**

The tennis-court floodlighting hereby permitted shall be installed adjacent to, and project light in the direction of, the two new tennis courts hereby approved only, and not the two existing tennis courts.

REASON: In the interests of protecting the amenity of adjoining occupiers from light disturbance.

**9. NSC3 – Non-standard condition**

The tennis-court floodlighting hereby permitted shall not be used outside the hours of 14.00 to 20.00.

REASON: In the interests of protecting the amenity of adjoining occupiers from light disturbance.

**10. NSC4 – Non-standard condition**

A management plan for the new MUGA, resurfaced basketball court and two new tennis courts, setting out proposed patterns of use by school pupils, and how access and use by the wider community shall be safeguarded and managed, shall be submitted to the local planning authority and approved in writing before use of any of the facilities hereby approved first commences.

REASON: In the interests of safeguarding public access to, and community use of, the facilities hereby approved.

## **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; OS3 – Loss of Open Spaces and Parks; OS4 – Protection of Character of Open Spaces and Parks; OS5 – Development Affecting Open Spaces and Parks.
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: 3D.8 – Realising the value of open space and green infrastructure; 3D.6 – The Olympic and Paralympic Games and sports facilities.

## **INFORMATIVES**

The following Informatives should be added:

- SI.1 Building Control
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- 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 ['materials to be approved', as per paragraph 8.1.3 of this report] 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 2008/2870, 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 The applicant is required to consult the Planning Inspectorate regarding the proposed development prior to the commencement of any work in implementing this planning permission, as the park is classified as registered common land.

10 **LAND ABOVE NORTHERN OUTFALL SEWER FROM OLD FORD LOCK BRIDGE TO MANOR ROAD (INC. LEA NAVIGATION ACCESS RAMP) EXCLUDING CANNING ROAD, GREAT EASTERN RAILWAY AND LAND DIRECTLY TO THE EAST OF, AND STRATFORD HIGH STREET IN PDZ'S 3, 8, 12 & 13**

Observations to the Olympic Development Authority (ODA) regarding the submission of details regarding the Greenway for the discharge of condition under the Facilities

and their Legacy Transformation (OLF) Planning Permission (07/90010/OUMODA) granted on 28 September 2007.

- 10.1 The Planning Officer introduced the report, as set out in the report. He referred to the addendum which set out further comments from Streetscene and the officer's comments.
- 10.2 There being no questions from Members, the Chair moved to the vote.

**RESOLVED that:**

**The London Borough of Hackney (LBH) supports the proposed works to the Greenway and consider it attractive, robust and practical and will enhance the ecology of the area.**

**INFORMATIVE**

1. The LBH would like to emphasize the importance of providing a high quality link from Victoria Park to the Greenaway. This link will be vital in ensuring that Hackney is connected to the Greenway and beyond. It is understood that this link is being dealt with in accordance with Schedule 12 of the Olympic Park outline planning permission and that a feasibility study on the link has been commissioned by the ODA Transport Team. The LBH would like some assurances that this link will indeed be provided and will be designed as a permanent scheme to give a lasting legacy benefit.
2. The LBH considers the management of cyclists' speed along the Greenway paramount to promoting the safe and continued usage of the Greenway, especially as the Greenway will essentially be used by both pedestrians and cyclists in a shared manner. Further information is requested to fully understand what measures, whether they be managed or physical, are proposed, both during Games Mode and Legacy Mode, to control the speed of cyclists using the Greenway.

**11 OLYMPICS AND PARALYMPICS SITE – HACKNEY AND ADJOINING BOROUGHS: LAND BETWEEN RIVER LEA NAVIGATION, A12 EAST CROSS ROUTE, RIVER LEA AND SILVERLINK RAILWAY LINE, HOMERTON, LONDON, E9**

Observations to the Olympic Development Authority (ODA) regarding the Parkland and Public Realm applications for the following regions:

- 08/90310/FULODA (North Central Parkland) 08/90311/FULODA (South Central Parkland);
- 08/90312/FULODA (Basketball Landscape);
- 08/90313/FULODA (Handball Landscape);
- 08/90314/FULODA (PDZ4 [Part] Landscape);
- 08/90315/AODODA (PDZ1);
- 08/90316/AODODA (PDZ5 [Part] and PDZ6 part); and
- 08/90317/AODODA (Stadium Island).

- 11.1 The Planning Officer introduced the report, as set out in the agenda.
- 11.2 There being no questions from Members, the Chair moved to the vote.

**RESOLVED that:**

**The London Borough of Hackney (LBH) supports the principles depicted within the Parkland and Public Realm applications during Games Mode and Legacy Mode and in particular the concept of reducing the Concourse without affect people movement and increasing parkland creating a more visually and physically accessible park.**

The LBH raises the following observations with regard to the proposal:

1. A South-East to North-West link will significantly decrease journey times to the media centre from Stratford International Station and should be considered and incorporated into the Legacy scheme.;
2. In Legacy the road circuit from the Velodrome is still depicted crossing the river Lea and despite what the text says (indicative only) this layout will restrict free movement from the legacy parkland to the river's edge;
3. More information is required regarding a movement strategy relating to the main public realms/squares and in particular those surrounding the Handball Arena and Veledrome. Details regarding route hierarchy for visitors and locals needs to be appropriately addressed.

**12 UNIT L, EAST CROSS CENTRE, WATERDEN ROAD, LONDON, E15**

Section 17 Certificate of Alternative Development for A1, A2, A3, B1, C1, C3, D1 and D2 uses.

**RESOLVED that:**

**The item be DEFERRED, at the request of the Planning Officer.**

**13 BUCCLEAUH HOUSE, CLAPTON COMMON, LONDON, E5**

Demolition of existing building and erection of a six storey building (plus basement) to provide 152 residential units (46 units to comprise extra care accommodation and 25 x 1 bed, 50 x 2 bed, 19 x 3 bed and 12 x 4 bed) with ancillary car parking and landscaping.

- 13.1 The Planning Officer introduced the report, as set out in the agenda, and gave an overview of the history of the site.
- 13.2 Mrs Meisels spoke in objection to the scheme, her comments are summarised as follows:

- Very little time to prepare her objection as she and some of her neighbours did not receive a letter notifying her of the revised application.
- The proposal was out of proportion with the neighbouring properties and created overlooking to the properties in close vicinity.
- Loss of daylight and privacy.
- The number of dwellings was out of context with the space.
- Insufficient number of car parking spaces for the size of the scheme.
- Increased noise and traffic in the surrounding area.
- No recreational areas for children provided.
- She would suggest only 3 / 4 storeys and more family units and facilities.

13.3 Neil Rowley (Savills) and John Moore (Formation Architects) spoke in support of the scheme, their comments are summarised as follows:

- The building is currently vacant and in a dilapidated state.
- They have been in consultation with Planning Officers for the past 12 months, which had resulted in a better scheme being submitted.
- A public exhibition was held in 2008, displaying the plans for the scheme.
- The height of the revised scheme is no greater than the previous proposal.
- The scheme meets with housing needs and provides a number of extra care units.
- The new scheme was slightly longer, although it had now been split into 3 blocks.
- 1/3 of the units are wheelchair accessible.
- There will be limited access to the site and private parking to the front of the building.
- The proposed materials were displayed for Members' information.

13.4 In response to a query from the Chair regarding consultation, the Planning Officer stated that the consultation had commenced in April 2008 and she was satisfied that a full consultation exercise had been carried out and that responses to the objections received were detailed within the report. Furthermore, the objector registered to speak had submitted comments in May 2008, which were included and addressed within the officer's report.

13.5 Reference was made to the comments made by the Design and Conservation team and the Planning Officer explained that responses to these comments were set out in page 263 of the report.

13.6 Concern was raised over the open plan living areas and bedrooms being located off this in a number of units. In response, the Planning Officer explained that condition 5 of the recommendation addressed this issue by stating that access to bedrooms separated from living areas with open plan kitchens, as the provision of a bedroom coming off open plan living spaces was not considered conducive. The applicant added that this only concerned a small number of units.

13.7 Concern was also raised over the issue of loss of daylight/sunlight, as identified by the Design and Conservation team. The Planning Officer referred Members' attention to page 265, paragraph 6.3.5 of the report, which stated that the results of the Average Daylight Factor (ADF) test highlighted that the internal light levels conformed to BRE guidance and would be adequately well lit through natural means.



- 13.8 Reference was made to the footprint of the building and Members questioned whether the revised scheme was larger than the previously refused one. The Planning Officer confirmed that the height of the revised scheme was in line with the existing building, the length of the building was slightly longer and the depth was within 1m of the existing building. She explained that the Inspector had previously agreed the envelope of the building.
- 13.9 The Planning Officer referred to the addendum which set out additional design comments. These stated that the massing was deemed ok, much in line with that approved by the appeal Inspector, as was the elevation design which they acknowledged had improved significantly following discussion with the applicants and their architects.
- 13.10 In response to a query from the Chair regarding the length and width of corridors, the applicant confirmed that the longest length of corridor would be 15m and that they would be 1500mm wide. He added that 1/3 of the units would be dual aspect.
- 13.11 Members expressed their concern at the internal layout of a number of units and Councillor Hanson proposed that the item be deferred to allow for revised plans to be submitted, taking into consideration the issues raised. This was seconded by Councillor Desmond. The proposal was however not carried; as a larger proportion of Members felt that there was a sufficient enough number of reasons for the application to be refused.
- 13.12 The Principal Solicitor clearly advised that if the Sub-Committee wished to refuse the application they would have to propose this as a separate recommendation, as it would not be sufficient enough to just vote against the recommendation.

**(Councillor Webb voted in favour of the recommendation).**

**RESOLVED that:-**

**The officer's recommendation was not agreed, for the following reasons:**

- **Overdevelopment within the envelope of the building by approximately 20%.**
- **Poor internal design and layout, especially for the larger family units.**
- **Unconvinced that the current set of plans provided a good standard of living accommodation.**
- **The open plan living areas with bedrooms located off this was deemed unacceptable.**
- **Too many single aspect flats and internal corridors too long.**

#### **14 86 MOUNT PLEASANT LANE, LONDON, E5 9EN**

Demolition of existing sheltered accommodation and redevelopment to provide a part 4, part 5-storey care home (40 units) consisting of 13 units for learning disabilities and 27 units for elderly with communal facilities, 2 car parking spaces, 1 ambulance bay and cycle spaces.

- 14.1 The Planning Officer introduced the report, as set out in the agenda.

- 14.2 Members wished to clarify the number of car parking spaces being provided and the Planning Officer confirmed that there would be a total of six places (including 2 accessible spaces) provided on site.
- 14.3 There being no questions from Members, the Chair moved to the vote.

**Unanimously RESOLVED that:**

**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.

**Design & Appearance**

**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. Facing bricks to be approved**

Full details of the facing brick(s) to be used for the external surfaces of the building(s) shall be submitted to and approved by the Local Planning Authority, in writing, before any work on the site is commenced. 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.

**5. Ground surface treatment**

Full details of all ground surface treatment to the site shall be submitted to and

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approved by the Local Planning Authority, in writing, before any work on the site is commenced. 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 visual amenity of the area.

**6. Boundary walls to be approved**

Full details, including materials, of all boundary walls, screening, gates and enclosures 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.

**7. Elevations Modifications to be approved**

Notwithstanding the plans submitted, detailed drawings showing the following modification(s) to the scheme shall be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced on site:

- Revised coloured and detailed (1:200) drawings of all external elevations.
- Typical cross-sections (1:20-1:50) of all principle elevations.

The development shall be completed only in accordance with the modifications thus approved.

REASON: The elevational design, details and proposed materials are considered unsatisfactory in the form shown on the drawings submitted to date and these aspects of the scheme should be modified to ensure an acceptable form of development.

**8. Internal Layout Modifications to be approved**

Notwithstanding the plans submitted, detailed drawings showing the following modification(s) to the scheme shall be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced on site:

- Detailed drawings (plan and sections) of all internal and external amenity /community spaces including the 'internalised street' at (1:50 -1:100).
- A Management and Use statement of all external and internal spaces setting out details of how they are to be used and managed.
- All floor plans amended to allow natural light and views into the circulation corridor.
- Amended third floor plan to re-locate the communal room and roof terraces to consolidate these areas.

The development shall be completed only in accordance with the modifications thus approved.

REASON: The layout and detail design of the amenity and circulation spaces are considered unsatisfactory in the form shown on the drawings submitted to date and these aspects of the scheme should be modified to ensure an acceptable form of development.

**9. Landscaping scheme 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 is 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. Provision of landscaping as approved**

The landscaping hereby approved as part of the development 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 is 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.

**11. 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.

**12. No roof plant**

No roof plant (including all external enclosures, machinery and other installations, except for photovoltaic and solar hot water heating panels), other than that shown on the plans hereby approved, 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.

**13. Tree Survey/Retention Plan**

A detailed Tree Survey/Retention Plan (plan and schedule) indicating precise location, species, height and condition of each tree accurately plotted and showing which trees are to be retained and which are proposed for felling shall be approved by the Local Planning Authority before any work commences on site.

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.

**Transport**

**14. Parking for persons with disabilities**

Before the use hereby permitted first commences the 2 disabled car parking spaces shall be provide for use by the vehicles of persons with disabilities as located on drawing number 12192\_02\_04.

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

**15. Provision for cycles**

Secure, covered parking shall be provided for 8 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.

**16. S278 Highway Works**

No construction shall commence until such time as the applicant has entered into a legal agreement with the Council and Transport for London pursuant to S278 Highways Act 1980 substantially in the format appended at Second Schedule to cover all costs related to consequential highway junction and pavement works.

REASON: To ensure highway works are completed to an adequate standard.

**17. Marking parking areas**

Before the use hereby permitted first commences, appropriate markings shall be used to delineate all car parking spaces and service areas within the site/development as shown on the permitted plans, and such marking is to be retained permanently.

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway.

**18. Parking**

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.

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.

**19. Travel Plan**

Before the use hereby permitted first commences, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include existing and future travel patterns, transportation methods of residents, and the provision for annual review, and shall be implemented prior to the commencement of the use of the development.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

**20. Parking Management**

Before the use hereby permitted first commences, a parking management plan shall be submitted to and approved by the Local Planning Authority, in writing, before construction commences. This plan should include:

- The use of the disabled parking bays.
- One bay allocated for mobility impaired residents.
- How the parking will be managed.

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

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway.

**21. Parking**

Parking of vehicles shall only be carried out on the areas identified for parking on the plans hereby approved, and not on any other area of the site.

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the proposed development does not prejudice the visual amenity of the scheme.

**Land Contamination**

**22. Contamination**

Prior to the commencement of the development hereby approved, the following components of a scheme to deal with the risks associated with

contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:

- 1) A preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To assess the risk to controlled waters receptors, primarily the groundwater Source Protection Zone 2 located below the site.

**23. Unsuspected Contamination**

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

REASON: There is the potential for contamination in the Made Ground which should be dealt with accordingly if identified. This is to protect controlled waters receptors.

**24. Contamination (Piling)**

Piling or any other foundation designs using penetrative methods shall not be permitted other than without the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: Piling foundations associated with the development could provide a potential pathway for contaminants to reach groundwater Source Protection Zone 2 located below the site.

## General Conditions

### 25. Construction Method Statement

Full details of a work method statement for demolition and construction, including control measures to minimise noise and dust emissions, hours of work, wheel washing facilities, and details for the disposal of materials from the site shall be submitted to, and approved by, the Local Planning Authority prior to commencement of any construction/clearance work 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: To safeguard the amenities of neighbouring properties and the area generally during construction.

### 26. Dust Control

No development shall commence on site until a scheme to minimise the threat of dust pollution during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete) have been submitted to and approved in writing by the local planning authority. The approved scheme shall include a watering regime in the event of dry weather, dust screens, etc., as appropriate, and shall be implemented in its entirety once development has commenced.

REASON: In order that the local planning authority may be satisfied that the demolition process is carried out in a manner which will minimise possible dust pollution to neighbouring properties.

### 27. Details of refuse storage enclosure

Details of dustbin enclosures (including mandatory recycling facilities), showing the design, external appearance and location thereof, 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 ensure there is adequate provision for dustbin and recycling facilities for the development in the interests of the appearance and amenity of the area.

### 28. Ecological roofs

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.

### 29. 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



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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.

**30. Renewable Energy**

The development hereby permitted shall not commence until details of a scheme for generating 20% of the predicted energy requirement of the development from on-site renewable resources has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall thereafter be retained so that it provides the required level of generation.

REASON: To ensure the development meets the basic requirements of London Plan.

**31. Sustainability**

Full details of renewable energy provisions, including evidence of at least compliance with Level 3 of the Code for Sustainable Homes (with best endeavours to achieve Level 4) and BREEAM's 'Very Good' rating for Multi-Residential proposals with best endeavours to achieve an 'Excellent' rating, 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 ensure that the development achieves the level of renewable energy provision on site as proposed.

**32. 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.

**33. 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.

**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; HO3 – Other sites

for Housing; HO4 – Improvement of Older Housing; HO17 – Residential Accommodation for Care; TR19 – Planning Standards.

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.3 – Maximising the Potential of Sites; 3A.5 – Housing Choice; 3A.6 – Quality of New Housing Provision; 3A.13 – Special Needs and Specialist Housing; 3A.17 – Addressing the Needs of London’s Diverse Population; 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.34 | 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.  |
| NSI   | In relation to condition 7, the following revisions should be taken into account: <ul style="list-style-type: none"><li>• Provide robust and durable design solutions for the elevations.</li><li>• Improve the elevation design to respond to the volumetric variations – two main flat blocks connected by an ‘internalised street’ on the ground floor.</li></ul>   |
| NSI   | In relation to condition 8, the following revisions should be taken into account: <ul style="list-style-type: none"><li>• Improve the provision, design and maintenance of the amenity spaces with more detailed layouts and management.</li><li>• Strengthen the ‘internalised street’ by locating some of the staff functions and facilities at the south end of the ‘street’.</li><li>• Enhance the usage and the attractiveness of the 2 roof terraces on the third floor by co-locating internal communal</li></ul> |

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areas. The layouts should be re-organised to consolidate the communal and amenity spaces.

- The circulation corridors should be re-designed as pleasant spaces with opportunities for views and natural light.
- The confined and angled space on the lower ground floor should be re-arranged.

NSI In relation to Condition 21, the Environment Agency have advised that parts 1 and 2 appear to have been satisfied.

**Duration of the meeting: 18.30 – 21.45**

**Signed**

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**Chair of Planning Sub-Committee**

**Contact:**

Emma Perry

020 8356 3338

[Emma.Perry@hackney.gov.uk](mailto:Emma.Perry@hackney.gov.uk)