

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY 6 APRIL 2022

- Councillors Present:** Councillor Vincent Stops in the Chair
- Councillor Brian Bell, Councillor Ajay Chauhan,
Councillor Michael Levy, Councillor Steve Race
and Councillor Sarah Young.
- Apologies:** Councillor Humaira Garasia and Councillor Clare Joseph.
- Officers in Attendance:** Robert Brew, Major Applications Team Leader
Graham Callam, Growth Team Manager, Public
Realm
James Carney, Property Services Surveyor
Barry Coughlan, Deputy Team Leader, Major
Projects
Joe Croft, Senior Transport Planner (Development
Control)
Mario Kahraman, ICT Support
Olalekan Olaosebikan, Environmental Protection
Officer
Matt Payne, Conservation Urban Design and
Sustainability Deputy Manager
Gareth Sykes, Governance Officer
Sam Woodhead, Legal Officer

1 Apologies for Absence

- 1.1 Apologies for absence were received from Cllrs Garasia and Joseph.
- 1.2 The Sub-Committee noted that Cllr Hanson had joined the meeting remotely. Councillors who were accessing the meeting remotely would not be counted as being 'present' for the purposes of the Local Government Act 1972, and could not vote on any agenda item under consideration.

2 Declarations of Interest

- 2.1 Cllr Stops declared an interest; the Councillor knew one of the persons speaking in support of the application at agenda item 6 through his work on timber buildings.
- 2.2 Cllr Race declared an interest; the application at agenda item 7 was in the Cllr's ward, and he had discussions about the application prior to his time on the planning committee, but it was noted that his fellow Ward Councillor, Cllr Adams, had been leading on this application. It was also noted that Cllr Race

was not a Planning Sub-Committee member when the application was previously considered.

3 To consider any proposal/questions referred to the Sub-Committee by the Council's Monitoring Officer

3.1 There were none.

4 Minutes of the Previous Meeting

4.1 The minutes of the Planning Sub-Committee meetings, held on 2 February 2022, 10 February 2022 and 10 March 2022, were agreed as an accurate record of those meetings' proceedings.

RESOLVED:

The minutes of the Planning Sub-Committee meetings held on 2 February 2022, 10 February 2022 and 10 March 2022, were agreed as an accurate record of those meetings' proceedings.

5 2017/3511: 49 – 50 Eagle Wharf, London, N1 7ED

5.1 PROPOSAL: Partial demolition of existing buildings, retention of 3 storey building and former industrial chimney and redevelopment of the site to provide a mixed use scheme comprising blocks of 2 to 7 storeys and accommodating 5,591 sqm of commercial floorspace (Use Class Eg[i]) at basement, ground, first, second, third, fourth and fifth floor level, 50 residential units at part first, part second, third, fourth, fifth and sixth floor levels (comprising 23 x 1 bed, 17 x 2 bed, 8 x 3 bed, 2 x 4 bed) as well as 127 sqm café floor space (Use Class E[b]) at ground floor level, landscaped communal gardens, pedestrian link route to the Regents Canal and other associated works.

POST SUBMISSION REVISIONS: Non-applicable.

5.2 The legal officer stated that it would be appropriate that only those Sub-Committee members present at the previous Planning Sub-Committee meeting could participate in the discussion and the vote on the item.

5.3 The Planning Service's Deputy Team Leader, Major Projects, introduced the report. During the course of their submission reference was made to the published addendum and one amendment to the reason for refusal at section 1.1.1 of the report.

5.4 There were no registered speakers and no questions were asked by the Sub-Committee members.

Vote

For: Cllr Bell, Cllr Race, Cllr Stops and Cllr Young.

Against: None.

Abstention: None.

RESOLVED:

The reasons for refusal were approved.

6 2021/2341: 3 Mandeville Street, Hackney, London, E5 0DH

6.1 PROPOSAL: Demolition of existing building and erection of an 8 storey mixed-use building comprising commercial and/or community floor space (use classes E/F2) and 46 residential units with associated cycle parking and refuse and recycling facilities.

POST-SUBMISSION AMENDMENTS: There have been minor design amendments at roof level post-submission in order to address officer feedback. Some additional information has also been submitted in relation to fire safety and urban greening factors. The extent of the changes and additional information is such that it is not considered to warrant are-consultation. The information is available to view on the Council's website at the time of report publication.

6.2 The Planning Service's Deputy Team Leader, Major Projects, introduced the report as published. During the course of the officer's submission, reference was made to the published addendum in which there were a number of additions and amendments made to the published report. These included one additional submission of support for the application being received, one objection to the scheme being received and two clarifications in relation to paragraphs 6.1.15 and 6.1.22 of the published report.

6.3 No persons had registered to speak in objection to the application.

6.4 A local resident spoke first in support of the application and explained how the proposals would benefit them by providing affordable housing.

6.5 A representative for the applicant, Pocket Living, spoke next about how the proposals would benefit the local area.

6.6 During the discussion phase the following points were raised:

- Proposed units being sold at a discount of 20% below local market value was in line with the NPPF definition of Discounted Market Sale housing and was part of Pocket Living's business model;
- The business model was compliant with the National Planning Policy Framework (NPPF) definition of affordable housing. However, compared to the market values in the area where the site was located, the model was not considered by officers to represent genuinely affordable housing under LP33 policy LP13;
- The market value of each unit would be arrived at as part of a valuation exercise controlled through the s106 agreement. The Council would ensure that it had sufficient approval powers to ensure that the valuation exercise was carried out appropriately and that the discount was genuine against the local market value;
- In the submitted Viability Assessment it was noted that there was not a directly comparative model as no other developer had a business model like Pocket Living's;

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- Of the proposed pocket units, 31 of them were priced at £292k; which was a 20% discount to their full market value;
- The proposals had been independently evaluated and had taken into account local housing stock which included one to two bedroom properties. There was not a sufficient amount of comparable one bedroom or studio properties in the local area to use as a benchmark;
- The Pocket Living scheme was aimed at occupants who were earning approximately £42k per annum;
- The proposed site, previously a GP practice, had ceased to provide services in June 2019 after which it was left vacant;
- The local area already had a high proportion of family-sized homes in comparison to the borough and London average. The Planning Service had concluded that the proposals were acceptable because they were providing a type of affordable housing which was meeting a specific demand. Therefore the divergence from the housing mix, as set out in the Local Plan, was considered acceptable;
- With the site's small footprint, a conventional housing mix model would be challenging because it would require a second core to accommodate multiple tenures. The Planning Service had considered whether the site could provide a more conventional scheme with a policy compliant housing mix, however, it was determined that this type of scheme would run at a deficit of £500k;
- There were two lifts proposed; one for firefighting and one for evacuation. Also 11% of the proposed units were wheelchair adaptable;
- A condition had been included for integrated swift nest box bricks or boxes to be installed;
- Two disabled car parking spaces had been conditioned, one of which would contain an electric car charging point. A Parking Design and Management Plan would also be submitted for approval prior to occupation of the site. Due to the constraints of the site the two disabled car parking spaces were placed on the street but every effort had been made to ensure they were as close as possible to the entrance of the site.

Vote:

For: Cllr Bell, Cllr Chauhan, Cllr Levy, Cllr Race, Cllr Stops and Cllr Young.

Against: None.

Abstention: None.

RESOLVED:

Conditional planning permission was approved subject to conditions and a legal agreement.

The Chair of the Sub-Committee would write to the Council's Head of Planning and Building Control and Pocket Living, recommending that they visit Marcon Place, Pocket Living's development in the Cllr's ward. The development had been in place for some time and the Cllr believed a site visit would be useful to identify any issues.

7 2021/2790: 118 Curtain Road, Hackney, London EC2A 3PJ

7.1 PROPOSAL: Submission of details pursuant to condition 15 (demolition and construction management plan) attached to planning permission 2018/0363.

POST SUBMISSION REVISIONS: Additional documents have been submitted which include further noise and vibration survey details.

7.2 The Planning Services' Deputy Team Leader, Major Projects, introduced the report. During the presentation reference was made to the addendum which stated that further correspondence from representatives from Strongroom Studios has been received.

7.3 The Sub-Committee first heard from a representative speaking on behalf of the objectors, Strongroom Studios. They were concerned about the results of the noise and vibration assessment undertaken by the applicant.

7.4 The applicant first spoke about the history of the proposals and the benefits the scheme would bring to the local area. The applicant had submitted a Demolition and Construction Management Plan (DCMP) and they had put in place a number of additional provisions in order to address the noise and vibration issues.

7.5 During the discussion phase the following points were raised:

- The focus of the Sub-Committee was on the issue of whether the applicant was able to demonstrate that they would be able to carry out works on site without exceeding the agreed noise and vibration thresholds;
- It was stated by the applicant that it was common practice in the acoustic industry to round off measured data to the nearest whole decibel. The Sub-Committee noted that this would include a margin of error;
- The objector's acoustic expert stated that the applicant's own data showed that the readings were two decibels over the threshold. The objector's acoustic expert was of the view that this was unacceptable;
- The objector's legal representative was of the view that the wording of the condition had been misinterpreted by officers in their assessment. The Council's Legal Officer advised members that they were satisfied that the wording of the condition had been interpreted appropriately.
- The Sub-Committee recognised that they did not want to unreasonably stifle development because of issues around noise and vibration. Noise and disturbance from construction activities was identified as a material planning issue but it was accepted that it would not have an impact so severely that it would outweigh the benefits of any planning permission granted. Nonetheless, the committee was reminded that they needed to be satisfied that the requirements of the conditions need to be met;
- In most cases there would be other options available to address the sensitive noise issue, however, the Sub-Committee were being asked to make a decision on the option before them in the published papers, as per the requirements of the planning system;
- The Council's Environmental Protection Officer had assessed the technical data provided by the applicant and the objector, and had concluded that the methodology in the noise and vibration testing was

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acceptable and demonstrated that the development could be undertaken in accordance with the agreed thresholds;

- Construction on site was expected to last two years. The applicant reiterated that the DCMP was not the only safeguard in place. They explained how monitoring equipment would be placed on site so if they were triggered construction work would stop;
- It was clarified that the most significant impacts in the application before the Sub-Committee were likely to be during the demolition rather than construction phase;
- The condition in question went beyond that normally used to mitigate the impacts of construction on adjoining occupiers. ;
- In the event of a breach of the noise and vibration thresholds, the Council's Enforcement and Environmental Health teams could intervene.

Vote:

For: Cllr Bell, Cllr Chauhan, Cllr Levy, Cllr Race, Cllr Stops and Cllr Young.

Against: None.

Abstention: None.

RESOLVED:

The details were approved.

8 Delegated decisions document

8.1 The Planning Sub-Committee noted the delegated decisions document.

RESOLVED:

The delegated decisions document was noted.

9 Any Other Business items

9.1 There were no any other business items.

10 Dates of next meetings

10.1 The date of the next meeting was 27 April 2022.

Duration of the meeting: 6:30pm - 8.16pm

Chair for the meeting: Cllr Vincent Stops.

Contact:

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