



PLANNING SUB - COMMITTEE

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

The live stream can be viewed here:

<https://youtu.be/XpBoN0k2flg>

The backup live stream is here:

https://youtu.be/k94Vn0-i_mQ

Planning Sub-Committee members

Cllr Michael Desmond, Cllr Clare Joseph, Cllr Michael Levy, Cllr Jon Narcross, Cllr Clare Potter, Cllr Steve Race (Chair), Cllr Ali Sadek, Cllr Lee Laudat-Scott, Cllr Jessica Webb (Vice Chair) and Cllr Sarah Young.

Substitute members

Cllr Claudia Turbet-Delof, Cllr Shaul Krautwirt, Cllr M Can Ozsen, Cllr Benzion Papier, Cllr Fliss Premru and Cllr Ifraah Samatar

Mark Carroll
Chief Executive
Tuesday 19 July 2022
www.hackney.gov.uk

Contact: Gareth Sykes,
Governance Officer
Email: gareth.sykes@hackney.gov.uk

Planning Sub-Committee

Wednesday 27 July 2022

Agenda

1 Apologies for Absence

• Declarations of Interest

A Member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- must disclose the interest at the start of the meeting or when or when the interest becomes apparent, and
- may not participate in any discussion or vote on the matter and must withdraw from the meeting proceedings in person or virtually.

A Member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at paragraphs 8.1 - 15.2 of Section 2 of Part 5 of the constitution and Appendix A of the Members' Code of Conduct.

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

4 Minutes of the Previous Meeting

No minutes available for approval at this meeting.

5 **2021/1906: De Beauvoir Estate, Downham Road, Hackney, London, N1** (Pages 11 - 116)

6 **2021/3456: 34 Colvestone Crescent** (Pages 117 - 138)

7 **2021/3204: Land at Bishopsgate Goods Yard, Bethnal Green Road, London E1 6GY** (Pages 139 - 162)

8 **2021/0275: Yetev Lev Boys School, 111 - 115 Cazenove Road, Hackney, London, N16 6AX** (Pages 163 - 188)

9 **2021/3106: 184 Evering Road, London, E5 8AJ** (Pages 189 - 198)

10 Delegated decisions*

*Document removed from pack after formatting errors identified at the 27 July 2022 meeting by the committee. Reformatted document resubmitted at the 2 November 2022 meeting.

11 Future meeting dates

The Planning Sub-Committee to note the following meeting dates:

2022

7 September
28 September
2 November
7 December

2023

11 January
1 February
22 February
3 April
3 May

12 Any other business

PUBLIC ATTENDANCE

Following the lifting of all Covid-19 restrictions by the Government and the Council updating its assessment of access to its buildings, the Town Hall is now open to the public and members of the public may attend meetings of the Council.

We recognise, however, that you may find it more convenient to observe the meeting via the live-stream facility, the link for which appears on the agenda front sheet.

We would ask that if you have either tested positive for Covid-19 or have any symptoms that you do not attend the meeting, but rather use the Livestream facility. If this applies and you are attending the meeting to ask a question, make a deputation or present a petition then you may contact the Officer named at the beginning of the Agenda and they will be able to make arrangements for the Chair of the meeting to ask the question, make the deputation or present the petition on your behalf. The Council will continue to ensure that access to our meetings is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice. The latest general advice can be found here - <https://hackney.gov.uk/coronavirus-support>

RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

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

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

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting. The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

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

Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed. All those visually recording a meeting are requested to only focus on recording Councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being

visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

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

Providing oral commentary during a meeting is not permitted.

ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to all Members of the Council, the Mayor and co-opted Members. This note is intended to provide general guidance for Members on declaring interests.

However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

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

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

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

i. relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;

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

iii. affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner. If you have a disclosable pecuniary interest in an item on the agenda you must:

i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).

ii. You must leave the meeting when the item in which you have an interest is being

discussed. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.

iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

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

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

i. It relates to an external body that you have been appointed to as a Member or in another capacity; or

ii. It relates to an organisation or individual which you have actively engaged in supporting. If you have other non-pecuniary interest in an item on the agenda you must:

i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.

ii. You may remain in the meeting, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.

iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the meeting. Once you have finished making your representation, you must leave the meeting whilst the matter is being discussed.

iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non-pecuniary interest.

Further Information

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

Introduction

The majority of planning applications for extensions to a home, new shop fronts, advertisements and similar minor developments are decided by Planning Officers. The Planning Sub-Committee generally makes the decisions on larger planning applications that:

- may have a significant impact on the local community; and
- are recommended for approval by the Planning Officer.

Planning Sub-Committee members use these meetings to make sure they have all the information they need and hear both sides before making a decision.

The Planning Sub-Committee

The Planning Sub-Committee is made up of Councillors from all political parties. One of the Councillors is the Planning Sub-Committee Chair. When making decisions the Planning Sub-Committee will always be:

- open about how they came to a decision,
- fair when making a decision, and
- impartial by not favouring one side over another.

All Planning Sub-Committee members will keep an open mind regarding planning applications.

The meetings are necessarily formal because the Chair and members want to listen to everyone and have the chance to ask questions so that they can fully understand the issues. Those speaking, either for or against a planning application, are generally given five minutes to explain their concerns/why they believe the application has merit. If there is more than one person for or against a planning application the five minutes is to be divided between all the persons wishing to speak or a spokesperson is to be nominated to speak on behalf of those persons. The Chair will help groups speaking on the same item to coordinate their presentations.

How the Meeting Works

The Planning Sub-Committee will normally consider agenda items in turn. If there are a lot of people for an item the Chair might change the order of the agenda items to consider an item earlier.

At the beginning of each meeting the Chair will explain how the meeting works and what can and cannot be taken into account by Planning Sub-committee members when making decisions. The procedure followed at each meeting is set out below:

- The Chair welcomes attendees to the meeting and explains the procedure the meeting will follow,
- Apologies received,
- Members declare any interests in an item on the agenda,
- Minutes of previous Planning Sub-committees are considered/approved,
- The Planning Sub-committee will consider any proposal/questions referred to the Sub-committee by the Council's monitoring officer,
- The Chair asks the Planning Officer to introduce their report/recommendation to the

Planning Sub-Committee. The Planning Officer will also inform Planning Sub-committee members of any relevant additional information received after the report was published,

- Registered objectors are given the opportunity to speak for up to five minutes,
- Registered supporters and the applicant are given the opportunity to speak for up to five minutes,
- Councillors who have registered to speak to object or in support are given the opportunity to speak for up to five minutes. The registered objectors or supporters, as the case may be, will be given the opportunity to speak for a further five minutes in such circumstances to ensure equal time is given to all parties,
- Where the applicant is a Councillor they must leave the meeting after the Planning Sub-committee members have asked them any questions of clarification/discussions

Regarding an agenda item that have been completed so that members can consider and vote on the recommendation relating to the Councillor's planning application.

- Planning Sub-committee members can ask questions of objectors and supporters or their agents and ask Council officers for further clarification before considering a Planning Officer's recommendation,

Where Planning Sub-committee members have concerns regarding a planning application that cannot be addressed to their satisfaction when considering the application, the members can resolve to defer determining the planning application until such time as their concerns can be addressed.

- The recommendation, including any supplementary planning conditions/obligations or recommendations proposed during the consideration of an item by the Planning Sub-Committee members, is put to a vote. Where an equal number of votes is cast for and against a recommendation, the Chair has a casting vote.

Decisions

Decisions of the Planning Sub-Committee relating to planning applications shall be based on:

- National planning policies set out by Government,
- Regional strategy, the London Plan, set out by the Greater London Authority,
- Development plan documents, such as the Core Strategy, Development Management Local Plan etc., and
- Other 'material planning considerations' such as the planning history of a site.

Non-planning considerations are not relevant to the Planning Sub-committee's decision making and should be disregarded by the Sub-Committee.

Speaking at the Meeting

If you have submitted a written representation to the Council in respect of a planning application you, your nominated agent or any local Councillor can register to speak at the meeting at which the application is considered by the Planning Sub-

Committee. Any person registering to speak should contact governance@hackney.gov.uk by 4.00pm on the working day before the meeting.

Speakers can seek to introduce a maximum of two photographs or other illustrative material that depicts a fair impression of the relevant site at the meeting if this will aid them

in making their representations. However, such material will only be allowed if it has been submitted to Governance Services at governance@hackney.gov.uk by 4.00 pm on the working day before the meeting and its inclusion is agreed to by all parties attending the meeting on this particular matter. In all cases, the Chair of the Sub-Committee will retain their discretion to refuse the use of such illustrative material.