

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

**WEDNESDAY 27 JULY 2022**

**THE LIVESTREAM OF THE MEETING CAN BE VIEWED HERE:**

<https://youtu.be/XpBoN0k2flg>

- Councillors Present:**
- Cllr Steve Race in the Chair**
  - Cllr Michael Desmond**
  - Cllr Shaul Krautwirt (Substitute)**
  - Cllr Lee Laudat-Scott**
  - Cllr Jon Narcross**
  - Cllr Ali Sadek**
  - Cllr Jessica Webb (Vice-Chair)**
  - Cllr Sarah Young**
- Apologies:**
- Councillor Clare Joseph**
  - Cllr Michael Levy**
  - Cllr Clare Potter**
- Officers in Attendance:**
- Gareth Barnett, South Area Team Leader**
  - Nick Bovaird, Senior Planner, Major Projects**
  - Robert Brew, Major Applications Team Leader**
  - Graham Callam, Growth Team Manager, Public Realm**
  - Seonaid Carr, Central Area Team Leader**
  - Adele Castle, Team Leader North**
  - Alix Hauser, Senior Planning Officer**
  - Ashraful Haque, Team leader - Environmental Protection**
  - Mario Kahraman, ICT Support**
  - Gerard Livett, Senior Planning Officer**
  - Leif Mortensen, Senior landscape and tree officer**
  - Matt Payne, Conservation Urban Design and Sustainability Deputy Manager**
  - Louise Prew, Major Projects Planner**
  - Qasim Shafi, Principal Transport Planner (Development Management)**
  - Christine Stephenson, Specialist Lawyer**
  - Gareth Sykes, Governance Officer**
  - John Tsang, Development Management and Enforcement Manager**
  - Timothy Walder, Principal Conservation and Design Officer**

**1 Apologies for Absence**

- 1.1 Apologies for absence were received from Councillor Joseph, Councillor Levy and Councillor Potter.
- 1.2 Councillor Krautwirt was attending as a substitute member in place of Councillor Levy.

**2 Declarations of Interest**

- 2.1 The Sub-Committee members declared an interest in relation to agenda items 5 and 7; members had received various lobbying materials in objection to the application.
- 2.2 It was noted that at item 7 the Chair and the ward Councillor who was registered to speak in objection were Councillors for the same ward in Hackney.
- 2.3 It was also noted that the Sub-Committee members all knew the Hackney Ward Councillors registered to speak at agenda items 5, 6 and 7.

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

- 3.1 There were no proposals or questions referred to the Committee from the Council's Monitoring Officer.

**4 Minutes of the Previous Meeting**

- 4.1 No minutes were submitted for approval at the meeting.

**5 2021/1906: De Beauvoir Estate, Downham Road, Hackney, London, N1**

- 5.1 PROPOSALS; All works associated with site clearance of six sites and erection of five buildings of six storeys and a four storey row of ten terraced houses, to provide 189 mixed tenure residential dwellings (Use Class C3) and 593m<sup>2</sup> of non-residential space (Use Class E); landscaping to include residential courtyards, public realm, tree planting, the provision of play space, reorganisation of existing car parking and all associated Infrastructure.

**POST SUBMISSION REVISIONS:**

- Ground floor footprint reduced on corner of Downham Road and Southgate Road;
- Internal revisions to allow amended fire strategy;
- Trees retained on Downham Road;
- Pillar removed on Hertford Road;
- Development description amended to refer to 593m<sup>2</sup> non-residential space, following amended Design and Access statement.

These amendments are sufficiently minor that it has been considered unnecessary to carry out a further consultation on the application.

- 5.2 The Council's Planning Service's Senior Planner, Major Projects, introduced the planning application as set out in the published report. During the course of the presentation reference was made to the addendum and the following amendments to the application report:
- The Borough's Streetscene team have requested that references to 'road safety audit' be replaced with 'safety audit'. As such, paragraph 6.5.26 should be amended;
  - Accordingly, condition 44 would be amended to add further details as to what is expected by the condition;
  - The Greater London Authority had requested an additional condition.
- 5.3 The Committee heard from a local ward Councillor who raised objections on behalf of local residents. Local residents had raised a number of concerns including; the proposed development's impact on the character of the area, the impact on daylight, sunlight, outlook and the sense of enclosure at neighbouring properties and the loss of green space on the corner of Southgate and Downham Roads. There were also concerns raised including the loss of existing mature trees, too little open space was proposed for the new residents, more bicycle storage should be provided for existing residents, the impact on existing residents during the construction period and the Downham Road East buildings would narrow the pavement at the corner of Downham and De Beauvoir road making them unsafe for pedestrians.
- 5.4 The Committee heard from a ward Councillor in support of the application. The Councillor spoke of the benefits of the proposed scheme and would provide genuine affordable housing. The Committee noted that on the De Beauvoir Estate there was a real need to provide homes for many families. The housing that was to be created was of a high quality and the public space that was proposed would be well lit for the community to use.
- 5.5 The Committee briefly heard from the Council's Head of Housing Supply Programme, who concurred with the ward Councillor that the proposals would provide much needed high quality housing for local families in need. The applicant had provided at the meeting sample materials and an architectural model. The Committee members briefly examined the materials and the model.
- 5.6 The meeting entered the discussion phase where the following points were raised;
- The tenure mix was policy compliant; the outright sale homes sale would pay for the affordable homes element of the development. There was not more affordable housing provided in the scheme because of
  - the lack of government funding available to pay for affordable housing;
  - The majority of the blocks in the development were of a mixed tenure but the Balmes Road block was different reflecting an early commitment to local residents that the block would contain socially rented accommodation;
  - In terms of massing, the majority of the proposed blocks were six storeys, which was consistent with other blocks across the estate, which was keeping with the massing across in the estate. With the Downham Road West block, because it was on a corner there was an expectation that it would be taller. While the proposed blocks would be slightly taller

than the existing blocks. The proposed blocks were of a similar architectural design they would stand out and be modern but also would respect the existing architectural in the area;

- On Sustainability, the application had been examined by the Council's external consultants and it had been determined that it was above the 35% net zero target. The Planning Service was of the view that to this end the scheme was acceptable and was also going beyond what was expected of the blocks that were proposed. The external consultants were satisfied with the proposals and did not see anything of concern regarding sustainability. Air Source Heat Pumps (ASHPs) were to be used they were selected as the most energy efficient option. The applicant had produced an overheating strategy and no issues had been identified. It was recognised that some of the homes to the north would have issues with noise and therefore would have to close their windows. In the case of these buildings trim heating would be applied with a small amount of air being pumped into the building to keep it air cooled. This was not consecutive to air conditioning it was just help to
- regulate the building to an appropriate level;
- On the mass scaling, the Sub-Committee noted that to the North of the existing site there was a lot of broken down frontage with several aspects set back. With the proposals there was a more designed frontage which though slightly more forward than the existing buildings it helped Downham Road to be better defined. The Planning Service were satisfied with the scale change under the proposals;
- The Council's transport team were satisfied that under the proposals the pavements were wide enough and suitable for pedestrians;
- With blocks with less than 30 units individual ASHP systems would be installed;
- Energy Performance Certificates (EPCs) was not normally a measurement used in the planning sector because the focus was more on the overall reduction of emissions from the development. There was an energy and sustainability statement, which outlined the proposed energy efficiency measures for the development and there was also provided a Carbon Offset payment;
- On the building block on the canalside, during the design process a lot of re-design was required because of its location in a sensitive area;
- On the commercial units on site, there would be class E units long Hertford Road. The Planning Service concluded that flexible use was best for the road. There was nothing along the road that the Planning Service would want to see, apart from that there were no flues proposed on the buildings. To that end there was a condition in place against primary cooking, which meant that a restaurant, for example, could not be sited on the road. Internal flues could not be installed as that would require use of more space, specifically upstairs. Also if there was no condition against primary cooking could result in a flue stuck to the outside of a building;
- The applicant had adopted a flexible approach toward the ground floor commercial/non-residential units in order to attract small to medium businesses and to hopefully avoid any empty commercial spaces. However the applicant recognised at the same time it had to balance this out with ensuring the needs of the local residents making sure they were not disturbed;

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- The architect explained that in terms of the terrace houses that sit in front of St Laurence Court and adjacent to 81 Downham Road the line of the building set slightly back from the line of the larger blocks. They would be provided with a front garden which provided not only defensible space but also secured bicycle storage and bin storage;
- The community space was provided through a small back garden and a terrace on the first floor;
- It was noted that the Tenants Residents Association (TRA) building was not a community hall. The space was a single storey building. The community centre would be retained under the proposals;
- Regarding concerns raised about single width doorways and the flow of people in and out of the blocks, the Planning Service had concluded that the lobbies for the development were will designed and the issue of the single doorways had not been raised as an issue;
- The development did meet the requirements of the Council's child-friendly play space requirements as set out in the Planning Document (SPD);
- It was acknowledged that the development that on green space it did not meet the requirement LP48, however, it was also recognised that it was an Infill scheme. Therefore it was always going to be difficult to meet the standard of LP48. To respond to this there was a payment in lieu which could then be spent on open space in the vicinity. There was also a landscaping condition proposed, which the Planning Service was of the view was well done and on balance the proposals were acceptable;
- Committee members were reminded that the phases of the overall master plan was not material planning issue and therefore was not relevant to discuss on the planning application before the Sub-Committee;
- On the issue of Controlled Parking Zones (CPZs) recent legal opinion to their legality was not a material planning issue;
- Residents could currently park on site;
- The Committee members were disappointed at the level of two tier cycle parking proposed. The applicant responded that they would always aim for 100% single tier cycle parking in all its schemes, however, they also wanted to meet London Plan requirements on the amount of cycle parking as well as the Hackney Plan's requirements. In order to do that and achieve the proposed level of affordable housing then in this instance they had to go for two tier cycle parking. The applicant added that they were currently working on the specifications for the two tier cycle racks and were seeking a manufacturer to provide hydraulic mechanism for ease of use for local residents;
- Closed Circuit Television (CCTV) would be installed in the cycle parking areas. In relation to access to these areas, there was internal access and there were also some visitor spaces that were also internal. There was also an internal visitor space on 81 Downham Road. There was no area that did not have access via a gated area;
- The applicant confirmed that Downham Road East and Hertford Road and Balmes Road provided long stay visitor (for residents) cycle parking within the footprint of the building behind locked doors. The entrance to the bicycle storage area was carefully positioned in such a way that they were internally facing away from the main roads.

Vote:

For: Cllr Desmond, Cllr Krautwirt, Cllr Narcross, Cllr Sadek, Cllr Laudat-Scott, Cllr Race, Cllr Webb and Cllr Young.

Against: None.

Abstention: None.

**RESOLVED:**

**Planning permission was granted subject to conditions, Unilateral Undertaking, no issues arising from consultation with the Health and Safety Executive, and referral to the Greater London Authority**

**6 2021/3456: 34 Colvestone Crescent**

6.1 PROPOSAL: Retrospective permission for the erection of rear extension at lower ground floor level and part ground floor level, the enlargement of the front lightwell and alterations to the rear elevation.

POST SUBMISSION REVISIONS: Basement was removed from the plans, the lightwell enlarged to show what previously existed on site and minor alterations to the front and rear elevations to accurately reflect the pre-existing, existing and proposed site conditions. Re-consultation was carried out in the form of letters to surrounding occupiers and objectors, erection of a site notice and publication of a press notice post submission of revised drawings.

6.2 The Planning Officer introduced the planning application as set out in the published report.

There were no persons registered to speak in objection to the application.

6.3 A local ward Councillor spoke in support of the application. They recognised that there were ongoing concerns from local residents and it was hoped these could be resolved.

6.4 The applicant also spoke briefly about the history of the scheme and how they felt that, if approved, it would bring back into use an empty property.

The agent for the applicant declined to speak.

6.5 The Committee noted that the application was seeking retrospective permission and that the plans were reflective of other similarly approved designs in the local area.

No further questions were raised by the Sub-Committee members.

Vote

For: Cllr Desmond, Cllr Krautwirt, Cllr Laudat-Scott, Cllr Narcross, Cllr Sadek, Cllr Race, Cllr Webb and Cllr Young.

Against: None.

Abstention: None.

**RESOLVED:**

**Planning permission was granted subject to conditions.**

**7 2021/3204: Land at Bishopsgate Goods Yard, Bethnal Green Road, London E1 6GY**

7.1 PROPOSAL: Temporary planning permission for the erection of an additional storey at 2nd floor level to provide 658 sqm of external seating space together with 175 sqm of internal space for flexible Class E (a) retail, (b) restaurant and (d) indoor recreation use with ancillary storage/WCs/facilities space, until 31st May 2023.

POST-SUBMISSION REVISIONS: 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 transport. A reconsultation exercise has been undertaken following the submission of this additional information.

7.2 The officer from the Planning Service's Major Applications Team introduced the planning application as set out in the published report. During the course of their presentation reference was made to the addendum in which it was noted that since the publication of the report one additional objection has been received from a local resident.

7.3 A local ward Councillor and two residents spoke in objection to the application raising concerns about the application's potential to increase incidents of Anti-Social Behaviour (ASB) and noise.

7.4 The applicants spoke next giving a brief overview of the benefits of the scheme and also addressing those objections raised. They had submitted two additional images for consideration at the meeting. These were circulated to all meeting participants.

7.5 A discussion took place where a number of points were raised including the following:

- The previously granted planning permission for Bishopsgate Goods Yard was considered useful as background information to help frame the proposals under consideration;
- Planning officers noted that this was a finely balanced recommendation. The possibility of increased amenity impacts was noted, but this needed to be considered in the context of the surrounding environment and it was hard to determine that increased impacts from this one use would necessarily be harmful;
- The applicants were in an ongoing dialogue with residents on Shoreditch High Street. There were 52 objections received but the applicants stressed that it was important to distinguish between complaints about the whole site and objections to their specific application. The applicants felt that they had done all they could to reduce noise breakout in response to the objections received;
- The additional images submitted showed the proposed structure both with and without the roof. The roof would be movable and when closed would provide extra noise protection;

- The Planning Service acknowledged that the proposals, if granted, could see an increase in footfall to the area, however, they had concluded that given the temporary nature of the proposals and subject to mitigation, it was not considered that the cumulative impact would be such that it would warrant refusal of the application;
- The applicants confirmed that there would be a manager on site to respond to any complaints raised by local residents;
- Wider issues relating to licensing were not a material planning issue;
- The applicants highlighted that they were just a small part of a much larger site with several other late night premises in the immediate vicinity.

Vote

For: Cllr Desmond, Cllr Krautwirt, Cllr Laudat-Scott, Cllr Narcross, Cllr Sadek, Cllr Race, Cllr Webb and Cllr Young.

Against: None.

Abstention: None.

**RESOLVED:**

**Conditional planning permission was approved subject to conditions.**

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

8.1 PROPOSAL: Erection of a single storey roof extension to provide an additional 7 classrooms at third floor level for existing students; rooftop playground and balustrade above including increase in brick wall at second floor level to allow extension of eastern core to provide access to playground; extension of central lift shaft to provide roof access; raised parapet; 15 air conditioning units on roof with enclosure; and access ramp with balustrade and stairs to provide ground floor access.

POST SUBMISSION REVISIONS: Noise Impact Assessment, Construction Logistics Plan and revised plans were received Consultation was carried out on these documents.

8.2 The Planning Service's Major Projects Planner introduced the planning application as set out in the published report. During the course of the officer's presentation reference was made to the published addendum and the following amendments to the application report:

- Comments were received from two objectors outlining their previous comments following publication of the report. The comments raised have been addressed in the officer's report;
- Additional paragraphs were added at paragraphs 3.15 and 4.2.3;
- An additional condition, 8.1.15 Air conditioning units, was added.

No persons were registered to speak in objection to the application.

8.3 The agent for the applicant spoke giving a brief overview of the scheme and its benefits.



8.4 A discussion took place where a number of points were raised including the following:

- Concerns raised by local residents about excessive noise were being addressed by the Council's Environmental Health team;
- A condition had been included to ensure that the rooftop playground had been designed with an acoustic boundary;
- The playground would be restricted to 60 children at any one time, Mondays to Fridays. The playground was set down into the roof which would allow sound to travel upwards mitigating against noise breakout;
- The application had been submitted on the assumption that there would not be an increase in the number of students on site. The inclusion of additional classrooms were to allow those students already on the school roll to have smaller class sizes. The planning application allowed Hackney Council to cap the number of students at the school's current total number. The school was made up of a number of different buildings and that the cap only applied to the development of site under consideration at the meeting;
- If there was a breach of condition regarding the cap the Council could use its enforcement powers;
- The Committee noted taking away 60 children from the ground floor to use the rooftop playground would reduce the amount noise coming out of the ground floor;
- The proposed mansard would be taller due to the rooftop playground. Overall though the Planning Service found the design acceptable;
- The surrounding area was varied in nature with school buildings, low terraced houses and other flat developments with different heights;
- On the issue of amenity impacts, the buildings to the north were sufficiently set away from the main school building and would not be impacted by loss of light or overlooking. The building to the east, 117 Cazenove Road, had north and south facing windows and the building line on the southern elevation in particular was even with the existing building and that the Planning Service had concluded that there was no impact. On those concerns raised about the amenity impact on the north-facing building, the planning service had concluded that it was already experiencing overshadowing, the proposals would not make a noticeable difference;
- Zinc standing seam materials were proposed and would be conditioned.

Vote

For: Cllr Desmond, Cllr Krautwirt, Cllr Laudat-Scott, Cllr Narcross, Cllr Sadek, Cllr Race, Cllr Webb and Cllr Young.

Against: None.

Abstention: None.

**RESOLVED:**

**Planning permission was granted subject to conditions and a Section 106 legal agreement.**

**9 2021/3106: 184 Evering Road, London, E5 8AJ**

9.1 PROPOSAL: Submission of details pursuant to conditions 4c and 4d (detailed drawings of cycle and refuse stores) and part of condition 8 (landscaping to the front garden) attached to planning permission 2019/2907 dated 11/11/2019.

POST SUBMISSION REVISIONS: None.

9.2 The Senior Planning Officer introduced the application report as set out in the published papers.

No persons were registered to speak in objection or support of the planning application.

9.3 The Sub-Committee noted that the application had been reviewed by the Council's Conservation and Design officers and they had concluded that the proposals were acceptable.

No further questions were raised by the Sub-Committee members.

Vote

For: Cllr Desmond, Cllr Krautwirt, Cllr Laudat-Scott, Cllr Narcross, Cllr Sadek, Cllr Race, Cllr Webb and Cllr Young.

Against: None.

Abstention: None.

**RESOLVED:**

**Details were approved.**

**10 Delegated decisions**

10.1 Committee members noted that there were issues with the formatting of the document. The document would be amended and resubmitted for publication.

Due to formatting issues the delegated decisions document was not approved by the Sub-Committee.

**11 Future meeting dates**

11.1 Committee members noted the following Planning Sub-Committee 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**

- 12.1 The Committee wished the Planning Service's Principal Conservation and Design Officer, Timothy Walder, all the best for the future as he was shortly to leave Hackney Council.

**END OF MEETING**

**Duration of the meeting:** 6:30pm – 10:10pm

**Chair of the meeting:** Councillor Steve Race

**Contact:**

**Gareth Sykes**

**Governance Officer**

[gareth.sykes@hackney.gov.uk](mailto:gareth.sykes@hackney.gov.uk)