



PLANNING SUB- COMMITTEE

Thursday 11 January 2024 at 6.30pm
Council Chamber, Hackney Town Hall

Live stream link: <https://youtube.com/live/t0ZRdGL2ycA>
Back up link: <https://youtube.com/live/FTsfBPqBmUc>

Members of the Sub-Committee:

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

Substitute Sub-Committee Members:

Cllr Eluzer Goldberg, Cllr Shaul Krautwirt, Cllr M Can Ozen,
Cllr Benzion Papier, Cllr Sheila Suso-Runge, and Cllr Claudia
Turbet-Delof.

Dawn Carter-McDonald
Interim Chief Executive
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www.hackney.gov.uk

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Planning Sub-Committee

Thursday 11 January 2024

Order of Business

- 1 **Apologies for Absence**
- 2 **Declarations of Interest**
- 3 **To consider any proposal/questions referred to the sub-committee by the Council's Monitoring Officer**
- 4 **Minutes of the Previous Meeting** (Pages 11 - 17)

The Planning Sub-Committee to consider and approve the minutes of their pre-application meeting held on 13 November 2023.

- 5 **2022/0963: Land to the rear of 64 Middleton Road, London, E8 4BS**
(Pages 19 - 47)
- 6 **2023/1076: 42 Bergholt Crescent, Hackney, London, N16 5JE**
(Pages 49 - 93)
- 7 **Delegated decisions** (Pages 95 -102)
- 8 **Any Other Business the Chair Considers to be Urgent**

For information:

2024 meeting dates:

- 07 February
- 13 February (pre-application meeting)
- 06 March
- 03 April
- 01 May

Public Attendance

The Town Hall is open. Information on forthcoming Council meetings can be obtained from the Town Hall Reception.

Members of the public and representatives of the press are entitled to attend Council meetings and remain and hear discussions on matters within the public part of the meeting. They are not, however, entitled to participate in any discussions. Council meetings can also be observed via the live-stream facility, the link for which appears on the agenda front sheet of each committee meeting.

On occasions part of the meeting may be held in private and will not be open to the public. This is if an item being considered is likely to lead to the disclosure of exempt or confidential information in accordance with Schedule 12A of the Local Government Act 1972 (as amended). Reasons for exemption will be specified for each respective agenda item.

For further information, including public participation, please visit our website <https://hackney.gov.uk/menu#get-involved-council-decisions> or contact: governance@hackney.gov.uk

Rights of Press and Public to Report on Meetings

The Openness of Local Government Bodies Regulations 2014 give the public the right to film, record audio, take photographs, and use social media and the internet at meetings to report on any meetings that are open to the public.

By attending a public meeting of the Council, Executive, any committee or sub-committee, any Panel or Commission, or any Board you are agreeing to these guidelines as a whole and in particular the stipulations listed below:

- Anyone planning to record meetings of the Council and its public meetings through any audio, visual or written methods they find appropriate can do so providing they do not disturb the conduct of the meeting;
- You are welcome to attend a public meeting to report proceedings, either in 'real time' or after conclusion of the meeting, on a blog, social networking site, news forum or other online media;
- You may use a laptop, tablet device, smartphone or portable camera to record a written or audio transcript of proceedings during the meeting;
- Facilities within the Town Hall and Council Chamber are limited and recording equipment must be of a reasonable size and nature to be easily accommodated.
- You are asked to contact the Officer whose name appears at the beginning of this Agenda if you have any large or complex recording equipment to see whether this can be accommodated within the existing facilities;
- You must not interrupt proceedings and digital equipment must be set to 'silent' mode;
- You should focus any recording equipment on 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 to respect the wishes of those who do not want to be filmed and photographed may result in the Chair instructing you to cease reporting or recording and you may potentially be excluded from the meeting if you fail to comply;

- Any person whose behaviour threatens to disrupt orderly conduct will be asked to leave;
- Be aware that libellous comments against the council, individual Councillors or officers could result in legal action being taken against you;
- The recorded images must not be edited in a way in which there is a clear aim to distort the truth or misrepresent those taking part in the proceedings;
- Personal attacks of any kind or offensive comments that target or disparage any ethnic, racial, age, religion, gender, sexual orientation or disability status could also result in legal action being taken against you.

Failure to comply with the above requirements may result in the support and assistance of the Council in the recording of proceedings being withdrawn. The Council regards violation of any of the points above as a risk to the orderly conduct of a meeting. The Council therefore reserves the right to exclude any person from the current meeting and refuse entry to any further council meetings, where a breach of these requirements occurs. The Chair of the meeting will ensure that the meeting runs in an effective manner and has the power to ensure that the meeting is not disturbed through the use of flash photography, intrusive camera equipment or the person recording the meeting moving around the room.

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You **must not**:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups, voluntary organisations in the borough or governorships at any educational institution within the borough.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. You **may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.

Planning Sub-Committee meeting information:

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;
- The Committee is to consider any proposal/questions referred to the Sub-committee by the Council's Monitoring Officer;
- 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 Subcommittee 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;
- Delegated decisions;
- Any other business that the chair considers to be urgent.

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 Subcommittee'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 4.00pm 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 Chair will retain their discretion to refuse the use of such illustrative material.