

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

TUESDAY 25 JULY 2023

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED HERE:

<https://youtube.com/live/dCsSgB8Ef-s>

- Councillors Present:** Cllr Steve Race in the Chair
Cllr Michael Desmond, Cllr Jon Narcross and
Cllr Ali Sadek
- Apologies:** Cllr Michael Levy, Cllr Clare Joseph, Cllr Clare Potter,
Cllr Jessica Webb and Cllr Sarah Young.
- Officers in Attendance:** Nick Bovaird, Major Projects Planner
Natalie Broughton, Head of Planning and Building
Control
Robert Brew, Major Applications Team
Graham Callam, Growth Team Manager
Joe Croft, Senior Transport Planner
Adam Dyer, Principal Conservation and Design Officer
Luciana Grave, Conservation Urban Development
Sustainability Manager
Mario Kahraman, ICT Support Officer
Matt Payne, Conservation Urban Development
Sustainability Deputy Manager
Louise Prew, Senior Planning Officer
Bola Roberts, Legal Administration Officer
Gareth Sykes, Governance Officer
John Tsang, Development Management and
Enforcement Manager
Sam Woodhead, Specialist Planning Lawye
- Absent:** **Cllr Ifraax Samatar**

1 Apologies for Absence

- 1.1 Apologies for absence were received from Councillors Michael Levy, Clare Joseph, Clare Potter, Jessica Webb and Sarah Young.
- 1.2 Cllr Ifraax Samatar was recorded as being absent from the meeting.

2 Declarations of Interest

- 2.1 The Chair of the Sub-Committee declared a non-pecuniary interest in relation to agenda item 5; Cllr Race stated that he had received a generic email about the development under consideration.

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

3.1 None.

4 Minutes of the Previous Meeting

4.1 The Sub-Committee noted and approved the minutes of the previous meeting held on 8 June 2023.

RESOLVED:

The minutes of the previous meeting, held on 8 June 2023, be approved as an accurate record of those meetings' proceedings.

5 2022/1165: Telephone House, 69 - 77 Paul Street, Hackney, London, EC2A 4NW

5.1 PROPOSAL:

Demolition to ground floor level of existing building; erection of building to maximum height of ten storeys around a central courtyard to provide office accommodation (Use Class E(g), ground floor retail space (Use Class E), a basement event space (Sui Generis) and associated facilities, landscaping to include visitor cycle spaces.

POST SUBMISSION REVISIONS:

- Reduction in massing, at upper levels.
- Amended drawings to show some obscure windows on the northern elevation;
- Amended Daylight Sunlight document;
- Amended cycle parking.

A twenty four day reconsultation has taken place with neighbours following the receipt of these revisions.

5.2 The Council's Planning's Services Deputy Team Leader, Major Projects presented the application report as published. During the course of the officer's presentation reference was made to the addendum and the following amendments to the published application report:

In order to secure the findings of the amenity section of the report, the following condition should be added in respect of the opaque glazed windows discussed at paragraph 6.5.30:

8.1.49 Prior to the occupation of development a sample of obscure glazing shall be submitted to, and approved in writing by, the Local Planning Authority. The 1st to 6th floor windows of the rear (north) elevation, shown in drawing P05 100 Rev A as obscure glazed, shall be fitted with the obscure glazing thereby approved and shall be unopenable up to a height of 1.8m. The windows shall be maintained as such for the lifetime of the development.

REASON: To ensure that the development will not have an adverse impact on the overlooking of nearby residential uses.

Following clarifications by the applicants in respect of the existing and proposed trip generation figures, paragraphs 6.6.4 and 6.6.5 of the report can be updated to read:

6.6.4 The submitted trip generation assessment predicts that the site will see a significant increase in the quantum of the development and net increase in two-way trips. The trip generation estimates show that the majority of trips will be made by sustainable modes of transport. With the exception of servicing vehicles, all trips are estimated to be made via walking, cycling and public transport. The existing and proposed trip generation is clarified in the Transport Assessment. Following discussions with Transport for London (TfL), the applicant has agreed that the trip generation should reflect the development being car-free and include a higher share of estimated cyclist trips to reflect the London Travel Demand Survey. Based on this, the applicant has confirmed there will be an estimated net increase in trips of 5,699 two-way trips for the proposed site including office and retail uses.

6.6.5 Nevertheless, a number of assumptions have been made to generate the trip generation data. The estimates may significantly underestimate the actual number of trips to the application site. For example, there may be a number of private vehicle trips for pick up and drop offs and / or taxi movements, even though the site is technically car free. The application may also underestimate the reduced patronage on public transport following the pandemic. These factors highlight the importance of implementing a well-managed travel plan to reduce private vehicle use and dependency, as recommended at paragraph 6.6.21 below.

- 5.2 The Sub-Committee heard from local residents who raised concerns on a number of areas including in their view the unacceptable impact of a proposals specifically their scale and bulk on the heritage setting, the design did not relate well to neighbouring buildings, for example obscuring the side elevation of the neighbouring City Lofts and the impact on neighbouring amenities, including daylight/sunlight, outlook, a sense of enclosure and overlooking. There were also concerns expressed about the potential for a restaurant to be established on site and also in what ways the basement community space on site would be used. They concluded by suggested that the Traffic Management Plan needed to take into the various other developments been undertaken in the area to ensure a more coordinated approach.
- 5.3 The representative for the owners and applicant began spoke about their aims which was about constructing flexible centrally located urban office working. They had track record of creating well-designed, sustainable and multi-generational and commute-worthy work places and their proposals met the needs of evolving ways of working. It was felt that the existing building failed to respond to the character and context of the area. Talks with the relevant stakeholders had taken place over two years to strike a balance between a sustainable environmental design and the spatial demands of a next generation office building while recognising the complexity of the immediate area. The existing occupiers were expected to stay in occupation over the next three years and that the applicant would work with their neighbours. The design was

environmentally-driven with key initiatives such as the reuse of demolition materials and just under 20 per cent of the existing building being retained. The applicant was seeking a fabric first approach to the proposed building and there would also be innovative ways of construction as well use of materials. It was recognised that the proposals would impact on neighbours right to light and the applicant had done their best to amend the proposals accordingly.

5.4 Following the submissions introduction/update, members of the Sub-Committee asked a number of questions which were responded to as follows:

- In response to a question about the event space, the Planning's Services Deputy Team Leader, Major Projects replied firstly that a restaurant would not be used as a restaurant as there was included a condition for no primary cooking on site;
- In response to a question about concerns raised by local residents about the loss of light, the Planning's Services Deputy Team Leader, Major Projects explained that while it was accepted that the Vertical Sky Component (VSC) readings for some of the units in the neighbouring City Lofts would be reduced as the proposed building was building up to the red line boundary. During the course of discussions about the proposals the impact of loss the impact had been reduced and the Planning Service was of the view that it was now at a reasonable level. The difference between the daylight/sunlight figures, as highlighted by the objectors, was because the Planning Service were of the view that they were just looking at the amount of the windows being affected where as they were looking percentage going down to what was considered to be reasonable levels. The Planning Service would not considered these levels to be a good enough reason for the application to be rejected;
- On the City Lofts loss of light, the objectors were of the view that it remained an issue because the figures were starting from a low starting point. The representative for the applicant responded that the retained level of daylights were relatively similar to what other buildings would receive in the dense Shoreditch area with its close buildings relationships. The applicant was of the view that an appropriate balance had been struck by striving to reduce the impact on neighbours for example stepping back the building and using obscure glazing for example;
- Replying to a question about whether reducing the height of the building and also stepping it back, the representative for the applicant responded that it was a product of the proposed massing and that because of where the buildings sat within the urban landscape any building built on the site in question, even a modest one, would result in similar issues relating to impact on neighbouring buildings;
- Replying to questions about use of materials and asbestos removal, the Planning's Services Deputy Team Leader, Major Project's t clarified that largely brick built. The representative for applicant confirmed that they maintained an asbestos register and an annual report. Minor asbestos was contained within the building and that would be dealt with in an appropriate and safe manner to avoid any risks;

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- The representative for the applicant confirmed that the hours of demolition would be in line with building control regulations and would be in compliance with normal statutory requirements;
- In response to a question about biodiversity increase, the Planning's Services Deputy Team Leader, Major Projects replied that it was considered acceptable. The Urban Greening Factor at 0.3 was policy compliant and a lot of work has been undertaken by the developers to make the terraces greener;
- In response to a question about green walls, the representative for the applicant replied that with the proposed building the green walls would be actively managed to ensure they were well maintained. Members noted that there were very detailed conditions in place, under the Landscaping, to ensure long terms maintenance of the green walls;
- Replying to a question about sustainability, specifically Building Research Establishment Environmental Assessment Method (BREEAM) standards, the Planning's Services Deputy Team Leader, Major Projects explained that overall ratings had improved during the course of the application with an outstanding rating of 89.78% for the office and an excellent rating of 70.73% for the retail. Technically the proposals were net zero because of the carbon offset;
- In response to a question about the proposals being net zero, the Planning's Services Deputy Team Leader, Major Projects replied that it had been a long process to reach an acceptable level of sustainability. The representative for the applicant added that the ideal was to reach net zero however currently it was delivering the most sustainable building as possible and then offset. Members noted that the building once constructed would be electricity driven and there would be measures in place such as solar panels. The embodied carbon, as part of the existing building frame, would be retained within the basement area and this would mediate to some extent against the carbon emissions that would occur as a result of demolition and construction. Also construction techniques and methods would be used to minimise that impact. Ultimately it was about demonstrating a responsible approach to minimise the overall carbon through the lifecycle of 60 years rather than trying to aim for net zero carbon building;
- The representative for the applicant explained that currently they were looking at a cement and cross laminated design but should circumstances changes regarding insurance and use of cement in construction in the future then they could look at cement-alternatives
- In response to a question about the heritages assets nearby and on the conservation area, the Planning's Services Deputy Team Leader, Major Projects replied that the nearby Chapel was a non-designated heritage asset while the Boys School was Grade two listed building. It was understood that an eight storey building had already been agreed on the site of the school;
- Replying to the a question about the event space on site, the Planning's Services Deputy Team Leader, Major Projects responded that use of the basement event space would be sui generis. There was also conditions included which outlined the hours of use for the space and ensuring that noise breakout from the building would be 10dB or more below the background noise level any noise sensitive

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premises at any time. Other aspects of the event space, such as queuing for example, would be covered by the Operational Management Plan (OMP);

- Replying to a query from the objectors stronger conditions being in place relating to the event space, the Planning Service's Deputy Team Leader Major Projects responded that the Planning Service would scrutinise the OMP and would enforce against it later should any issues arise;
- On the event space, the representative for the applicant explained that the area was a facility predominantly for the building. It was primarily for the building occupants where they could have lectures, seminars and conferences for example. It was anticipated that the space would not draw many people to the site. It was hoped the local residents and business community would use the space. It was not intended to be a nightclub;
- The Sub-Committee supported a recommendation from the Planning Service that the OMP would come back to the Sub-Committee for consideration and approval. It was also agreed that prior to consideration at a Planning Sub-Committee meeting the OMP would go out for consultation;
- Responding to a question the use of the event space, the representative for the applicant replied that the use of the space was reflective of new ways of working and there were already similar examples being used in nearby buildings;
- Replying to a question about the 8th floor setback and why it was above the median six to seven maximum stories level for the conservation area, the Planning Service's Conservation, Urban Design and Sustainability (CUDS) Deputy Manager explained that the site was outside of the conservation area. East of Leonard Circus was the conservation area with the area being outside the conservation area being to the west. It was noted that the proposals were slightly lower than the previously approved Development House which was also situated in the same area of Leonard Circus;
- In response to a question about the Construction Management Plan (CMP) and how the various planning projects under way in the Leonard Circus were being coordinated by the Council, the Planning's Services Deputy Team Leader, Major Projects explained that a representative for the Council's Street Scene team held monthly meetings with the various developers were currently building in the Leonard Circus area. Members noted that if local residents wished to get in touch there was a telephone contact number included in the CMP;
- The Chair of the Sub-Committee encouraged the representative for the applicant to take care of the cycle route through Leonard Circus.

Vote:

For: Cllr Michael Desmond, Cllr Jon Narcross, Cllr Steve Race (Chair) and Cllr Ali Sadek.

Against: None.

Abstained: None.

RESOLVED:

Planning permission was granted subject to conditions and completion of a legal agreement in relation to S106 of the Town and Country Planning Act 1990 (as amended).

6 2021/0361: Acme Works, 13 - 17 Rendlesham Road, Hackney, London, E5 8QB

6.1 PROPOSAL:

Erection of a nine-storey building with basement and two-storey link building at second to third floors; and works to existing building including reconfiguration of existing units, excavation of basement and erection of two-storey roof extension. Development will comprise 1031 sqm light industrial (Use Class E(g)(iii)) floor space at basement, ground and part first floor levels and 25 new residential units for a total of 32 residential units (Use Class C3); with hard and soft landscaping; refuse storage; parking and cycle parking and other associated works.

POST SUBMISSION REVISIONS:

Alterations have been made to the size of the basement, the linking element has been reduced to two storeys and alterations have been made to the overall design and the retained studios at first floor level. Additional information on child friendly design, overheating and UGF has been provided.

6.2 The Council Planning Service's Major Projects Planner introduced the application as published. During the course of the presentation reference was made to the addendum and the following amendments to the published report:

6.18 Equalities Considerations

6.18.1 The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.18.2 Having regard to the duty set out in the Equality Act 2010, the nature of the existing uses of the buildings and the likely impacts upon the adjacent traveller site, the development proposals do not raise any unacceptable equality issues.

Add the following condition

8.1.38 Screening

Prior to occupation of the residential units, details of obscure / directional glazing and privacy screens at second and third floors of the southern and link buildings on the southern and western elevations shall be submitted to the Local Planning Authority for approval in writing. The details shall thereafter be retained for the lifetime of the development.

REASON: To protect the amenity of neighbouring occupiers

Add to recommendation C

8.22 Employment and training contribution: £6,870

Employment and Training Contribution (procurement phase): = £4,639

The Sub-Committee noted that no persons had registered to speak in objection to the application.

6.3 The Sub-Committee heard from the agent for the applicant briefly spoke how the proposals would provide an opportunity to regenerate and make more efficient use of the brownfield site. They were of the view that the proposals would provide employment benefits with an increase in floorspace with a significant amount being affordable commercial floorspace leased at 60% of the marker rate. The scheme would also provide a valuable contribution to the borough's housing stock. The height of the proposals would complement the new development at 1A Downs Road to the west as well as the lower surrounding buildings. The landscaping element of the proposals would provide a substantial visible benefit when compared with the existing site. The proposals would be sustainable with the retention of some of the existing building and would also be a car-free development and would use of air source heat pumps and swift bricks for example.

6.4 Following the submissions, members of the Sub-Committee asked questions in which were responded to as follows:

- Replying to a question about the impact of the proposals, specifically the tower, on the nearby travellers site, the Planning Service's Major Projects Planner responded that in the earlier pre-application stage the nine storey element was much nearer to the travellers' site. It had now been set back. Members noted that the travellers site was arranged in such a way that it did not have any windows along the elevation where it meets the building. Its windows were only facing out towards the road;
- Replying to a question about why the existing brick building was being retained, the representatives for the applicant responded that they liked the character of it and as a practice they liked working with existing buildings;
- The representatives for the applicant confirmed that they would retrofit the existing building;
- Replying to a query on why no representatives from the traveller and gypsy community were present at the meeting, the Planning Service's Major Projects Planner responded that the application was put out for reconsultation following changes from 11 April

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2023 and a there was wider letter mail out was sent on 23 June /2023 with a closing date of 17 July 2023. Letters of consultation sent to 270 adjoining owners/occupiers. There was also three site notices posted and also adverts published in the local press;

- Responding to a question about the developers consultation with those developers developing sites at 13A Rendlesham Road and 1a the creation of pedestrian links to the adjacent development, the representative for the applicant understood that they were in constant communication and it was in everyone's interest that they cohesively work together and create an effective urban environment;
- Replying to a question about the consultation process with those estates close to where their development and others were taking place, the representatives for the applicant responded that they understood that the landlord had a good relationship on site with their tenants. There was constant dialogue and if existing tenants wanted to stay on there was the possibility of them moving into the new build;
- The demolition and construction that would take place on site would be in line with building control regulations and in compliance with normal statutory requirements;
- Replying to a question about the access to the site, the Planning Service's Major Projects Planner responded that it was a narrow access and it was designed as a shared space. There would be some vehicle use primarily associated with industrial uses on site. As part of the landscaping strategy conditions were included outlining further details on how specifically that access point would be designed in order to minimise any impacts;
- Responding to a question about conversations with the other developers in creating a throughfare, the representative for the applicant replied that they were keen for that to happen and it was hoped that the developers would work together to make it come to pass. The intention was the creation of pedestrian links to the adjacent development and the representatives for the applicant were of the view that these link would improve the permeability of the site and also in terms of developing a light industrial brow. Having the flow throughs would be beneficial to the site. The Planning Service would like to see this development and suggested adding it the application as part of the legal agreement, however because the other application, 1a Downes Road, had already been granted planning permission they were not required to do it to link to Acme Works;
- Replying to question about the proposed mix of industrial and residential on site, the Planning Service's Major Projects Planner responded that in relation to floorspace it was residential-led. However, in relation to the Viability Assessment the Council's Property Advisor would see the development as providing the most viable floorspace for industrial on site. It was accepted that the developers had provided as much as they could. The site was reasonable size for a light industrial site and it was noted that the existing tenants would have an opportunity to stay;
- There was no affordable housing allocation on site because the development was located in a Priority Industrial Area (PIA) with

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affordable workspace. The Planning Service's Major Projects Planner commented that if it was not a PIA then the Planning Service would have sought an affordable housing contribution however in the case of the site under consideration the priority was to maximise industrial on site in an area that already had examples of industrial use;

- Responding to a question about the Police response in the application report, the Planning Service would contact them to ask for more details. Secure by Design was conditioned as part of the next stage of the planning process;
- Replying to a question about the industrial floorspace and whether the activities that would take place on site, post-construction, would fall within what was classified as industrial use, the Committee members noted that there were already 15 residential units on site. So there was already established a mixed relationship of industrial and residential. The type of use class (use class E(G)) was such that it allowed for industrial use within an residential area. It was also noted that conditions were included for insulation between the industrial and residential units;
- Replying to a question about marketing the units, the representatives for the applicants responded that currently they had not explored how to market the units pre-construction;
- Responding to a question about whether the levels of mitigation were adequate in light of the industrial use on site not yet being confirmed, the Planning Service's Major Projects Planner was satisfied that the conditions in place recommended by the Council's Environmental Protection Officer were sufficient to allow industrial uses to continue while residents were on site.

Vote:

For: Cllr Michael Desmond, Cllr Jon Narcross, Cllr Steve Race (Chair) and Cllr Ali Sadek.

Against: None.

Abstained: None.

RESOLVED:

Planning permission was granted subject to conditions and completion of section 106 legal agreement.

7 Delegated decisions

- 7.1 A number of minor errors were identified on the bottom of page 151 and the top of page 152 of the Delegated Decisions document. The Sub-Committee deferred noting the document and an amended document would be submitted at the next Planning Sub-Committee meeting.

The Delegated Decisions document was deferred, subject to amendments. The revised document would be resubmitted and reconsidered at the next scheduled Planning Sub-Committee meeting.

8 Any Other Business the Chair Considers to be Urgent

- 8.1. None.

END OF THE MEETING

Duration of the meeting: 6.30pm - 8.05pm

Date of the next meeting – 6 September 2023

Cllr Steve Race
Chair of the Planning Sub-Committee

Contact:

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