



# **SPECIAL PLANNING SUB- COMMITTEE**

Wednesday, 19th November, 2008

at 6.30 pm

Council Chamber, Hackney Town Hall, Mare  
Street, London E8 1EA

**Committee Members:**

**Cllr Barry Buitekant, Cllr Michael Desmond (Vice-Chair),  
Cllr Ian Sharer, Cllr Simon Tesler, Cllr Linda Smith,  
Cllr Joseph Stauber, Cllr Vincent Stops (Chair),  
Cllr Katie Hanson and Cllr Jessica Webb**

The press and public are welcome to attend this meeting

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# AGENDA

## Wednesday, 19th November, 2008

### ORDER OF BUSINESS

Title	Ward	Page No
1. Apologies for Absence		
2. Members to agree the order of business		
3. Declarations of Interest		
4. Minutes of the meeting held on 16 October 2008		(Pages 1 - 64)
5. 191 Evering Road, London E5	Hackney Downs	(Pages 65 - 78)
6. 151 Church Walk, London N16 9JU		(Pages 79 - 108)
7. 39 Northchurch Road, London N1	De Beauvoir	(Pages 109 - 142)
8. Land to the west of Beechwood Road, South of Dalston Lane, East of Roseberry Place and North of Trinity Primary School, Dalston, London E8 3DE	Dalston	(Pages 143 - 160)
9. Clissold Park and House	Lordship	(Pages 161 - 224)
10. 112 Homerton High Street, London E9 6JF	Chatham	(Pages 225 - 236)
11. Planning Obligations (Section 106) Quarterly Report		(Pages 237 - 244)
12. Any other business which in the opinion of the Chair is urgent		

## Access and Information

### Location

Hackney Town Hall is on Mare Street, bordered by Wilton Way and Reading Lane, almost directly opposite The Ocean.

**Trains** – Hackney Central Station (Silverlink Line) – Turn right on leaving the station, turn right again at the traffic lights into Mare Street, walk 200 metres and look for the Hackney Town Hall, almost next to The Empire immediately after Wilton Way.

**Buses** 30, 48, 55, 106, 236, 254, 277, 394, D6 and W15.

### Facilities

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall.

Induction loop facilities are available in Rooms 102 and the Council Chamber

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

### Copies of the Agenda

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Paper copies are also available from local libraries and from Democratic Services officer whose contact details are shown on page 2 of the agenda.

### Local Democracy Website – [www.hackney.gov.uk](http://www.hackney.gov.uk)

The Local Democracy section of the Hackney Council website contains full details about the democratic process at Hackney, including:

- Councillor contact details
- Information about MPs, MEPs and GLA members
- Agendas, reports and minutes from council meetings
- The council's constitution
- Overview and Scrutiny information
- Details and links to area forums and local consultations
- And more.

# ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to **all** Members of the Council including the Mayor, co-opted Members and independent Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may often need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- The Interim Corporate Director of Legal and Democratic Services;
- another Council lawyer; or
- Democratic 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.

## 1. Do you have a personal interest in any matter on the agenda or which is being considered at the meeting?

You will have a personal interest in a matter if it:

- i. relates to an interest that you have already registered on the Register of Interests;
- ii. relates to an interest that should be registered but you have not yet done so; or
- iii. affects your well-being or financial position or that of members of your family or your close associates, to a greater extent than it would affect the majority of people in the ward affected by the decision.

**Note:** The definition of family is very wide and includes a partner, step-relations and in-laws. A "close associate" is someone whom a reasonable member of the public might think you would be prepared to favour or disadvantage.

## 2. If you have a personal interest you must:

- i. **declare the existence and nature of the interest (in relation to the relevant agenda item) at the beginning of the meeting, before it is discussed or as soon as it becomes apparent to you; but**
- ii. **you can remain in the meeting, speak and vote on the matter unless the personal interest is also prejudicial.**

However, in certain circumstances you may have an exemption which means that you might not have to declare your interest.

**Exemption 1:** You will have an exemption where your interest arises solely from your membership of or position of control/management in:

- a body to which you have been appointed or nominated by the authority; and/or
- a body exercising functions of a public nature (e.g. another local authority).

**Exemption 2:** You will have an exemption if your personal interest is simply having received a gift or hospitality over £25 which you registered more than 3 years ago.

**If you have an exemption:**

- i. **you need only declare your interest if you address the meeting; and**
- ii. **you can vote without declaring the interest providing you do not speak.**

### 3. When will a personal interest also be prejudicial?

Your personal interest will also be prejudicial if a member of the public who knows the relevant facts would reasonably think the personal interest is so significant that it is likely to prejudice your judgement of the public interest; and

- i. either the matter affects your financial position or the financial position of any person or body through whom you have a personal interest; or
- ii. the matter relates to the determining of any approval, consent, licence, permission or registration that affects you or any relevant person or body with which you have a personal interest.

**Exemptions:** You will not have a prejudicial interest if the matter relates to the following:

- i. the Council's housing functions - if you hold a lease or tenancy with the Council, provided that the matter under consideration is not your own lease or tenancy;
- ii. school meals, transport or travel expenses – if you are the parent or guardian of a child of school age, provided that the matter under consideration is not the school the child attends;
- iii. statutory sick pay;
- iv. Members' allowances;
- v. ceremonial honours for Members; or
- vi. setting the Council Tax.

### 4. If you have a prejudicial interest 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. **Leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter. If that is the case, you can also attend to make representations, give evidence or answer questions about the matter.**
- iii. **Once you have finished making representations, answering questions etc., you must leave the room. You cannot stay in the room whilst the matter is being discussed neither can you remain in the public gallery to observe the vote on the matter. In addition, you must not seek to improperly influence a decision about the matter.**

### Further Information

Advice can be obtained from Amanda Kelly, Interim Corporate Director of Legal and Democratic Services, on 020 8356 3345 or email [Amanda.Kelly@hackney.gov.uk](mailto:Amanda.Kelly@hackney.gov.uk)

Guidance is also available from the Standards Board for England's website: [www.standardsboard.gov.uk/TheCodeofConduct/Guidance/](http://www.standardsboard.gov.uk/TheCodeofConduct/Guidance/)

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

THURSDAY, 16TH OCTOBER, 2008

- Councillors Present:** Councillor Vincent Stops in the Chair  
Cllr Barry Buitekant, Cllr Michael Desmond (Vice-Chair), Cllr Katie Hanson and Cllr Jessica Webb
- Apologies:** Cllr Simon Tesler and Cllr Joseph Stauber
- Officers in Attendance** Graham Loveland (Interim Head of Regulatory Services), Ron Madell, Scott Schimanski (Team Leader, Area Team), Gillian Nicks (Deputy Team Leader, Major Applications Team), Femi Nwanze, Fred Raphael, Sue Foster (Assistant Director of Regeneration and Planning), Rosemary Lansdowne (Principal Solicitor), Russell Smith (Planning Officer) and Rokos Frangos (Senior Planning Officer)
- Also in Attendance** Kevin Moore (Hackney Society)

### 1 Apologies for Absence

- 1.1 Apologies for absence were received from Councillor Stauber and Tesler.

### 2 Members to Agree the Order of Business

- 2.1 Item 10 was moved to the end of the agenda.
- 2.2 Item 15 was moved forward and taken after Item 11, as it had the same architect.

### 3 Declarations of Interest

- 3.1 Councillors Stops, Desmond and Hanson declared a personal, non-prejudicial interest in Item 6 – St Mary's Old Church, as they had met Matthew Evans, agent, on previous Members' Site Tours.
- 3.2 Councillor Webb declared a prejudicial interest in Item 10 – Mabley Green, Lee Conservancy Road, as she had attended many meetings where this had been previously discussed and left the Chamber during the discussion of this item.
- 3.3 Councillor Stops declared a personal interest in Item 12 – Rushmore Primary School, as his partner was the Cabinet Lead for Education.

- 3.4 Councillor Stops declared a personal interest in Item 13 – Mossbourne Community Academy, as his partner was the Cabinet Lead for Education.

#### 4 Minutes of the Previous Meeting

- 4.1 **RESOLVED** – that the minutes of the meeting on 3 September 2008 be APPROVED as a true and accurate record, subject to the following amendments:

- Item 8 – paragraph 8.4 - ... After several interruptions, Councillor Tesler asked the Chair if he would like him to leave the meeting. In response the Chair said yes, but nevertheless Councillor Tesler stayed in the meeting.
- Item 9, paragraph 9.2 – the second bullet point should state – ‘The main concerns from Hackney Wick ward Councillors were regarding the lack of permeability in the area.
- Item 11 – Item L (Thirlmere House), paragraph L.7 - ... It was requested that a scoping study be undertaken, as the Sub-Committee was minded that noise insulation should reasonably be provided for the Mildmay Club, if the study indicated that this was required.
- Item 11 – Item L (Thirlmere House), paragraph L.11 - ...The applicant accepted that they would need to find means of access for both the Mildmay Club and Star Images and that this commitment should be reflected as an informative on the Decision Notice. This issue would be delegated to the Planning Officers.

#### 5 Woodberry Down Estate, N4

To demolish all existing buildings on the Woodberry Down Estate, with the exception of St.Olave’s Church, the Beis Chinuch Lebonos Girls School, Reservoir Centre, Primary School and Health Centre. Redevelop the site with 4,684 homes (including 41% affordable), comprising 1-bed, 2-bed, 3-bed, 4-bed flats, and 5-bed and 6-bed houses with associated car parking at an overall site provision rate of 50%; approximately 38,500m<sup>2</sup> of non-residential buildings and associated car parking, including 5,194m<sup>2</sup> of retail buildings within classes A1-A5, 3144m<sup>2</sup> of class B1 Business use, 30,000m<sup>2</sup> of class C1, D1 and D2 use including education, health centre, children’s centre, community centres, youth centre; provision of new civic space, public parks, open space, landscaping of the edges of the New River and the East and West Reservoirs, construction of bridges across the New river; reduce width of Seven Sisters Road from 6 to 4 lanes and related improvements to the public realm; formation of new access points to the new Woodberry Down Neighbourhood , the creation of new and improvement of existing cycle and pedestrian routes to and within the estate (Outline Application matters for determination siting, design and means of access). Revisions include increase in education floor space; repositioning of cycle/pedestrian bridge between west reservoir and Haringey; re configuration of Woodberry Circus; relocation of two bridges over New River; increase in footprints and heights of various buildings; provision of a new Health Centre and increase in residential units from 4644 to 4664.

(Councillor Desmond arrived during the discussion of this item and so did not take part in the vote.)

- 5.1 The Planning Officer introduced the report as set out in the agenda and reported that the number of units had now increased from 4,644 to 4,664.



- 5.2 The Chair informed the Committee that the Hackney Homes had been discussed at a previous meeting and that this application purely dealt with planning issues. He added that anybody wishing to address Hackney Homes issues could contact their ward Councillor.
- 5.3 Councillor Middleton spoke in objection to the scheme, her comments are summarised as follows:
- There was no tower block included on the plan, although it was previously included.
  - No where for residents to go whilst the work was being done.
  - Again, the request for a meeting to be held on-site to discuss this item had been refused.
  - Seven Sisters Road was already congested and a reduction in the number of lanes would only add to this problem. This would also cause a problem for emergency vehicles accessing the site.
  - The narrowing of Seven Sisters Road would also have a knock on effect for traders along Woodberry Grove as car parking spaces would be lost.
- 5.4 Peter Naughton, Chair of Woodberry Down EDC, spoke in support of the scheme with objections, his comments are summarised as follows:
- The scope of the scheme did not reflect the fact that Vivian and Dovedale Houses were not included within the scheme.
  - Precise statement of freeholders' interests had not been produced.
  - The education figures detailed on page 199 of the report did not reflect the fact that there was to be an academy on-site.
  - The parking provision was currently zero, this should be looked as it was not appropriate for the size of the development. There was also not sufficient provision for commercial parking.
  - Would like to see a priority allocation system for parking and would welcome discussions on this matter.
- 5.5 Robin Smith (Hackney Homes) and Alan Hedge (Architect), spoke in support of the scheme, their comments are summarised as follows:
- This was one of the largest regeneration projects in the UK.
  - The wording for parking provision, detailed in condition t, page 161, should be clarified.
  - Condition e, page 166 – aware that the Government was currently reviewing the Code Levels for Sustainable Homes. They feel the wording should be consistent with the Old School site and all subsequent reports should be in line with Government guidelines.
- 5.7 With regard to the issue raised by Peter Naughton regarding Vivian and Dovedale Houses had now been demolished, it was requested that an Informative to added to reflect this. This was **AGREED**.
- 5.8 Discussion took place on the issue of parking, which had not yet been agreed. The Committee wished to know what was proposed for the 2,000 car parking spaces previously agreed. The Chair suggested that the next time the development comes

back to Committee the parking strategy should have been largely resolved. He suggested the strategy should:

- i) include a condition for the implementation of a CPZ given the proximity of the development to Manor House Underground station and likely demand;
- ii) Prioritise CPZ permits for existing residents and future families;
- iii) Be aspiring of this development being an eco-town. The level of parking of the Kickstart site should be the maximum – sites closer to the station should have lower levels of parking, some should be car free;
- iv) The underground versus street parking level split and indicative figures given.
- v) A strategy for managing the large underground parking areas should be developed. The Committee had previously indicated its hope that this would include concierge management.

5.9 The Architect informed the Committee that the Council had previously agreed to 50%, with one car parking space being provided for every two flats. It was proposed that approximately 1,350 spaces would be allocated to private/intermediate properties located underground and approximately 800 spaces allocated for social housing, located on the street. The parking was proposed to be allocated on a first come, first served basis, with priority to existing residents.

5.10 The Chair wished to clarify how the car parking would be managed and the Architect explained that this would form part of a future detailed application to Committee. The reference to electric vehicles was also to be removed from the condition.

5.11 Detailed discussion took place on the Code Level for Sustainable Housing as Robin Smith felt that they should go along with Government legislation and take out the aspiration of Code Level 6 and replace with Code Level 4, as it may already need to be altered if the Government decides that Code Level 6 is unobtainable. He added that there was also a cost implication of achieving Code 6, which equated to approximately £34,000 per unit.

5.12 The Interim Head of Regulatory Services stated that the Code Level for Sustainable Housing was currently 3 and suggested that the condition could be altered to state that the approved housing be constructed to a minimum Code Level 3, with an aspiration for Code Level 4.

5.13 The Principal Solicitor also suggested that the aspiration for Code Level 6 be kept in the condition, as part of the twenty year plan, as there was the opportunity for this to be relaxed throughout the life of the scheme, however the Committee could not recommend to enforce up to Code Level 6 in the future. The Assistant Director of Regeneration and Planning added that contractors were currently calculating measures to achieve Code Level 6 on current technology and this could be reduced throughout the life of the scheme.

5.14 The Chair felt that the aspiration for Code Level 6 should remain in condition e, page 166 of the report. This was **AGREED**.

**(Councillor Desmond did not take part in the vote, as he arrived during the discussion of the item.)**

**RESOLVED that:-**

**(A) The Council, taking account of the environmental information required under Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, resolves to GRANT APPROVAL; subject to any direction by the Mayor of London and the Government Office for London, and the following conditions:**

**(i) SCB3 Time limit:**

The development to which the permission relates must be begun not later than whichever is the later of the following dates:-

- a) The expiry of three years from the date of permission, or
- b) The expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: As required by Section 92(2) of the Town and Country Planning Act 1990.

**(ii) Phasing:**

The development shall be implemented in accordance with the phasing plan provided in drawing 05111/022/C, titled, "Construction Phases", unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority can be satisfied that the phasing of the development will be satisfactory.

**(iii) Construction:**

The applicant shall submit and resubmit until such time as approved in writing by the Local Planning Authority and so implemented, the following:

- a) Completion of a Construction Environmental Management Programme prior to the commencement of the development
- b) Construction Method Statement prior to commencement of each Phase or Quarter of development
- c) Considerate Contractors Agreement to be agreed by each developer for the relevant Phase or Quarter prior to commencement of each relevant Phase or Quarter.
- d) Provision of parking/loading/visitors for construction of each phases
- e) Provisions shall be made within the site to ensure that all vehicles associated with the demolition and construction of the development hereby approved are properly cleaned. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details approved by the Local Planning Authority prior to the commencement of works on site.

REASON: To ensure that the development causes the minimum disruption, environmental effect and harm to local amenity, including the passage of mud and dirt onto the adjoining highway in the interest of highway safety.

**(iv) ES Conditions:**

- a) The development hereby permitted shall strictly comply with the approved Masterplan drawings unless otherwise approved in writing by the Local Planning Authority.

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REASON: To ensure that the development is completed in accordance with the Environmental Assessment in compliance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

- b) The development hereby permitted shall be carried out in substantial accordance with the illustrative drawings listed in the Schedule at the head of this decision notice unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the development is completed in accordance with the Environmental Assessment in compliance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

- c) The land uses shall only be located substantially in accordance with the masterplan, titled, "Woodberry Down Outline Planning Application Masterplan" unless otherwise approved in writing from the Local Planning Authority.

REASON: To ensure that the development is completed in accordance with the Environmental Assessment in compliance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

- d) The siting of buildings shall be substantially in accordance with the masterplan, titled, "Woodberry Down Outline Planning Application Masterplan" unless otherwise approved in writing from the Local Planning Authority.

REASON: To ensure that the development is completed in accordance with the Environmental Assessment in compliance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

- e) The height and massing of buildings shall be no greater than indicated in the masterplan, titled, "Woodberry Down Outline Planning Application Masterplan" unless otherwise approved in writing from the Local Planning Authority.

REASON: To ensure that the development is completed in accordance with the Environmental Assessment in compliance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

(v) **Reserved Matters:**

This is an outline planning permission and the following matters are reserved for further approval: Design; External Appearance; and Landscaping. Detailed drawings of the proposed development showing the reserved and other matters, as set out below, must be submitted and resubmitted until such time as approved in writing by the Local Planning Authority and so implemented, before any work is commenced. The application for approval of the reserved matters must be made not later than the expiry of three years, beginning with the date of this permission. The development shall not be carried out otherwise than in accordance with the reserved matters thus approved:

- a) The layout of the site to a scale of not less than 1:500 and incorporating:
  - i) The siting of all buildings and ancillary structures of each Quarter
  - ii) The means of access to and from the site for each Quarter

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- b) Full plans and elevations of all buildings and other structures showing the design and external appearance of the buildings and structures, and including details of all materials to be used for external surfaces for relevant Phase or Quarter.
- c) The internal layout of the accommodation on each floor, including the size and purpose of the rooms and the position of the fittings and facilities within each unit for the relevant Phase or Quarter.
- d) Details of residential uses of each Phase or Quarter, including size, number, tenure and habitable rooms.
- e) Residential amenity space details for each Phase or Quarter prior to commencement of works to that Phase or Quarter.
- f) The extent and position within the building(s) of the floorspace to be devoted to each use hereby permitted for the relevant Phase or Quarter.
- g) Details of public open space for each Phase or Quarter, detailing: location; boundaries; rights of ownership and maintenance details.
- h) The means of enclosure on all site boundaries, indicating clearly which are existing and which are proposed, and including full details of height, materials and construction for the relevant Phase or Quarter.
- i) The facilities to be provided for the storage and removal of waste materials for the relevant Phase or Quarter.
- j) The provisions to be made within the development to ensure that people with disabilities are able to gain full access to – and make adequate use of – the accommodation to be provided.

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

(vi) **Uses:**

- a) The development shall provide at least 1936 affordable housing units (41% of the accommodation), with the social housing in each Phase or Quarter to be capable of accommodating all existing residents of social housing accommodation wishing to relocate in that Phase or Quarter in accordance with the overall tenure and accommodation mix.

REASON: To ensure that the development accords throughout all its implementation Phases or Quarter with the Council's and London Plan affordable housing and housing mix planning policy objectives.

- b) All social rented units shall be designed to meet 'Parker Morris + 10%' accommodation standards as a minimum total floorspace in the relevant dwellings of the development.

REASON: To ensure that the development accommodates all residents seeking to return after completion, and to further the Council's and London Plan affordable housing and housing mix policy objectives.

- c) The affordable housing in the development shall consist of below market cost housing available to tenants wishing to return after vacating their property as a direct consequence of this development, and other people nominated by the Council and other Local Authorities through its Housing Allocation Scheme and the East London Sub-Region Nominations Protocol whose incomes are insufficient to enable them to afford to meet their housing needs locally within

the Borough of Hackney on the open market, and where the rent or price for such housing is reduced directly or indirectly by means of subsidy from the public private or voluntary sector and being either Social Rented Units or Intermediate Housing Units.

REASON: To ensure that implementation of the development accords with the Council's and London Plan affordable housing and housing mix policy objectives.

- d) Each transfer to a new landlord of an Affordable Dwelling shall:
- i) be with full title guarantee of a leasehold estate for a maximum of 125 years;
  - ii) provide, without additional cost to the Approved Registered Social Landlord, vehicular access and foul and surface water sewers and water, gas, electricity and telecommunications service systems for the dwelling linking in each case to the estate roads and service systems to be constructed and laid as part of the remainder of the Development and connected ultimately to highways and sewers maintainable at the public expense;
  - iii) contain a covenant by the Approved Registered Social Landlord not to amalgamate or sub-divide the Affordable Dwelling so that the Affordable Housing Mix will be maintained by the Approved Registered Social Landlord;
  - iv) be constructed to the prevailing design and performance requirements and standards set by the Housing Corporation;
  - v) in respect of a Social Rented Unit contain a covenant that the Unit is only used and to be used, occupied and retained in perpetuity and for no purpose other than for the provision of Social Rented Housing for occupation by tenants at rental levels being in accordance with the prevailing Housing Corporation rental structure;
  - vi) in respect of an Intermediate Housing Unit contain a covenant that the Unit is only used and to be used, occupied and retained in perpetuity and for no purpose other than for the provision of Intermediate Housing for occupation by purchasers in accordance with the Intermediate Housing Scheme.

REASON: To ensure that implementation of the development accords with the Council's and London Plan affordable housing and housing mix policy objectives.

- e) Intermediate Housing, being affordable housing available on a shared ownership basis (in accordance with the (London??) Intermediate Housing Scheme) shall be occupied by persons who at the commencement of their occupancy are in need of intermediate housing in terms set out in Paragraph 3.37 of the London Plan 2008 and the Mayor of London's Strategic Housing Strategy published September 2007 as revised from time to time.

REASON: To ensure that implementation of the development accords with the Council's and London Plan affordable housing and housing mix policy objectives.

- f) Not to Occupy, suffer or permit Occupation and/or use suffer or permit the use of any of the Open Market Dwellings unless or until:
- (i). the Affordable Dwellings have been transferred or agreed to be transferred to an Approved Social Registered Landlord in accordance with the Affordable Housing Terms;
  - (ii). the works of construction, conversion and fitting out of the Affordable Dwellings have been fully completed; and
  - (iii) the Planning Obligations Monitoring Officer has confirmed in writing to the Owner that the Affordable Dwellings have been constructed and are ready for Occupation in accordance with the covenants contained in this Agreement PROVIDED THAT this sub-clause shall be deemed to have been complied with if no written communication has been received from the Planning Obligations Monitoring Officer within 28 working days of the date on which the Affordable Dwellings were inspected;

REASON: To ensure that implementation of the development accords with the Council's and London Plan affordable housing and housing mix policy objectives.

- a) The development shall ensure that there are suitable arrangements to ensure implementation and management thereafter of all the new health and community facilities, primary and secondary education so as to serve the identified needs of additional residents in the completed development, in accordance with details to be approved and put into effect prior to occupation of any of the development.

REASON: To ensure that provision is made for health and educational needs arising from the development, in accordance with Policy CS2 of the Hackney UDP.

- b) Details of a suitable (site-specific or area-based) construction training and local labour recruitment programmes aimed at enhancing access to employment and acquisition of construction and allied skills shall be approved in writing and implemented or utilised as an integral part of the demolition and construction programme for the development.

REASON: To ensure that provision is made for educational needs arising from the development, in accordance with Policy CS2 of the Hackney UDP.

- c) All new health, educational and other community facilities located in buildings which also contain new dwellings shall be constructed and fitted out and details of a suitable management body approved prior to occupation of any of the dwellings within that part of the development.

REASON: To ensure that provision is made for community groups and activities to serve residents within the development, in accordance with Policy CS2 of the Hackney UDP.

**(xix) Open Space and Play Spaces**

- a) Details of management arrangements to secure the maintenance of internal roads, play and public open spaces and landscape shall be approved prior to commencement of any new development.

REASON: To ensure that open areas of the site do not deteriorate visually, in the interests of visual amenity across this substantial area.

- a) The playspaces shown in the Play Strategy shall be laid out ready for use prior to occupation of any dwellings in the adjoining blocks served by the play space.

REASON: To ensure that these play spaces are available to serve the development, in accordance with the play provision policies in the Hackney UDP and London Plan.

- e) Before development commences, details of all publicly accessible open space shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority. Development shall be in accordance with the approved details.

REASON: In order that the Local Planning Authority may be satisfied as to the details of the proposals in relation to policy OS2 of the Adopted UDP.

- f) A level access shall be provided to all ground floor units hereby approved before the use is first commenced.

REASON: In order to ensure that people with disabilities are able to gain proper access to the development.

- g) Prior to the commencement of each Phase or Quarter, a statement of viability shall be submitted in support of the housing mix proposed, and bringing forward running totals and estimates of achievement of the quantum and tenure of housing in the Woodberry Down.

- h) In the event of no transfer to a registered social landlord proposals for setting up a local management board or acceptable organisation shall be submitted and resubmitted until approved in writing by the Local Planning Authority for approval prior to first occupation of any of the proposed affordable housing.

REASON: To ensure that the delivery and retention of affordable housing is facilitated, in accordance with UDP and London Plan policies.

**(vii) External Appearance:**

- a) Full details, including samples, of the materials to be used on the external surfaces of the building, including glazing, for each relevant Phase or Quarter shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority before any work commences on site and so implemented. The development shall not be carried out otherwise than in accordance with the details thus approved.



REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

- b) A landscaping scheme illustrated on detailed drawings for each Phase or Quarter shall be submitted to and approved by the Local Planning Authority, in writing and so implemented, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed. All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years. Such maintenance is to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

- c) Full details of all ground surface treatment to the site shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority and so implemented, before any work on the site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the visual amenity of the area.

(viii) **Highways/TfL:**

This is an outline planning permission and the following matters are reserved for further approval: Design; External Appearance; and Landscaping. Detailed drawings of the proposed development showing the reserved and other matters, as set out below, must be submitted and resubmitted until such time as approved in writing by the Local Planning Authority and so implemented, before any work is commenced within the relevant Phase or Quarter. The application for approval of the reserved matters must be made not later than the expiry of three years, beginning with the date of this permission. The development for each relevant Phase or Quarter shall not be carried out otherwise than in accordance with the reserved matters thus approved:

- a) The layout of the site to a scale of not less than 1:500 and incorporating:
1. Car parking details at a maximum provision of 50% per unit and further limited parking at locations where development is well serviced by public transport;  
Details of car parking provisions and facilities for Use Classes A1-3 and D uses for each relevant Phase or Quarters;
  2. Details of proposed Controlled Parking Zones to the relevant Phase or Quarters;
  3. Details of cycle parking provisions including numbers, covered and secure provisions for each Phase or Quarter;
  4. Details of a quiet route through the site for cyclists;
  5. Details of all bus stands/stops to be approved by TfL and LPA;

6. Details of alterations to Seven Sisters Road, including the proposed Circus
  7. Details of any proposed works to Finsbury Park entrance
  8. Details of all emergency access arrangements suitable for police, fire and ambulance service use.
- b) Details of car and cycle clubs for each relevant Phase or Quarters;
- b. All public rights of way to be preserved to allow a maximum accessibility and include a provision of a minimum of 2m wide footpaths with safe even surfaces and road crossings suitable for wheelchair users;
  - c. Full details of land ownership and adoption for each Phase or Quarter
  - d. Details of highway improvements around Manor House station prior to commencement of works to the station

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

- c) Before the use hereby permitted first commences, at least 10% of the units (provision for 2 or more bed units) car parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities at locations close to the entrances to the building(s).

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for use by people with disabilities.

- d) Safety Audit Stages 1 and 2 – Safety in Design
- e) Secure by Design – The layout shall be tested for safety along with building security.
- f) Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: To provide a suitable standard of visibility to and from the highway and to ensure that the use of the access does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

- g) Details of other new roads prior to commencement of each Phase or Quarter of development
- h) The layout of the site to a scale of not less than 1:500; incorporating full details of Junctions 1 to 18.

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

- j) The layout of the site to a scale of not less than 1:500; incorporating full details of modified roads for each Phase or Quarter.

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

- k) No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/ loading and unloading purposes.

- l) Vehicular access to the site shall be only via the permitted access.

REASON: In order to confine access to the permitted point(s) to ensure that the development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

- m) Prior to first occupation of respective Phases or Quarters of the proposed new residential development, a Travel Plan (including information on sustainable transport) shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority. The Travel Plan shall then be implemented prior to occupation of the relevant housing areas, and shall be so maintained for the duration of the use, unless prior written approval of the Local Planning Authority is obtained in writing.

REASON: To ensure that the travel arrangements to the school are appropriate and to limit the effects of the increase in travel movements.

- n) Prior to first occupation of the proposed retail/ commercial, schools, business/training centre health and community centres and all other non-residential uses, Travel Plans for the respective uses and/or Phases or Quarters shall have been submitted to and approved by the Local Planning Authority. The Travel Plan shall then be implemented prior to the use commencing and shall be so maintained for the duration of the use, unless prior written approval of the Local Planning Authority is obtained in writing.

REASON: To ensure that the travel arrangements to all of the non-residential uses and facilities are appropriate and to limit the effects of the increase in travel movements.

- o) Details of continuing implementation and monitoring of the Travel Plans as required in Conditions (m) and (n) shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority to enable monitoring for a period of 2 years from first occupation of these uses.

REASON: To ensure that the travel arrangements are appropriate, and to limit the effects of the increase in travel movements.

- p) No commencement of construction on Junctions 1 – 18 shall take place until the Local Highway authority has signified full approval of the works proposed through a suitable formal Agreement.
- q) Within two months of completion of each Phase or Quarter of the proposed development, as identified on the application drawings, all redundant accesses located within the area of development of that Phase or Quarter and not incorporated in the development shall be permanently closed with the kerbs, footway and verge reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To limit the number of access points along the site boundary for the safety and convenience of highway users in accordance with Policy TR19 of the UDP.

- r) No construction shall commence until such time as the Applicant has entered into a legal Agreement with the Council pursuant to S278 Highways Act 1980 substantially in the format appended at Second Schedule to cover all works to the public highway, including such matters as highway layout and junction alterations, new parking bays and pavement works.

REASON: To ensure that details of construction and implementation are acceptable in highway terms.

- s) No construction shall commence until such time as the Applicant has entered into a legal Agreement with the Council pursuant to S38 Highways Act 1980 substantially in the format appended at the Fourth Schedule to cover the adoption of all new sections of the public highway, including such matters as highway layout and junctions, new parking bays and pavements/ cycle routes.

REASON: To ensure that details of construction and implementation are acceptable in highway terms.

- t) Prior to occupying any residential dwelling forming part of the Development each new resident of the Development shall be informed by the relevant Owner of the Council's policy that they shall not be entitled (unless they are the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a Residents Parking Bay and will not be able to buy a contract to park within any car park owned, controlled or licensed by the Council.
- u) This permission shall not include details of the siting of the two foot/cycle bridges shown across the New River (northern section) or their linkages on to Eade Road, Haringey and areas beyond, which shall be the subject of separate applications to Hackney and Haringey Councils as the Local Planning Authorities for each side of this part of New River.

**REASON (NSC)** To enable the detailed routing, design and related amenity issues arising on both sides of New River to be considered when detailed proposals for the bridges are ready to be brought forward at the appropriate Phase of the Woodberry Down redevelopment.

(ix) **Environment Agency:**

- a) A buffer zone a minimum of 5 metres wide, measured from the bank top, alongside the New River for the full extent of the site shall be established in accordance with details which shall be submitted to and resubmitted as necessary until approved in writing by the Local Planning Authority before the development commences, and so implemented. Bank top is defined as the point at which the bank meets the level of the surrounding land. The width of this buffer zone may have to be increased beyond 5 metres if any buildings bordering the buffer zone are greater than two storeys in height. The buffer zone should be planted and free from all hardstanding, fences or formal/ornamental gardens.

**REASON:** To maintain the character of the watercourses and provide undisturbed refuges for wildlife using the river corridor.

- b) All planting within the 5m buffer zone to the New River shall be only of locally native plant species, of UK genetic origin.

**REASON:** Use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the regions natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that native plants provide - introduced plants usually offer little to our native wildlife. Local plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

- c) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including the buffer zone, other than small, privately owned, domestic gardens shall be submitted and resubmitted until approved in writing by the Local Planning Authority before the development commences, and so implemented. The landscape management plan shall be carried out as approved.

**REASON:** To protect/conserve/enhance the natural features and character of the area.

- d) All water crossings shall be by clear spanning structures (from banktop to banktop) that will not impede the river corridor and allow the migration of both channel and bank species. Bridges should be designed to have a minimum impact upon the watercourse, with the abutments set back from the watercourse on both banks to provide a strip of natural bank top beneath the bridge. They should, preferably, be as high and as small as practical. Footbridges should be constructed with open board treads to allow light through to the bank and channel below.

REASON: Clear-spanning bridges will maintain a continuous buffer zone and provide a corridor for the passage of wildlife and reduce the risk of pollution from run-off.

- e) There shall be no hard engineered bank protection works or re-profiling of the bank beneath or around any bridge over the New River.

REASON: This condition is necessary to maintain the continuity of the wildlife corridor along the New River.

REASON: To ensure this continuity is retained, it is important that the area beneath the bridge is not lost to concrete or other such hard material used for bank protection.

- f) Any artificial lighting within the development shall be of a focused and directional nature to ensure that there is no light spill into the buffer zone.

REASON: Artificial light can harm the ecology of an area through disruption of the natural diurnal rhythms of wildlife. The river channel with its wider corridor should be considered Intrinsically Dark Areas and treated as recommended under the Institute of Lighting Engineers "Guidance Notes for the Reduction of Light Pollution".

- g) There shall be no storage of materials within the 5 metre buffer zone to the New River. This must be suitably marked and protected during development and there shall be no access within this area during development. There shall be no fires, dumping or tracking of machinery within this area.

REASON: To prevent solid materials from entering the watercourses and causing pollution. To reduce the impact of the proposed development on the existing buffer zone and the movement of wildlife along the river corridor.

- h) No development approved by this permission shall be commenced until details of the use, handling or storage of any hazardous substance included in the Schedule to the Planning (Hazardous Substances) Regulations 1992 has been submitted and resubmitted until approved by the Local Planning Authority, and so implemented.

REASON: To prevent pollution of the water environment, by the use, handling or storage of hazardous substances in lesser quantities than prescribed in the regulations.

- i) The construction of the planned drainage system shall be carried out in accordance with details submitted and resubmitted until approved in writing by the Planning Authority before the development commences, and so implemented.

REASON: To prevent pollution of the water environment.

- j) No development approved by this permission shall be commenced until the Local Planning Authority is satisfied that adequate sewerage infrastructure will be in place to receive foul water discharges from the site. No buildings (or uses)

hereby permitted shall be occupied (or commenced) until such infrastructure is in place.

REASON: To prevent pollution of the water environment.

- k) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

REASON: to prevent pollution of controlled waters.

- l) Surface water source control measures shall be carried out in accordance with details which shall be submitted and resubmitted until approved in writing by the Local Planning Authority before development commences, and so implemented. In order to discharge this condition, we require that the following information be provided:

1. A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
2. Confirmation of the critical storm duration.
3. Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
4. Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.
5. Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
6. Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

REASON: To prevent the increased risk of flooding and to improve water quality. The above information should reflect the drainage strategy submitted as part of the outline planning application.

(x) **Environmental Health:**

- b) Details of Street Cleansing arrangements for each Quarter to be submitted and resubmitted until such time as approved in writing by the Local Planning Authority prior to commencement of construction, and

REASON: To ensure the implementation of the Council's street cleansing policies.

- c) Details of a Waste Management and Recycling Plan to be submitted and resubmitted until such time as approved in writing by the Local Planning Authority prior to the occupation of each Quarter or Phase.

REASON: To ensure the implementation of the Council's waste management and recycling policies.

(xi) **Renewable Energy & Other Sustainability Issues:**

- a) Before development commences for each Quarter, details for compliance with the Woodberry Down Energy Strategy with an Energy Demand Assessment and detailing renewable energy technologies and energy efficiency measures in the development shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority, and so implemented. The submitted details shall include an assessment of how the inclusion of renewable energy technologies will contribute towards the reduction of carbon emissions from the development. The development shall be carried out in accordance with the approved details.

REASON: To ensure the proposed development contributes towards the objectives of the Mayor's Energy Strategy in accordance with Policies 4A.7 and 4A.9 of the London Plan.

- b) Prior to commencement of development full details of the locations of the proposed biomass facilities, including all associated storage, and a strategy for managing deliveries to these facilities are to be submitted and resubmitted until such time as approved in writing by the Local Planning Authority and the development shall be constructed and operate thereafter fully in accordance with the approved details.

REASON: In the interests of maintaining free-flow of traffic and preventing adverse impact on highway safety in accordance with the principles set out in the Hackney UDP.

- c) Prior to commencement of development full details of the locations of the proposed wind turbine facilities are to be submitted and resubmitted until such time as approved in writing by the Local Planning Authority and the development shall be constructed and operate thereafter fully in accordance with the approved details.

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

- d) Before development commences for each Quarter, full details and locations of the proposed Energy Centre locations for each Quarter or Phase detailing renewable energy technologies and energy efficiency measures in the development shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority. The submitted details shall include an assessment of how the inclusion of renewable energy technologies will contribute towards the reduction of carbon emissions from the development. The development shall be carried out in accordance with the approved details.

REASON: To ensure the proposed development contributes towards the objectives of the Mayor's Energy Strategy in accordance with the London Plan.



- e) The approved housing shall be constructed to a minimum Code for Sustainable Homes Level 4 standard in the case of Phase 1, to reach Level 6 by later Phases or Quarters of the development at a rate to be agreed through submission of Reserved Matters for each subsequent Phase or Quarter. Details of the independent code assessor's report shall be submitted prior to any work occurring on the relevant part of the development. Details of the final Code Assessment for dwellings or groups of dwellings shall be submitted and approved in writing as soon as they have been carried out, prior to first occupation of those dwellings.

REASON: To ensure that the development makes a contribution to the energy and resource efficiency priorities and other sustainability objectives which are embodied in the government's Code for Sustainable Homes accreditation scheme.

- f) Full details of a biodiverse, substrate-based (75mm minimum depth) extensive 'brown/green' roof shall be submitted and approved in writing by the Local Planning Authority before any building works commence. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To enhance the character and ecology of the development and the river corridor, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building.

- h) Before development commences in each Phase or Quarter, details of how the following measures are being utilised shall be submitted to and approved in writing by the Local Planning Authority:

- Water recycling measures
- Sustainable Urban Drainage Systems
- Recharging points for electric vehicles

REASON: To minimise cumulative flood risk promote, sustainable urban drainage and to maximise opportunities for new forms of more sustainable transport.

(xii) **Contamination:**

Prior to the commencement of works, a detailed site investigation for each Phase or Quarter shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. A soil contamination report shall be submitted to – and appropriate remedial measures agreed with – the Local Planning Authority, in writing, and implemented prior to the commencement of any work on site.

REASON: To establish whether there are any land decontamination measures required to prepare the site for development.

(xiii) **Archaeology:**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of

investigation for each Phase or Quarter, which has been submitted and resubmitted until such time as approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: To safeguard the archaeological interest of the site, which is within an Area of Archaeological Priority.

(xiv) **Trees & Landscape, Play Areas:**

- a) Before development commences in each Phase or Quarter, a detailed Tree Survey/Retention Plan (plan and schedule) indicating precise location, species, height and condition of each tree accurately plotted and showing which trees are to be retained and which are proposed for felling shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority before any work commences on site.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

- b) No demolition, site clearance or building operations shall commence until chestnut paling fencing of a height not less than 1.2 metres shall have been erected around each tree or tree group to be retained on the site, at a radius from the trunk of not less than 4.5 metres. Such fencing is to be maintained during the course of development to the satisfaction of the Local Planning Authority.

REASON: In order to protect the existing trees during building operation and site works.

- d) A detailed landscape and open space Strategy for the whole Woodberry Down site shall be submitted and resubmitted until approved in writing by the Local Planning Authority, and so implemented throughout each Phase or Quarter.

REASON: To accord with UDP and London Plan policies for maintenance and enhancement of the open environment and landscape.

- d) A detailed Play Strategy shall be submitted and resubmitted until approved in writing by the Local Planning Authority for each Phase or Quarter of the development, to be consistent with the aims and content of the Masterplan.

REASON: To accord with UDP and London Plan policies for creation and maintenance of safe and convenient play facilities both near to housing and on a larger scale to serve the development and area.

- e) The site-wide sustainable drainage system shall be provided in accordance with the submitted flood risk assessment document under the master plan application dated March 2008.

REASON: To accord with London Plan and UDP flooding and water conservation policies.

(xv) **Lighting:**

- a) Prior to the commencement of the development, details of a lighting strategy for the development site shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority, setting out the general distribution and design guidelines for all installations in the development and its public realm areas in accordance with the Council's adopted Public Realm Design Guide, and so implemented.

REASON: To ensure that the principles of location and design of external lighting are acceptable in terms of adopted design principles, including the Woodberry Down Design Code, and enhance public safety and crime prevention.

- b) Prior to the development commencing in the relevant Phase or Quarter, details of lighting of all public areas shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority. The approved lighting shall be installed before any use in the relevant Phase or Quarter commences and maintained thereafter.

Prior to the commencement in the relevant Phase or Quarter, full details of the lighting of all buildings shall be submitted. The approved lighting shall be installed before the relevant use and maintained thereafter.

REASON: To ensure that the detailed location and design of external lighting are acceptable in terms of adopted design principles, including the Woodberry Down Design Code, and enhance public safety and crime prevention.

(xvi) **Noise/Extraction**

1. Before development commences in each Phase or Quarter, a scheme for sound insulation and noise control measures should be submitted and resubmitted until such time as approved in writing by the Local Planning Authority, and permanently retained thereafter to achieve the following internal noise targets:

Bedrooms (23.00-07.00 hrs) 35 dB  $L_{Aeq}$ , and 45 dB  $L_{max}$  (fast)  
Living Rooms (07.00-23.00 hrs) 40 dB  $L_{Aeq}$

2. The rating level of the noise emitted from fixed plant on the site shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.
3. No development shall commence on site until detailed plans and a specification of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s), and anti-vibration mountings where necessary) have been submitted and resubmitted until such time as approved in writing by the Local Planning Authority. After the system has been approved in writing by the authority, it shall be installed in accordance with the approved plans and specification before the development hereby approved first commences, and shall thereafter be permanently maintained in accordance with the approved specification.

4. With reference to 2 above, details of CHP plants and in particular the acoustic data to be forwarded to this department for approval prior to planning approval.
5. No development shall commence on site (including site clearance) until such time as an Environmental Management Plan has been submitted and resubmitted until such time as approved in writing by the Local Planning Authority, which shall be required to cover the following items:
  - a) Dust mitigation measures
  - b) The location of plant and wheel washing facilities and operation of such facilities
  - c) Details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means
  - d) Construction traffic details (volume of vehicle movement likely to be generated during the construction phase including routes and times)
  - e) Security Management (to minimise risks to unauthorised personnel)
  - f) Training of Site Operatives to follow the Environmental Management Plan requirements
6. Full written details, including relevant drawings and specifications, of the proposed works of sound insulation against airborne noise to meet  $D'_{nT,w} + C_{tr}$  dB of not less than 55 between the ground floor and first floor, where residential parties non domestic use, shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the sound insulation works have been implemented in accordance with the approved details. The sound insulation shall be retained permanently with the approved details.

(xvii) **Nature Conservation**

- a) A nature conservation strategy shall be submitted both for the overall Woodberry Down development and for each Phase or Quarter, consistent with the Masterplan proposals to show how baseline conditions for species and habitats are maintained and where possible enhanced. Further details and consideration of the following shall be incorporated:
  - Impacts of disturbance on gadwall and other water birds which commute between the site and the Lea Valley Special Protection Area.
  - Assessment of impacts (positive and negative) on ecology and access to nature along the New River in respect to detailed access and landscaping.
  - More detailed consideration and, if necessary, mitigation of impacts on the common toad, now a UK Biodiversity Action Plan priority species.
  - Conditions to minimise impacts of lighting on bats and waterfowl.
  - Opportunities for further mitigation and enhancement of the river and reservoirs

(xviii) **Technical Reports**

- a) Prior to the occupation of each Phase or Quarter of development, a TV reception survey shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority (carried out pre and post development) to ensure that no loss of reception occurs, with mitigation details of any loss of TV reception.

REASON: To minimise any loss of amenity for existing occupiers.

(xix) **Permitted Development Rights – Dwelling-Houses and other Buildings**

- a) No buildings, extensions or alterations permitted under Classes A,B,C,D and E shall be carried out without prior written approval from the Local Planning Authority.

REASON: To enable the Local Planning Authority to consider the acceptability of extensions or alterations in relation to their impact on garden size, neighbours and external appearance of the building(s).

- b) No plumbing or pipes, other than rainwater pipes shall be fixed to the external faces of the buildings

REASON: To ensure that the elevations as approved at detailed stage are not cluttered with pipework which may detract from their external appearance.

**Highways: Parking Strategy**

The details of car parking submitted with this application shall be regarded as illustrative and a vehicle parking Strategy shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority and so implemented, before any of the reserved matters for any part of the development are considered. The Strategy shall set out:

- (i) the principles of quantity and location of on-street vehicle parking for each Phase or Quarter of the development reflecting priority for occupiers of family-sized dwellings (3 bed plus) and the restraint objectives of current London Plan policy in the light of levels of public transport accessibility (PTALs) across the site;
- (ii) the location of on-street parking spaces and their intended relationship with Highway adoption proposals and proposals to cater for Woodberry Down Estate residents whose dwellings are to be demolished as part of the development.
- (iii) Proposals for on-site management of the underground and undercroft parking areas.
- (iv) Proposals for the servicing of shops and other non-residential uses.

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

(xx) **Section 106 Agreement**

- (a) No part of the development or any related operations shall commence until such time as a legal Agreement with the Council pursuant to Section 106 of the Town & Country Planning Act 1990 substantially in the format appended at the Third Schedule has been entered into to secure contributions to achieve the following infrastructure and mitigation measures necessary to acceptable development of the site:

### **Transport**

- i) Highway works to upgrade Seven Sisters Road and create a landscaped boulevard linking the two parts of Woodberry Down (£4.7m) and internal road layout works
- ii) Transport impact mitigation, including improvements to bus capacity (£270,000) and new pedestrian and cycle routes
- iii) Requirement to carry out and monitor the Travel Plans for the site (£25,000)
- iv) Study to extend or create a new Controlled Parking Zone (CPZ)(£20,000) – in the event of introduction of a CPZ, new residents within subsequent Phases or Quarters of the development that, at the time the CPZ comes into being, have reserved matters relating to that Phase yet to be approved, shall not to be eligible for on-street parking permits
- v) Introduction and running of Car Club to cover the site (£100,000)

### **Community**

- vi) Contribution to Library facilities (£263,000)
- vii) Provision of Public Art (£100,000)
- viii) Provision of Youth Centres and facilities (£400,000)
- ix) Provision of Three satellite community facilities (£1m)
- x) Laying out and maintenance of strategic and communal open spaces (Costs to be confirmed)

### **Community Safety**

- xi) Provision of Site-wide CCTV system (£150,000)

### **Education**

- xii) Contributions to layout and boundary relationship with City Academy (£700,000)
- xiii) Woodberry Down Primary School improvements (£6.5m)
- xiv) New Children's Centre (£700,000)
- xv) New Adult Learning Centre (£2m)

### **Energy & Sustainability**

- xvi) Provision of Community Heat & Power & other technologies to advance site-wide use of renewable energy (estimated. C. £10m)
- xvii) Achievement of highest possible Assessment levels across the site under Code for Sustainable Homes

**REASON: (NSC)** To ensure that this major urban redevelopment is founded on the physical and other infrastructure necessary to achieve an environmentally and socially sustainable community.

### **INFORMATIVES**

(Sl.1) Building Control

(Sl.2) Work Affecting Public Highway

(Sl.3) Sanitary, Ventilation and Drainage Arrangements

(Sl.7) Hours of Building Works

(Sl.24) Naming and Numbering

(as Environment Agency letter of 2.10.08) Conservation

(as Environment Agency letter of 2.10.08) Soil Remediation

(as Environment Agency letter of 2.10.08) Discharge

(as Environment Agency letter of 2.10.08) Potential Contamination

(as Environment Agency letter of 2.10.08) Abstraction Licence

(EA) Geothermal systems

It is recommended that the principal contractor applies for Section 61 consent under Control of Pollution Act 1974 for prior consent for demolition/construction phases.

**(NSI):** The London Plan (policies 3A.1: 3A.2: 3A.5: 3A.10: 3A.13: 3A.18: 3A.20: 3A.21: 3B.1: 3B.11: 3C.1: 3C.2: 3C.3: 3C.20: 3C.21: 3C.23: 3D.10: 3D.14: 4A.3: 4A.4: 4A.7: 4A.19: 4A.20: 4B.1: 4B.2: 4B.3: 4B.4: 4B.5: 4B.8: 4B.9: 4B.11 & 5C.1) and also the following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1, EQ16, EQ18, EQ46, EQ48, HO3, E14, E18, R4, R8, TR19, ACE6 and ACE8. The detailed application of these policies is also summarised at paragraph 9.2 of this report.

In deciding to grant planning permission the Council has also had regard to the relevant Policies of the Woodberry Down Area Action Plan – Supplementary Planning Guidance, August 2004, as well as relevant national and regional guidance.

This permission does not extend to Vivian House or Dovedale House, which are outside of the development area of the application.

## **6 St Mary's Old Church, Stoke Newington Church Street, N16 9ES**

**2008/1099** – (Full Planning Application) Erection of a part single-storey and part three-storey rear extension and change of use to provide a new community arts centre with kitchen/servery facilities and one bedroom flat with balcony at second floor level involving partial demolition of the church building. Opening hours 10:00 to 23:00 hours daily.

6.1 The Planning Officer introduced the report as set out in the agenda.

6.2 Anderson Inge, spoke in objection to the scheme, his comments are summarised as follows:

- This was the second round of consultation, however this was not reflected on the notice on-site or on the Council's website.
- What was the need for the project?
- Was the proposal financially viable as it was to be funded by the commercial flat located on-site?
- Design inappropriate for the location.
- Did not feel that the proposal was an enhancement of the existing building.
- Felt the drawings were inadequate – not in colour and could not be accessed on the Council's website.

- 6.3 Jonathan Clark and Matthew Lloyd spoke in support of the scheme, their comments are summarised as follows:
- There was a need for something to be done with the structure of the building and for the church to be brought back into use and become the 'hub of the community'.
  - Received lots of support for the activities proposed.
  - There were no plans to build on the grave yard.
  - The flat was a source of income and would allow a range of activities to be provided, to a range of different social groups.
  - The extension would provide a multifunctional flexible space, which fits the brief.
  - The proposal is very heavily conditioned, including the design and materials and they have the high aspirations for the scheme.
  - Following consultation, between 150-200 expressed their support for the scheme. All members of the St Mary's Old Church were also thoroughly behind the proposal.
- 6.4 The Urban Design and Conservation Manager stated that the Council had worked closely with the architect and English Heritage and had previously visited the site. The Council strongly supports the proposal, which provides a unique new space which respects the historical architecture.
- 6.5 Councillor Desmond referred to boxed pews and what was planned for these, as he felt they should be preserved. Jonathan Clark explained that this would be dealt with under faculty procedures, which were not in place yet. The plan was for the oldest south aisle to be retained and restored in situ. He added that they did have the facility to store such items if necessary.
- 6.6 In response to a query regarding the materials, it was confirmed that the proposed materials would come back to Committee for approval.

**Unanimously RESOLVED that:-**

<b>Permission be GRANTED, subject to the following conditions:</b>
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1. **SCB0 – Development in accordance with plans**  
The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.  
  
REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.
2. **SCB1 – Commencement within three years**  
The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
  
REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.
3. **SCM6 – Materials to be approved**



In order to preserve the appearance of St Mary's Old Church, details, including samples, of all materials to be used on the external surfaces of the new extension, boundary walls and ground surfaces shall be submitted to and approved by the Local Planning Committee, in writing, before work on the external surfaces, boundary walls and ground surfaces commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**4. SCM7 – Details to be approved**

Detailed drawings/full particulars of the new extension showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before work on the matters set out below is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved. All the details set out below shall be submitted together and at the same time.

- Windows; all clear and obscure glazing
- Doors
- All exterior materials, including the wood panelling
- External lighting

REASON: To ensure that the external appearance of the building is satisfactory and satisfies design quality requirements, as well as safety of the public realm.

**5. SCM9 – No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**6. SCI3 – No roof plant**

No roof plant (including all external enclosures, machinery and other installations) shall be placed upon or attached to the roof or other external surfaces of the building.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**7. SCD1 – Level Access**

A level access shall be provided to and within the new community arts hall hereby approved before the use is first commenced.

REASON: In order to ensure that people with disabilities are able to gain proper access to the development.

**8. SCD2 – Provision of access and facilities**

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced. The details as approved and implemented shall be permanently retained on the site.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

**9. SCG1 – Restriction on Hours**

The use hereby permitted may only be carried out between 10:00 hours and 23:00 hours on any day.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

**10. CH10 – Provision for bicycles**

Space shall be made available for the parking of 3 cycles within the new St Mary's Church site before the use of the community arts centre is first commenced.

REASON: To ensure that a reasonable provision is made within the site for the parking of cycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

**11. CH8 – Parking for people with disabilities**

Before the use hereby permitted first commences, at least 2 car parking spaces shall be marked and retained permanently for use by the vehicles of persons with disabilities within the site of the new St Mary's Church on the opposite side of Stoke Newington Church Street.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for the use persons with disabilities.

**12. CL10 – Archeological Investigation**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Council, as local planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Council.

REASON: To safeguard the archaeological interest of the site, which is within a Area of Archaeological Priority.

**13. CL11 – Archaeology and Foundations**

No work on site shall take place until a detailed design and method statement for the foundation design and all new groundworks has been submitted to and approved in writing by the Council, as local planning authority. The development hereby approved shall only take place in accordance with the detailed scheme approved pursuant to this condition.

REASON: To safeguard the archaeological interest of the site, which is within a Area of Archaeological Priority.

**14. CR2 – Dustbin Enclosures (details to be approved)**

Details of dustbin enclosures showing the design, location and external appearance, shall be submitted to and approved by the Local Planning Authority, in writing, before

the use/development commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In order to provide for adequate bin enclosures in the interest of the appearance of the site and area.

**15. CT1 – Landscaping Scheme to be approved**

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

**16. CT2 – Provision of Landscaping as Approved**

The landscaping scheme hereby approved as part of the development shall be carried out within a period of twelve months from the date at which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and in the interests of the appearance of the site and of the area generally.

**17. CT3 – Protection of trees during site works**

No development will take place on site until full details of tree protection have been submitted to, and approved in writing by, the Council and until such approved protection has been erected on site.

Tree protection will be in accordance with BS5837:2005 (Trees in relation to construction - Recommendations) and will protect the root protection area calculated as described in Table 2 of that British Standard.

The protective fencing will be 2.4m high and conform to Figure 2 of BS5837:2005 i.e. a scaffold framework comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3m. On to this weldmesh panels should be securely fixed with wire or scaffold clamps.

REASON: In order to protect the existing trees during building operation and site works.

**18. CT5 – No removal, felling, topping or lopping of trees**

No tree within the curtilage of the site shall be wilfully damaged or destroyed and no tree shall be removed, lopped, topped, felled or uprooted without the prior consent in writing of the Local Planning Authority.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide for the retention and protection of existing trees in the interests of the appearance of the locality.

**19. SC – Non standard condition**

Prior to commencement of any works, the applicant shall submit a report detailing the potential noise impacts on nearby residents and the relevant mitigation measures proposed. The report, along with any proposed remedial measures shall be approved by Council's Pollution Group prior to the commencement of any works. The development shall be carried out fully in accordance with remedial measures thus approved and the measures shall be retained thereafter.

REASON: To ensure the proposal is acceptable for the occupants.

**20. SC – Non standard condition**

A vegetation-covered roof (or 'green roof') system is to be established on the new extension's roof surfaces as shown in the approved plans. Details thereof shall be submitted to the Local Planning Authority and approved in writing before occupation of the development hereby approved first commences.

REASON: To enhance the character and ecology of the development.

**21. SC – Non standard condition**

No deliveries shall be taken or dispatched from the premises outside 08:00 hours to 24:00 hours any day.

REASON: To safeguard from noise and disturbance to residential occupiers.

**REASONS FOR APPROVAL**

The following policies saved in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ12 - Protection of Conservation Areas; EQ13 - Demolition in Conservation Areas; EQ14 - Alterations and Expansions of buildings in Conservation Areas; EQ16 - Protection of Listed Buildings; EQ17 - Alterations to Listed Buildings; EQ18 - Setting of Listed Buildings; EQ19 - Changes of Use of Listed Buildings; EQ20 - Buildings of Local Significance; EQ29 - Archaeological Heritage; EQ31 - Trees; EQ40 - Noise Control; EQ42 - Air Pollution; EQ48 - Designing out Crime; HO3 - Other sites for Housing; TR19 - Planning Standards; OS5 - Development Affecting Open Spaces and Parks; OS6 - Green Chains and Links; CS8 - Places of Religious Worship; ACE1 - New Arts, Culture and Entertainment Development; ACE8 - Planning Standards; and, TR19 - Planning Standards.

The following policies in the London Plan (2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3C.2 - Matching development to transport capacity; 3C.16 - Tackling congestion & reducing traffic; 3C.20 -

Improving conditions for walking; 3C.21 - Improving conditions for cycling; 3C.22 - Parking strategy; 4A.1 - Tackling climate change; 4B.1 - Design principles for a compact city; and, 4B.2 - Promoting world-class architecture and design.

## 7 196 Evering Road, E5

Conversion of a single dwelling house to create 4 self-contained flats (comprising 1 x 4 bed flat and 3 x 2 bed flats) together with alterations to the front lightwell and front basement windows, alterations to the rear elevation including replacement of existing doors at raised ground floor and first floor mezzanine level with sash windows.

- 7.1 The Planning Officer introduced the report as set out in the agenda.
- 7.2 Alan Binnie, spoke in objection to the scheme, his comments are summarised as follows:
- Speaking on behalf of petitioners.
  - Factual inaccuracies within the report, including the name of the applicant is not the same as on the original submission; revised plans still show side steps which is incorrect.
  - Three conflicting plans shown on the Council's website.
  - The room size and layout is too dense for the site.
  - The report stated that the building was in a poor state of disrepair, however, the building was in a extremely good state and had not been unoccupied for long periods of time.
  - Always had ground level access and no side steps had ever existed.
  - There was an issue with the building not having disabled access.
- 7.3 Jay Patel, Architect, spoke in support of the scheme, his comments are summarised as follows:
- They had undertaken pre-application discussions with residents association representatives.
  - They had previously visited the site with the Planning Officer.
  - Staff from the Building Control Team visited the site on three separate occasions and confirmed that the plans met with building regulations.
  - The roof terrace had been removed and this was just to be a flat roof. Jay Patel stated that the applicant was happy for this to be conditioned.
  - The name of the applicant was the same as originally submitted.
- 7.4 Following a query from Councillor Buitekant regarding there being no toilet in flat 2, it was confirmed that this had been missed off the plan.
- 7.5 The Chair made reference to the side entrance to the property and it was explained that there was a standard 6cm threshold and this could be accessed by a disabled person. The architect added that a ramp could be installed.
- 7.6 Reference was made to the indication from the Architect that the flat roof be conditioned. This was **AGREED**.

**RESOLVED that:**

**Planning permission be GRANTED, subject to the following conditions:**

1. **SCB1N – Commencement within 3 years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of the Town and Country Planning Act 1990 as amended.

2. **SCB0 – Development only in accordance with submitted plans**

The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

3. **SCR2 – Dustbin Enclosures**

Details of dustbin and recycling enclosures showing the design, and external appearance, shall be submitted to and approved by the Local Planning Authority, in writing, before the use/development commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In order to provide for adequate bin and recycling enclosures in the interest of the appearance of the site and area.

4. **Roof Terrace**

The flat roof of the property shall not be used as a terrace, balcony, or sitting out area.

REASON: To ensure the use of the development does not harm the amenity of neighbouring occupiers.

**INFORMATIVES:**

SI **Reason for approval:**

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 [Development Requirements], HO3 [Other Sites for Housing] and H012 , [Conversions], H016 [Housing for people with disabilities], Policy 3A.2: [Borough Housing Targets], Policy 3A.4: [Housing choice], and Policy 4B.1: [Designing Principles for a compact City] of the London Plan were also considered.

SI.1 **Building Control**

Your attention is drawn to the provisions of the Building Act 1984 and other Building Control legislation, which must be complied with to the satisfaction of The Planning and Transportation Service, Dorothy Hodgkin House, 12 Reading Lane, London, E8 1HJ. Telephone No: 020 8356 5000. Before any

building work (including improvements to means of escape and changes of use) is commenced on site, detailed plans, together with the appropriate application form must be submitted for approval and early consultation is advised.

### S3 **Hours of Building works**

Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 which imposes requirements as to the way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Councils Pollution Control Service, 205 Morning Lane, London, E9 6JX (Telephone: 020 7356 5000) and you are advised to consult that Division at an early stage.

### SI.3 **Sanitary, Ventilation, and Drainage Arrangements**

Before any drainage works are commenced on site, detailed plans, giving notice of intention to build/permission to drain/construct/reconstruct or alter pipes and drains must be submitted for approval under the Building Regulations 1991 to the Planning and Transportation Service, Dorothy Hodgkin House, 12 Reading Lane, London, E8 1HJ, Telephone No: 020 8356 5000. Please note that it will be necessary to consult the Thames Water Utilities Ltd., Waste Water Connections, Kew Business Centre, Brentford, Middlesex, TW8 0EE. Telephone No: 020 7713 3865, Fax No: 020 7713 3875.

- 1) All information appertaining to the existing public sewerage system.
- 2) Requests for sewer connections. All works will be carried out by the London Borough of Hackney at the applicant expense. All new developments will be required to have new sewer connections.
- 3) Building over sewers.
- 4) System of drainage to be provided on site.
- 5) Adoption of sewers.

#### Advisory Note:

It should be noted that most sewers throughout the Borough flow full or surcharge during periods of heavy storm and conditions may be imposed restricting discharge to the system. The prime condition is that any large development shall not cause an increase in the rate of flow to the public sewerage system. This requirement is normally met in the case of new developments by separation on site and storage of surface water flows in tanks or oversized pipes on sites. Where sites adjoin a suitable watercourse or storm relief sewer into which surface water can be discharged by gravity then the policy is for sites to be separated and have their surface water discharged to the watercourse or storm relief sewer. In the case of developments/rehabilitation/ conversions etc., involving the use of basements these are likely to be particularly vulnerable to the effects of surcharge and applicants must therefore demonstrate that adequate drainage arrangements exist at all times.

**8 168 Southgate Road, N1 3HX**

Demolition of a garage and the erection of a two storey, one bedroom dwelling house.

- 8.1 The Planning Officer introduced the report as set out in the agenda and explained that this had come to committee because of the number of objections received.
- 8.2 Mrs Rigden, spoke in objection to the scheme, her comments are summarised as follows:
- The proposed building would seriously affect the amount of light coming into her property.
  - Increase in the number of cars parked in the area, due to the loss of garage and new house.
  - Planning Officers did not visit her property to assess the potential loss of light.
  - A number of photos were circulated at the meeting, illustrating her point that there was insufficient room for a car to be parked to the front of the property.
- 8.3 Matthew Goldman, Applicant, spoke in support of the scheme, his comments are summarised as follows:
- With reference to the daylight issue, the back of the property would have a sloped roof to try and reduce the amount of light lost.
  - The garage was an unsafe structure and he believed the new property would improve the appearance of the site.
  - The architect had liaised with the Planning Officer and the Conservation Officers to produce the design of the property.
  - A method statement was produced to protect the trees.
- 8.4 Following a query regarding the amount of space at the front of the property for a car to park, it was confirmed that there was a total of 4m, which would accommodate a small car.
- 8.5 Kevin Moore asked whether the Kingsland Conservation Advisory Committee had been consulted as the proposed development was located within a conservation area. The Planning Officer stated that they had been consulted and no response was received.
- 8.6 Councillor Desmond referred to the loss of daylight issue and wished to clarify whether a daylight/sunlight report had been produced. The Planning Officer stated that a daylight/sunlight report had not been produced for this application due to the size of the extension, and the level of daylight/sunlight loss for the neighbouring property was deemed appropriate.
- 8.7 In response to a query regarding the materials to be used on the frontage of the property, the applicant confirmed that the lower level would be render with brick above. The Chair asked whether the proposal included the provision of a green roof and the applicant indicated that this had already been discussed and he was happy for this to be provided. The Chair requested that all endeavours for a green roof to be included be added to the list of conditions. This was **AGREED**.



- 8.8 A request was also made for the parking space to be removed from the front of the property, to be replaced with a garden. This was **AGREED**.

**Unanimously RESOLVED that:**

**A) Planning permission be GRANTED, subject to the following conditions:**

**1. SCB0 – Development in accordance with plans**

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

**2. SCB1 - Commencement within three years**

The development hereby permitted must be begun not later than three years after the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

**3. SCM2 – Materials to be Approved**

Full details, with samples, of the materials to be used on the external surfaces of the buildings, including glazing, shall be submitted to and approved by the Local Planning Authority in writing before any work on the site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**4. NSC – Sedum Green Roof**

Full details of a bio-diverse, substrate-based (75mm minimum depth) extensive 'brown/green' roof shall be submitted and approved in writing by the Local Planning Authority before any building works commence. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To create or enhance the site's biodiversity and to contribute to a sustainable urban drainage system as required by the London Plan.

**5. SC – Non standard condition**

A vegetation-covered roof (or 'green roof') system is to be established on the new extension's roof surfaces as shown in the approved plans. Details thereof shall be submitted to the Local Planning Authority and approved in writing before occupation of the development hereby approved first commences.

REASON: To enhance the character and ecology of the development.

**6. SC – Non standard condition**

The proposed parking space to the front of the new dwelling facing onto Ardleigh Road is to be removed and replaced with soft landscaping.

REASON: In order for the development to preserve and enhance the character of the surrounding conservation area in accordance with Policies EQ1 and EQ12 of the Hackney Unitary Development Plan 1995.

**B) That recommendation A be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended) in order to secure the following matters to the satisfaction of the Assistant Director of Regeneration and Planning and the Interim Corporate Director of Legal and Democratic Services:**

1. Contribution of £27,006.00 towards education based on calculation within the Supplementary Planning Document.

### **INFORMATIVES**

The following Informatives should be added:

#### **SI Reasons for Approval**

The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 (Development Requirements), EQ41 (Development Close to existing sources of noise), HO3 (Other sites for housing) and TR19 (Parking Standards)

The following policies contained in the London Plan 2008 are relevant to the approved development and were considered by this Council in reaching the decision to grant planning permission: 3A.1 (Increasing London's supply of housing), 3A.2 (Borough housing targets), 3A.3 (Maximising the potential of sites), 3A.5 (Housing Choice), 3C.23 (Parking strategy), 4A.3 (Sustainable design and construction), 4B.1 (Design principles for a compact city), 4B.3 (Maximising the potential of sites), and 4B.5 (Creating an inclusive environment).

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangement
- SI.7 Hours of Building Works
- SI.8 Soundproofing Between Flats
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements
- SI.29 Potential Archaeological Interest
- SI.33 Landscaping

#### **9 Land adjacent to 81/83 & 85 Mount Pleasant Lane, E5 9EW**

Erection of a four-storey building with balconies to provide nine residential units (comprising 1 x 4 bed flat, 2 x 3 bed flats, 1 x 2 bed flat and 5 x 1 bed flats), together

with the creation of new access drive with gated entrance off Mount Pleasant Lane, provision of one disabled car parking space, provision of nine cycle spaces and provision of refuse/recycling store facilities.

- 9.1 The Planning Officer introduced the report as set out in the agenda. Reference was made to the addendum which stated that a petition signed by 29 local residents had been received by email on 13 October. The main objections and responses to these were detailed within the addendum.
- 9.2 Brian Eley and Constanze Schmidt, spoke in objection to the scheme, their comments are summarised as follows:
- Speaking on behalf of 28 residents who had submitted a petition and they felt their concerns had not been addressed.
  - Concern over the proposed access to the properties, as the driveway was only 2.4m wide.
  - No turning circle provided and only 1 disabled parking space. Emergency services vehicles will not be able to access the site.
  - Concerned over the waste storage being provided
  - Loss of tree at the junction to the site.
  - Too dense for the backland site.
  - There were already too many vehicles in the local area, this development would only add to this problem.
- 9.3 Councillor Buitekant wished to clarify whether the fire service was able to access the site and the Planning Officer explained that they would not be able to access the properties through the driveway, however a fire hydrant was usually provided in such cases. She added that this issue would be dealt with at the building regulations stage.
- 9.4 In response to a query over the density of the proposed development, it was stated that the size of the development did comply with the density figures stated within in the London Plan.
- 9.5 Discussion took place on the issue of access and the Committee was asked to refer to paragraph 4.7.4 of the report which detailed how the access to the site had been improved in subsequent proposals.
- 9.6 The Highways Officer added that 3.7m was the minimum width for access for a site, however in some cases this had to be reduced, depending upon the number of car parking spaces being provided. In this case only one disabled parking space was being provided and although they were not happy with the proposal they were prepared to accept the level of access.
- 9.7 Discussion took place on the refuse storage as it was identified that refuse vehicles would not be able to access the site. It was requested that a condition be added for the landscaping to be looked at, to include the location of the refuse storage. This was **AGREED**.
- 9.8 The Interim Head of Regulatory Services stated that a way of addressing the access issue could be for the development to be car free. The applicant indicated that he would be happy with this proposal. This was **AGREED**.

- 9.9 The Committee also requested that the number of cycle spaces be increased from nine to twelve. This was **AGREED**.

**(Councillor Buitekant voted against the recommendation.)**

**(Councillor Desmond abstained from the vote.)**

**RESOLVED that:**

**A) Planning permission be GRANTED, subject to the following conditions:**

**1. SCB0 – Development in accordance with plans**

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

**2. SCB1 - Commencement within three years**

The development hereby permitted must be begun not later than three years after the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

**3. SCM2 – Materials to be Approved**

Full details, with samples, of the materials to be used on the external surfaces of the buildings, including glazing, shall be submitted to and approved by the Local Planning Authority in writing before any work on the site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**4. SCM7 – Details to be Approved**

Detailed drawings/ full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

- windows and doors including sections.
- cycle store

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**5. SCR2 – Dustbin Enclosures**

Details of refuse and recycling storage enclosures showing the design and external appearance, shall be submitted to and approved by the Local Planning Authority, in writing, before the use/development commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In order to provide adequate refuse and recycling store enclosures in the interests of the appearance of the site and area.

**6. SCH10 – Provision for Cycles**

Space shall be made available for the secure parking of nine cycles within the site/development/building before the use is first commenced.

REASON: In order to ensure the satisfactory development of the site.

**7. SCR4 – Wheelchair Accessible Homes**

The housing units proposed to be located on the ground floor must be designed to wheelchair standards and be in accordance with details to be submitted to and approved by the Local Planning Authority.

REASON: In the interests of providing satisfactory and convenient housing accommodation for persons with disabilities.

**8. SCH8 – Parking for persons with disabilities**

Before the use hereby permitted first commences, the permitted car parking space shall be marked and retained permanently for use by the vehicles of persons with disabilities.

REASON: In order to ensure that a functional parking space is retained and available for the use of persons with disabilities.

**9. SCH11 – Adequate visibility at entrance**

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: To provide a suitable standard of visibility to and from the highway and to ensure that the use of the access does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

**10. SCL10 Archaeological Investigation**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Council, as local planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Council.

REASON: To safeguard the archaeological interest of the site, which is within an Area of Archaeological Priority.

**11. NSC – Noise**

The building shall be constructed so as to provide insulation against external noise to achieve levels not exceeding 35dB LAeq (night) and 45 dB LMax (measured with F time weighting) for bedrooms, 40dB LAeq (day) for other habitable rooms with

windows shut and other means of ventilation provided. Details of the alternative ventilation scheme must also be provided to the Local Planning Authority prior to installation. A test shall be carried out prior to the discharge of this condition to show that the required standard of sound insulation shall be met and the results shall be submitted to the Local Planning Authority for approval.

REASON: In the interest of the residential amenity of the future occupiers of the hereby permitted development.

**12. NSC – Sedum Green Roof**

Full details of a bio-diverse, substrate-based (75mm minimum depth) extensive 'brown/green' roof shall be submitted and approved in writing by the Local Planning Authority before any building works commence. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To create or enhance the site's biodiversity and to contribute to a sustainable urban drainage system as required by the London Plan.

**B) That Recommendation B be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended) in order to secure the following matters to the satisfaction of the Assistant Director of Regeneration and Planning and the Interim Director of Legal and Democratic Services:**

1. Contribution of £27,006.00 towards education based on calculation within the Supplementary Planning Document.

**INFORMATIVES**

The following Informatives should be added:

SI Reasons for Approval

The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 (Development Requirements), EQ41 (Development Close to existing sources of noise), HO3 (Other sites for housing) and TR19 (Parking Standards)

The following policies contained in the London Plan 2008 are relevant to the approved development and were considered by this Council in reaching the decision to grant planning permission: 3A.1(Increasing London's supply of housing), 3A.2 (Borough housing targets), 3A.3 (Maximising the potential of sites), 3A.5 (Housing Choice), 3C.23 (Parking strategy), 4A.3 (Sustainable design and construction), 4B.1 (Design principles for a compact city), 4B.3 (Maximising the potential of sites), and 4B.5 (Creating an inclusive environment).

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangement
- SI.7 Hours of Building Works
- SI.8 Soundproofing Between Flats

- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements
- SI.29 Potential Archaeological Interest
- SI.33 Landscaping

## 10 Westgate Centre, Westgate Street, E8 3RU

Demolition of existing buildings and construction of a part two, part six-storey building comprising class A1/A2/B1/D1 use at ground floor-level, and thirty four self-contained residential units above (fourteen one-bedroom flats, nine two-bedroom units, five three-bedroom units, four four-bedroom units and two five-bedroom units).

**Post-submission revisions** – Revisions to the detailed design, comprising changes to the stepped-down element of the proposed building to the corner of Sheep Lane and Bocking Street, extending the massing of this element further down Bocking Street and establishing greater visual continuity with the maisonettes that comprise the rest of the Bocking Street element of the proposal; changes to these maisonettes, including the removal of one storey, repositioning of access staircases and entrances, changes to internal layout, window arrangements on the front elevation, and additional windows.

- 11.1 The Planning Officer introduced the report as set out in the agenda and added that the proposal should state the construction of a part one, part three, part six storey building.
- 11.2 The Planning Officer made reference to the addendum. Paragraph 1.2 of the report stated that a planning application at nos. 11-23 Westgate Street by the same architects had recently been refused, however this was not the case and the application was still under consideration by the Council.
- 11.3 The Architect was in attendance to answer any questions that arose.
- 11.4 The Urban Design and Conservation Manager was asked his opinion on the design of the proposed development and he stated that this was a difficult site, however many of the fundamental design issues had now been resolved. The Architect circulated sample materials at the meeting.
- 11.5 The Chair requested that the following items be included in the list of conditions:
  - Best endeavours for rain water harvesting to be provided. This was **AGREED**.
  - Street lighting to be placed on the building. This was **AGREED**.
  - Cycle parking to be provided on the carriageway. This was **AGREED**.

**Unanimously RESOLVED that:**

**Planning permission be GRANTED, subject to the following conditions:**

### 8.1.1 SCB0 – Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

#### 8.1.2 **SCB1 – Commencement within three years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

#### 8.1.3 **SCM6 – Materials to be approved**

Samples of all materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls and ground surfaces commences on site, in accordance with the following specification:

*Brickwork:* To be Terca Docklands Yellow Stock Brick (or a similar equivalent approved in writing by the local planning authority);

*Windows:* To be thermally insulated double-glazed aluminium window system polyester powder coated to RAL 9004 (or a similar equivalent approved in writing by the local planning authority);

*Timber doors:* To be painted solid-core timber doors (or a similar equivalent approved in writing by the local planning authority);

*Timber garage door:* To be timber finished in Cedar (certified as sustainable by FSC, or a similar equivalent approved in writing by the local planning authority);

*Ventilated steel doors:* To be sectional steel-faced doors in RAL 9004 (or a similar equivalent approved in writing by the local planning authority);

*Timber cladding (set-back top floor only):* Western Red Cedar (certified as sustainable by FSC, or a similar equivalent approved in writing by the local planning authority);

*Metal flashings and copings:* Aluminium sheet in RAL 9004 (or a similar equivalent approved in writing by the local planning authority);

*Balconies and balustrades (except first-floor terraces):* Metal flats to form balustrade in RAL 9004 (or a similar equivalent approved in writing by the local planning authority);

*Balustrades (first-floor terraces):* Western Red Cedar (certified as sustainable by FSC, or a similar equivalent approved in writing by the local planning authority).

The development shall not be carried out otherwise than in accordance with the materials specification thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

#### 8.1.4 **SCM9 – No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.



REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8.1.5 SCI3 – No roof plant**

No roof plant (including all external enclosures, machinery and other installations) other than any shown on the drawings hereby approved shall be placed upon or attached to the roof.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8.1.6 SCH8 – Parking for people with disabilities**

Before the use hereby permitted first commences, at least one car parking space shall be marked and retained permanently for use by the vehicle of a disabled badge-holder.

REASON: In order to ensure that a reasonable number of parking spaces are located conveniently for use by people with disabilities.

**8.1.7 SCH10 – Secure bicycle parking**

Secure, covered parking shall be provided for twenty-eight bicycles, as shown on the plans hereby approved, and the applicant shall provide eight Sheffield stands on the carriageway of the public highway, subject to the approval in principle of the Council's Streetscene department, and of a specification and at an exact location of the Streetscene department's choosing, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

**8.1.8 NSC1 – Non-standard condition**

The timber proposed for exterior use on the elevations shall be pre-treated to prevent discolouration with a suitable water-repellant wood-preserving pigmented surface coating, with details of which finish/treatment has been used, a sample and full specifications of all timbers proposed for use anywhere on the building, together with a maintenance schedule, to be submitted to the local planning authority and approved in writing before any timber cladding is applied.

REASON: In order to make best endeavours to retain the original colour of the material, thereby preserving the appearance of the development hereby approved.

**8.1.9 NSC3 – Non-standard condition**

The developer/landowner shall carry out a renewable energy options appraisal, to be submitted within three months of the date of this permission, setting out how at least ten per cent of the proposed development's energy requirements will be provided through on-site renewable energy, and the proposed development shall achieve a BREEAM rating of no less than 'very good', with certification to that effect (including photographic evidence of the green or brown roof proposed for the block of flats at the western end of the site) to be submitted to the local planning authority and acknowledged in writing prior to occupation of the building. A rainwater harvesting system shall be installed and details thereof shall be submitted to the local planning authority and approved in writing before occupation of the development hereby

approved first commences. A rainwater harvesting system shall be installed and details thereof shall be submitted to the local planning authority and approved in writing before occupation of the development hereby approved first commences.

REASON: In the interests of maximising the environmental performance of the building.

**8.1.10 NSC4 – Non-standard condition**

Reasonable endeavours shall be undertaken to locate street lights to the highway immediately adjoining the site onto the face of the building hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

**B) That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Assistant Director of Planning and Regeneration and the Interim Director of Legal and Democratic Services:**

1. Payment by the landowner/developer of £6293.32 as a financial contribution towards Council library facilities. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
2. Payment by the landowner/developer of £51,160.17 as a financial contribution towards education facilities in the borough. (This sum calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
3. The developer is required to pay £65,400 under Section 278 of the Highways Act (1980) with the Council's Highways department (Streetscene) to reinstate and improve the highway adjacent to the boundary of the site, to include access to the highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements.
4. Provision by the landowner/developer for the use of local labour for construction in the form of twenty-five per cent on-site employment, including the facilitation of an apprentice for a defined period.
5. No resident's parking permits are to be issued to occupiers of the development other than disabled badge-holders.
6. Residential units to be built to Lifetime Homes standard and comply with Code for Sustainable Homes.
7. Provision by the landowner/developer of thirteen habitable units as affordable housing to be given over to Notting Hill Housing (or an alternative RSL (Registered

Social Landlord) as agreed by the Local Planning Authority), the dwelling mix to comprise seven one-bedroom units under shared ownership tenure and four four-bedroom units and two five-bedroom units for social rental.

### **REASONS FOR APPROVAL**

1. The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ40 - Noise Control; E18 - Planning Standards; HO3 - Other Sites for Housing; TR19 - Planning Standards.
2. The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3A.1 - Increasing London's supply of housing; 3A.2 - Borough housing targets; 3A.5 - Housing choice; 3A.6 - Quality of new housing provision; 3A.7 - Large residential developments; 3A.8 - Definition of affordable housing; 3A.9 - Affordable housing targets; 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes; 3B.1 - Developing London's economy; 3B.2 - Office demand and supply; 3B.3 - Mixed use development; 3B.4 - Strategic Industrial Locations; 3C.1 - Integrating transport and development; 3C.2 - Matching development to transport capacity; 3C.3 - Sustainable transport in London; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.6 - Decentralised energy: Heating, cooling and power; 4A.7 - Renewable Energy; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 5C.1 - The strategic priorities for North London.

### **INFORMATIVES**

The following Informatives should be added:

- SI.1 Building Control
  - SI.2 Work Affecting Public Highway
  - SI.3 Sanitary, Ventilation and Drainage Arrangements
  - SI.6 Control of Pollution (Clean Air, Noise, etc.)
  - SI.7 Hours of Building Works
  - SI.25 Disabled Person's Provisions
  - SI.27 Regulatory Reform (Fire Safety) Order 2005
  - SI.28 Refuse Storage and Disposal Arrangements
  - SI.33 Landscaping
- NSI.1 All materials submitted pursuant to the discharge of condition 3 of this approval ('materials to be approved', as per paragraph 8.1.3 of this report) should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/0312, and accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

NSI.2 This decision notice is accompanied by a Section 106 legal agreement. It shall be implemented in full accordance with the details of that agreement.

## 11 1 -7 Westgate Street, E8 3RL

Erection of a part five, part six storey building to provide 76 residential units (27 one-bedroom units; 23 two-bedroom units, 19 three-bedroom units and 7 four-bedroom units) and 1312 sqm commercial floorspace (use class B1 or B2), including 22 car parking spaces.

- 11.1 The Planning Officer introduced the report as set out in the agenda.
- 11.2 The Planning Officer referred to the addendum which included further details on the balconies. He stated that originally the units facing the railway were provided with balconies, however, at pre-application stage the Council requested that these be removed due to potential noise disturbance from the rail lines. Two revised drawings were attached to the addendum, which detailed alternative locations for the balconies. The Committee liked the idea of additional balconies, but left it to officers to decide which design was appropriate.
- 11.3 The Chair made reference to the ventilation of the basement and the Planning Officer referred to the addendum and stated that condition 4 of Recommendation B safeguarded against visual appearance of the buildings from stacks, vent pipes, flues and ductwork.
- 11.4 In response to a query from Councillor Desmond regarding what materials were proposed, it was explained that the majority of the building would be zinc cladded, which weathers well.
- 11.5 The Chair made reference to the piece of land known as the 'Triangle' and asked whether any of the Section 106 money could be allocated for amenity space to be provided at this site. It was **AGREED** that condition 8 within Recommendation B be allocated to the 'Triangle' and for the Architect to design it.

**Unanimously RESOLVED that:**

### **A) Planning permission be GRANTED, subject to the following conditions:**

- 1. SCB0 – Development in accordance with plans**  
The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.  
  
REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.
- 2. SCB1 - Commencement within three years**  
The development hereby permitted must be begun not later than three years after the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

**3. SMC6 – Materials to be approved (entire site)**

Details, including samples, of materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**4. Non Standard Condition**

Detailed drawings/full particulars of the proposed development showing additional balconies must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure an acceptable level of residential amenity for future occupiers of the development.

**5. SCM9 - No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**6. SCH8 – Parking for people with disabilities**

Before the use hereby permitted first commences, at least one car parking space shall be marked and retained permanently for use by the vehicle of a disabled badge-holder.

REASON: In order to ensure that a reasonable number of parking spaces are located conveniently for use by people with disabilities.

**7. SCD2 – Provision of access and facilities**

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the local planning authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

**8. SCH10- Provision for cycles**

Secure, covered parking shall be provided for 76 bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

**9. SCH11 – Adequate visibility to entrance**

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: In the interests of highway safety.

**10. SCH14 – Closure of existing accesses**

The existing access(es) to the site shall be closed permanently when the use of the new access(es) shown on the plans hereby approved is/are provided and in use.

REASON: In the interests of highway safety.

**11. SCH15 – Access only as approved**

Vehicular access to the site shall be only via the permitted access.

REASON: In the interests of highway safety.

**12. Non standard condition**

Details of the construction traffic route and a construction traffic management plan shall be submitted to LBH Traffic and Transportation prior to the commencement of construction works on site.

REASON: In order to minimise disruption to the highway resulting from construction

**13. NSC1 – Noise Control**

The plant and any associated equipment hereby approved shall be operated to a level of 10db below the lowest measured background noise (LA90, 15 minutes) as measured one metre from the nearest affected window of the nearest affected residential property. The assessment of the background noise shall be made in the absence of all operating plant that services the premises that is the subject of this planning application. In addition the plant shall not create an audible tonal noise nor cause perceptible vibration to be transmitted through the structure of the building.

REASON: To safeguard the amenity of the occupiers of the residential element of the development and the area generally by preventing noise and vibration nuisance in accordance with Council policy EQ1 of the Unitary Development Plan.

**14. NSC3 – No roof plant**

No roof plant (including all external enclosures, machinery and other installations, except for photovoltaic and solar hot water heating panels) shall be placed upon or attached to the roof or other external surfaces of the building.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**15. Non standard condition**

- (i) The rating level of noise emitted from fixed plant on the site shall be 10dB below the existing background noise level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.
- (ii) Development shall not commence until details of a scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.
- (iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity.

REASON: To safeguard the amenity of the occupiers of the residential element of the development and the area generally by preventing noise and vibration nuisance in accordance with Council policy EQ1 of the Unitary Development Plan.

**16. Non standard condition**

Full written details, including relevant drawings and specifications, of:-

- a) The construction of the ceilings and walls separating the offices and residential on the upper floors of the premises and the adjacent properties:
- b) The proposed works of soundproofing against airborne and impact sound;

Shall be submitted to and approved in writing by the local planning authority. The use hereby permitted shall not commence until the soundproofing works have been implemented in accordance with the approved details. The soundproofing shall be the approved details.

REASON: To safeguard the amenity of the occupiers of the residential element of the development and the area generally by preventing noise and vibration nuisance in accordance with Council policy EQ1 of the Unitary Development Plan.

**17. Non standard condition**

Details of the type of glazing and ventilation system to be installed shall be submitted to and approved in writing by the local planning authority. The glazing and ventilations shall be installed in accordance with the approved details.

REASON: To safeguard the amenity of the occupiers of the residential element of the development and the visual appearance of the development.

**17. Renewable energy**

Full details of 10% renewable energy provision shall be submitted and approved in writing by the Local Planning Authority before any building works commence. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the development achieves the level of renewable energy provision on site as proposed.

**18. Sustainable drainage**

Full details of a rainwater harvesting system shall be submitted and approved in writing by the Local Planning Authority before any building works commence. The

development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In the interests of reducing surface water run-off.

19. Full details of a grey water recycling system shall be submitted and approved in writing by the Local Planning Authority before any building works commence. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In the interests of protecting and conserving water resources surface water run-off.

**B) That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a section 106 agreement in order to secure the following matters to the satisfaction of the Assistant Director of Regeneration and Planning and the Interim Corporate Director of Legal and Democratic Services:**

1. To secure the provision of 41.4% of habitable rooms, with a split of 70%: 30% socially rented /intermediate.
2. Not to occupy or cause or permit the occupation of more than 60% of the Open Market Dwellings on each Development Site prior to all the site related affordable units being completed and available for occupation and transferred to the approved RSL.
3. Payment by the landowner/developer of a sustainable transport contribution of £25,080 towards works to the public highway.
4. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £35,000 for required works to the highway. Unavoidable works required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment.
5. Payment by the landowner/developer of an education and libraries contribution of £184,656.35 with respect to anticipated child yield from the additional residential housing units being provided in accordance with the DFES cost of providing a school place.
6. Payment by the landowner/developer of an open space contribution of £4539.52 towards the supply and quality of open space in the immediate locale, which could include 'The Triangle' on the junction of Mare Street and Westgate Street.
7. No car parking permits to be issued for new residential units, unless for the holder for a Disabled Person's Badge or for an electrically powered vehicle.
8. Residential units to be built to Lifetime Homes standard and comply with Code for Sustainable Homes.
9. Commitment to the Council's local labour and construction initiatives (25% on site employment).
10. Payment by the landowner/developer of all the Council's legal and other relevant



fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Section 106 Agreement

11. Achievement of a level 3 rating under the proposed Code for Sustainable Homes with best endeavours to achieve level 4.
12. 20% reduction in carbon emissions through the use of renewable energy sources and use of low energy technology
13. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
14. A Green Travel Plan to include servicing of the sites, to be submitted to and agreed with the Council, to include the provision of a car share scheme.
15. At least 10% of units provided shall be wheelchair accessible.
16. The applicant is advised that they will be required to enter into a highways Section 278 legal agreement with TfL.
17. Provision to allow the placement of street lighting on the proposed buildings where appropriate.
18. Best endeavours to provide a car club.
19. Detailed drawings/full particulars of the proposed development showing additional balconies must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure an acceptable level of residential amenity for future occupiers of the development.

**C) That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 16<sup>th</sup> December 2008, the Assistant Director of Regeneration and Planning be given the authority to refuse the application for the following reasons:**

1. The proposed development, in the absence of a legal agreement for securing affordable housing, would be to the detriment of housing needs in the Borough and would fail to promote a mixed and inclusive community and as such would be contrary to policies ST1, H01 and H03 of the Hackney Unitary Development Plan, policies 3A.7 and 3A.8 of the London Plan 2004 and advice contained in PPS1 and PPG3.
2. The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to policies EQ1, H03, CS2 and S10 of the Hackney Unitary Development Plan and policy 3A.21 of the London Plan 2004.

## **REASONS FOR APPROVAL**

The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 – Development Requirements, EQ48 – Designing out Crime, HO3 – Other sites for Housing, TR19 – Planning Standards.

The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 – Sustainability Criteria, 3A.1 – Increasing London’s Supply of Housing, 3A.2 – Borough Housing Targets, 3A.3 – Maximising the Potential of Sites, 3A.5 – Housing Choice, 3A.6 – Quality of New Housing Provision, 3A.8 – Definition of Affordable Housing, 3A.9 – Affordable Housing Targets, 3A.10 – Negotiating Affordable Housing, 3A.11 – Affordable Housing Thresholds, 3A.13 – Special Needs and Specialist Housing, 3A.17 – Addressing the Needs of London’s Diverse Population, 3C.1 – Integrating Transport and Development, 3C.2 – Matching Development to Transport Capacity, 3C.3 – Sustainable Transport in London, 3C.23 – Parking Strategy, 4A.1 – Tackling Climate Change, 4A.3 – Sustainable Design and Construction, 4A.7 – Renewable Energy, 4A.22 – Spatial Policies for Waste Management, 4B.1 – Design Principles for a Compact City, 4B.3 – Enhancing the Quality of the Public Realm, 4B.5 – Creating an Inclusive Environment, 4B.6 – Safety, Security and Fire Prevention and Protection, 4B.8 – Respect Local Context and Communities.

## **INFORMATIVES**

The following Informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person’s Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping
- NSI Thames Water

### **12 Rushmore Primary School, Elderfield Road, E5 0LE**

Erection of single-storey extension of front of primary school building to accommodate new school offices, storage space and group study space, together with new entrance canopy and new groundskeeper’s store.

- 12.1 The Planning Officer introduced the report as set out in the agenda.
- 12.2 The Chair made reference to the loss of shrubs and asked whether they could be located to another part of the site. The Planning Officer stated that it could be

conditioned that the feasibility of locating shrubs to another area be looked into. This was **AGREED**.

12.3 There being no further questions from Members, the Chair moved to the vote.

**Unanimously RESOLVED that:**

**Planning permission be GRANTED, subject to the following conditions:**

**1. SCB0 – Development in accordance with plans**

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

**2. SCB1 – Commencement within three years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

**3. SCM6 – Materials to be approved**

Details, including samples, of all materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls and ground surfaces commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**4. SCM9 – No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**5. SCH10 – Secure bicycle parking**

Secure, covered parking shall be provided for twelve bicycles, as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

**6. NSC1 – Non-standard condition**

The timber proposed for exterior use on the elevations shall be pre-treated to prevent discolouration with a suitable water-repellant wood-preserving pigmented surface coating, with details of which finish/treatment has been used, a sample and full specifications of all timbers proposed for use anywhere on the building, together with a maintenance schedule, to be submitted to the local planning authority and approved in writing before any timber cladding is applied.

REASON: In order to make best endeavours to retain the original colour of the material, thereby preserving the appearance of the development hereby approved.

**7. NSC2 – Non-standard condition**

The shrubbery currently situated where the extension hereby approved is to be built shall be replanted elsewhere within the school grounds, or alternative shrubs of similar appearance and number, in accordance with a photographic record of the existing shrubbery and a landscape plan to be submitted to the Council and approved in writing before use of the development hereby approved first commences.

REASON: In the interests of maintaining the character and appearance of the school site.

**REASONS FOR APPROVAL**

1. The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; C6 - Provision of Education Facilities.
2. The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 3A.23 - Education facilities; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design.

**INFORMATIVES**

The following Informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.25 Disabled Person's Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping

- NSI.1 All materials submitted pursuant to the discharge of conditions 3 and 7 of this approval (as per paragraphs 8.1.3 and 8.1.6 of this report) should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/0285, and

accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

**13 Mossbourne Community Academy, 100 Downs Park Road, E5 8JY**

Erection of a one-storey extension to the western wing of the existing building to accommodate new school dining facilities; a part one, part three storey extension to the eastern wing of the existing building to accommodate additional teaching facilities for a 250 pupil sixth form, and a two storey extension to the rear of the eastern wing to accommodate an autistic special needs unit, together with enabling demolition works to parts of the building, and associated landscaping.

- 13.1 The Planning Officer introduced the report as set out in the agenda.
- 13.2 John Burrow (Learning Trust) and Andrezej Kuszell (Architect) were in attendance to answer any questions that arose.
- 13.3 Councillor Desmond wished to clarify why this extension was not included in the original proposal for the Mossbourne Community Academy. It was explained that it previously wasn't requested and that the Academy had previously been sponsored privately and was now under the responsibility of the Council.
- 13.4 Discussion took place on the proposed materials and it was confirmed that some parts of the extension will mimic the existing building and will incorporate the colour red, which will compliment the existing blue and yellow.
- 13.5 Concern was raised over the loss of four trees and the Committee wished to know which trees would be lost. It was explained that two of the trees were already dead and that the other two were younger trees. The Planning Officer added that an additional condition had been added to avoid or minimise harm to the existing TPO trees, detailed in the addendum.
- 13.6 The Committee felt that 80 car parking spaces was too many and that 142 cycle spaces was inadequate. It was explained that the school was adamant that the 80 car parking spaces were needed, on site. The applicant suggested they did not want so many cycling places. The Chair also suggested that if space was at a premium and could not be found for the cycle parking then it could be located instead of some of the car parking on the site.
- 13.7 The Chair asked if any existing soft landscaping (grass) was to be lost to car parking and indicated an area on the drawings to the west of the site. The Committee was assured that no new hard standing for parking was to be created.

**Unanimously RESOLVED that:**

**Planning permission be GRANTED, subject to the following conditions:**

**1. SCB0 – Development in accordance with plans**

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

**2. SCB1 – Commencement within three years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

**3. SCM6 – Materials to be approved**

Details, including samples, of all materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls and ground surfaces commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**4. SCM9 – No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**5. SCH4 – Forward vehicle ingress/egress only**

All vehicles shall enter and leave the site only in a forward direction.

REASON: In the interests of road safety generally and avoidance of obstruction of the highway.

**6. SCH8 – Parking for people with disabilities**

Before the use hereby permitted first commences, at least three car parking spaces shall be marked and retained permanently for use by the vehicle of a disabled badge-holder.

REASON: In order to ensure that a reasonable number of parking spaces are located conveniently for use by people with disabilities.

**7. SCH10 – Secure bicycle parking**

Secure, covered parking shall be provided for 142 bicycles in the form of Sheffield stands, with full details (including siting) to be submitted to the local planning authority and approved in writing before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

**8. SCH14 – Closure of existing access**

The existing north-eastern vehicular access to the site shall be closed permanently when the use of the new north-eastern emergency vehicle access shown on the plans hereby approved is provided and in use.

REASON: To confine access to the permitted point in order to ensure that the development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

**9. SCH15 – Access only as approved**

Vehicular access to the site shall be only via the permitted access.

REASON: In order to confine access to the permitted points to ensure that the development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

**10. SCT3 – Protection of trees during site works**

No development will take place on-site until full details of tree protection have been submitted to, and approved in writing by, the Council and until such approved protection has been erected on-site. Tree protection will be in accordance with BS5837:2005 (Trees in relation to construction – Recommendations) and will protect the root protection area calculated as described in Table 2 of that British Standard. The protective fencing will be 2.4 metres high and conform to Figure 2 of BS5837:2005, i.e. a scaffold framework comprising a vertical and horizontal framework, well-braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Panels should be securely fixed to this weldmesh with wire or scaffold clamps.

REASON: In order to protect the existing trees during building operation and site works.

**11. SCT4 – Tree survey/retention plan**

A detailed tree survey (plan and schedule) indicating precise location, species, height and condition of each tree, together with the spread of each tree accurately plotted, and showing which trees are to be retained and which it is proposed should be felled (to number no more than four trees) shall be approved by the local planning authority before any work commences on site.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990, and to provide for the retention and protection of existing trees in the interests of the appearance of the locality.

**12. SCT1 – Submission of landscaping scheme**

Full details of hard and soft landscaping shall be submitted to and approved by the local planning authority, in writing, before any landscaping work commences on-site, to show (as applicable) species of trees, type of stock and level of maturity, numbers of trees and shrubs (to be no fewer than ninety) to be planted, and areas to be grass-seeded or turfed, and also including layout, construction, and existing and proposed

levels, consistent with the tree protection plan and method statement. All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the local planning authority for a period of five years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed (including any existing trees or plants that die or are damaged during, or as a result of, construction work).

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

**13. NSC1 – Non-standard condition**

The applicant shall:

- (a) use all reasonable endeavours to secure that at least 25% of the workforce for the construction of the development is local labour (any person or persons aged 18 years or over who is a resident of the London Borough of Hackney);
- (b) notify the Hackney Construction Recruitment Centre or any other subsequent organisation of all vacancies for employees, self-employed, sub-contractors and any other form or type of employment or service arising from construction of the development;
- (c) supply to Hackney Construction Recruitment Centre a complete labour plan for the full duration of the construction phase identifying which skills and employment are needed;
- (d) have an active programme for recruiting and retaining apprentices and adult improvers in the various building trades (such as bricklaying, carpentry, electrical, plumbing and plastering) and as a minimum employ one apprentice per £1 million of construction contract value and one adult improver per £2 million of construction contract value, providing written evidence documenting that programme within 7 days of a written request from the Council;
- (e) provide a detailed monthly labour return for monitoring the employment and self-employment profile of all workers working on the development; in relation to all contracts with a value in excess of £5 million, supply the Hackney Construction Recruitment Centre with full procurement details and a plan identifying the services and materials that will be sourced during the period commencing on the implementation of the development and finishing six months after completion off the development.

REASON: In the interests of upholding the Council's employment objectives by providing opportunities for residents of the borough.

**14. NSC2 – Non-standard condition**

The new vehicular entrance and route at the eastern end of the site is to be used by emergency vehicles only and is not to be used by staff or visitors' vehicles, or delivery vehicles.

REASON: In the interests of protecting the tree protection areas in the adjacent trees from the impact of excessive vehicular use.

**15. NSC3 – Non-standard condition**



No development shall commence on-site until a scheme to minimise the threat of dust pollution during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete) have been submitted to and approved in writing by the local planning authority. The approved scheme shall include a watering regime in the event of dry weather, dust screens, etc., as appropriate, and shall be implemented in its entirety once development has commenced.

REASON: In order that the local planning authority may be satisfied that the demolition process is carried out in a manner that will minimise possible dust pollution to neighbouring properties.

**16. NSC4 – Non-standard condition**

No demolition, groundwork, enabling works or construction is to be done on site within the root protection area (area as recommended by BS5837:2005) of the retained, TPO trees until full details of the surfacing within this area, including existing and proposed levels, excavation depths and construction have been agreed in writing with the Council.

REASON: To avoid or minimise harm to the existing TPO trees from the effects of hard surfacing and to minimise such areas within the root protection area and to maximise their gas and water permeability.

- 17.** The applicant shall be required to enter into a legal agreement with the Council's Streetscene department, pursuant to section 278 of the Highways Act 1980, for the payment of the cost of any works to highway land adjoining the site that arise from the implementation of this planning permission.

**REASONS FOR APPROVAL**

1. The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; C6 - Provision of Education Facilities; CS10 - Planning Standards.
2. The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3A.18 - Protection and enhancement of social infrastructure and community facilities; 3A.24 - Education facilities; 3C.1 - Integrating transport and development; 3C.17 - Tackling congestion and reducing traffic; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.5 - Creating an inclusive environment.

**INFORMATIVES**

The following Informatives should be added:

- |      |   |
|------|---|
| SI.1 | Building Control                                |
| SI.2 | Work Affecting Public Highway                   |
| SI.3 | Sanitary, Ventilation and Drainage Arrangements |
| SI.6 | Control of Pollution (Clean Air, Noise, etc.)   |

- SI.7 Hours of Building Works
- SI.25 Disabled Person's Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping

NSI.1 All materials submitted pursuant to the discharge of conditions 3 this approval (as per paragraphs 8.1.3 of this report) should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/1652, and accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

**14 Olympics & Paralympics Site - Hackney & adjoining Boroughs: Land between River Lea Navigation, A12 East Cross Route, River Lea and Silverlink railway line, Homerton, E9**

Observations to the Olympic Development Authority (ODA) regarding Submission of Urban Design and Landscape Framework Appendices (Bridges, retaining Structures, and Streetscape Components) pursuant to condition OD.0.9 of planning permission 07/90010/OUMODA dated 28/09/07.

- 14.1 The Planning Officer introduced the report as set out in the agenda. He referred to the addendum which detailed further comments received from internal consultees.
- 14.2 The Chair asked that as part of the design code, the roads should be laid out to enable to creation of a 20 mph zone in the legacy. This was **AGREED**.

**RESOLVED that:**

**The London Borough of Hackney (LBH) objects to the proposed appendices to the Urban Design and Landscaping Framework (UDLF):**

- The LBH objects to the legacy transformation road layout. In particular with regard to the Waterden Road replacement being a major distributor road that will create a barrier for Hackney residents trying to access the amenities in the eastern half of the park.
- The LBH objects to the proposed new access arrangements off the A12 Lea Interchange as the transport implications on Hackney have not been assessed.
- The LBH objects to the use of Combined Kerb and Drainage Units. The Council does not generally support the use of these drains on roads to be adopted by the Council due to maintenance issues. As levels in the Olympic Park can be changes to meet requirements, the gradient of roads should be designed such that conventional drainage can be incorporated.

**Planning permission be GRANTED, subject to the following conditions:**

- All future legacy roads earmarked for adoption by LBH should be in accordance with Hackney's Public Realm Design Guidelines with regard to streetscape specifications and be constructed to an adoptable standard.
- Any street lighting that will be located on future adopted roads will need to be designed and constructed to the satisfaction of the Council.
- Cycling lanes should be provided for on the carriageway and segregated cycling lanes should not be provided (as shown within the submitted documentation). Instead the carriageway lane widths should be wide enough to accommodate cyclists safely.
- Any future bridges that are intended to be adopted by London Borough of Hackney will need to be designed and constructed to the satisfaction of London Borough of Hackney's Streetscene Department. Each bridge will need to be assessed on a case by case basis by London Borough of Hackney. Any additional requirements required as a result of the assessment by London Borough of Hackney will need to be provided to ensure that the bridge will be built to an adoptable standard.
- The LBH expects materials for such structures (bridges, retaining structures and streetscape components) within the Olympic Park to be of the highest quality.
- The LBH recommends that more information should be provided to show how the roading networks will accommodate cyclists and connect to the wider cycle network.
- The LBH would encourage that the design of retaining structures could be configured to incorporate, where accessible, more usable spaces by visitors and where not accessible the potential for living walls and local fauna refuges (i.e. bat boxes/bee habitats).
- The LBH advises the ODA that the intention to adopt site-wide SuDS (sustainable drainage systems) should be demonstrated in these Urban Design and Landscape Framework Appendices, by reference to the various techniques to allow infiltration of surface water runoff where ground conditions permit, or for other approaches such as attenuation and holding tanks which also allow for the watering of new trees in the highway.
- All roads should be laid in a manner to allow the creation of a 20mph zone in Legacy Mode.

**15 Mabley Green, Lee Conservancy Road, E9 5HW**

Construction of outdoor gym including new canopy and boundary enclosures.

(Councillor Webb left the Chamber for the hearing of this item.)

10.1 The Planning Officer introduced the report as set out in the agenda.

10.2 The Interim Head of Regulatory Services informed the committee that the application site was in fact located on common land as well as metropolitan land and as such, any development on the subject site must remain unrestricted and open to public use in perpetuity. To this effect it was confirmed that no fencing or any other means of enclosure forms part of this application.

- 10.3 Reference was made to the addendum which stated that an objection email dated 13 October 2008 had been received from the Hackney Parks Forum and Mabley Green Users' Group. Although they had not been formally consulted during the statutory consultation period, the objectors were informed of the proposed development through the 2012 Team and at meetings with the Head of Green Spaces. The main objections and the responses to those were detailed within the addendum.
- 10.4 Matt Delaney, The Great Outdoor Gym Company, was in attendance to answer any questions that arose.
- 10.5 The Chair wished to clarify why this particular location was chosen and Matt Delaney responded by stating that they had gone to the Council and asked them where they felt was the most suitable place for this equipment to be located.
- 10.6 Councillor Hanson wished to know the estimated lifespan of the equipment and it was explained that the equipment had a guarantee of five years, however it was made of galvanised steel so had the potential to last up to twenty years. The canopy was also fire retardant.
- 10.7 The Committee wished to clarify who was responsible for the maintenance of the site and it was explained that the site would belong to the Council, however the management arrangements would need to be finalised.
- 10.8 Councillor Desmond asked whether any supervision was proposed for the site. Matt Delaney stated that as the site would belong to the Council, any supervision would need to be contracted by the Leisure Department. He added that the adidas money could be match-funded in order to fund 20 hours per week supervised sessions and coaching.
- 10.9 Concern was raised over the advertising and how they would be perceived, as the adidas slogan would be displayed on the equipment. Matt Delaney explained that the advertising would be kept to a minimum and that this had been managed well at other sites within London.
- 10.10 In response to a question from the Chair asking why the area of hard standing on Mabley Green could not have been used for the new equipment, David White, 2012 Unit, explained that this area would remain as car park and part of this would be used for changing rooms for the new facility.

**RESOLVED that:**

**Planning permission be DELEGATED to the Interim Head of Regulatory Services, in consultation with the Chair and the Assistant Director Community Services, within the next ten working days, subject to the following conditions:**

1. **SCB0 – Development in accordance with plans**  
The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

2. **SCB1 - Commencement within three years**

The development hereby permitted must be begun not later than three years after the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

3. **SCM2 – Materials to be approved (Amended)**

Full details, with samples, of materials to be used on the external surfaces of the structures and equipment shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

4. **SCT – Protection of trees during site work**

No development will take place on site until full details of tree protection have been submitted to, and approved in writing by, the Council and until such approved protection has been erected on site. Tree protection will be in accordance with BS5837:2005 (Trees in relation to construction – Recommendations) and will protect the root protection area calculated as described in Table 2 of that British Standard. The protective fencing will be 2.4m high and conform to Figure 2 of BS5837:2005 i.e. a scaffold framework comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3m. On this weldmesh panels should be securely fixed with wire or scaffold clamps.

REASON: In order to protect the existing trees during building operation and site works.

5. **Provision of litter bins.**

Before the development commences provision of facilities for the disposal of litter and refuse by members of the public within the site shall be made in accordance with details to be submitted to and approved by the Local Planning Authority in writing.

6. **NSC – Ground Levels**

There shall be no rising of existing ground levels on the site.

REASON: To prevent the increase of flooding due to impedance of flood flows and reduction of flood storage capacity.

7. **NSC - Permeable structures**

All walls and fencing of the hereby approved development shall be permeable to flood water.

REASON: To prevent obstruction to the flow and storage of flood water and consequent risk of flooding.

**REASONS FOR APPROVAL**

The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council

**Thursday, 16th October, 2008**

in reaching the decision to grant planning permission: EQ1 (Development Requirements), EQ21 (Metropolitan Open Land), EQ31 (Trees), EQ40 (Noise Control), EQ48 (Designing Out Crime), OS1 (Enhancing Metropolitan Open Land), OS2 (Open Spaces and Parks), OS4 (Protection of Character of Open Spaces and Parks) and OS5 (Development Affecting Open Spaces and Parks) as well as policies 3D.8 (Realising the value of open space and green infrastructure) and 3D.10 (Metropolitan Open Land) of the London Plan 2008.

**INFORMATIVES**

The following Informatives should be added:

SI.7 Hours of Building Works

**16 Delegated Decisions - August/September 2008**

The report was NOTED.

**17 Any other business which in the opinion of the Chair is urgent**

None.

**Duration of the meeting:** 6.30pm – 10.20pm

**Signed**

.....

**Chair of Planning Sub- Committee**

**Contact:**

Emma Perry

020 8356 3338

Emma.Perry@hackney.gov.uk

<b>ADDRESS: 191 Evering Road, E5</b>	
<b>WARD:</b> Hackney Downs (H)	<b>REPORT AUTHOR:</b> Bernard Haasbroek
<b>APPLICATION NUMBER:</b> 2008/1920	<b>VALID DATE:</b> 15/08/2008
<b>DRAWING NUMBERS:</b> 191eve/1/01 Rev A 191eve/1/02 Rev A 191eve/2/01 Rev B 191eve/2/02 Rev A 191eve/2/03 Rev A  Together with Design and Access Statement	
<b>APPLICANT:</b> <b>Whitechapel Resources Limited</b> <b>334-336 Goswell Road</b> <b>London</b> <b>EC1V 7RP</b>	<b>AGENT:</b> <b>Mr. L. Heer</b> <b>Bostall Architectural Services</b> <b>Old Bexley Lane</b> <b>Bexley, Kent</b> <b>DA5 2BL</b>
<b>PROPOSAL:</b> Conversion of a single dwelling house to create 4 self-contained flats (comprising 1 x 4 bed flat and 3 x 2 bed flats) together with external alterations including installation of new double doors onto the rear roof terrace at mezzanine floor level and rooflights to ground floor extension and creation of new front door steps.	
<b>POST-SUBMISSION REVISIONS:</b> Slight amendments to the submitted drawings were received on 7 November 2008. These drawings illustrate minor alterations to the proposed front elevation and proposed floor plans which amended internal floor levels (the addition of 3 internal steps).	
<b>RECOMMENDATION SUMMARY: Grant Conditional Planning Permission</b>	

### ANALYSIS INFORMATION

#### ZONING DESIGNATION:

CPZ		No
Conservation Area		No
Listed Building (Statutory)		No
Listed Building (Local)		No
Archaeological Interest	YES	

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Existing	C3	Residential	316 SQM
Proposed	C3	Residential	316 SQM

RESIDENTIAL	USE	Residential	No of Bedrooms per Unit

DETAILS:	Type					
		1	2	3	4	5+
Existing		0	0	0	0	1
Proposed		0	3	0	1	0
<b>Totals</b>	<b>(Total = 4)</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>

### OFFICERS REPORT

#### 1. SITE DESCRIPTION

- 1.1 The site is a two-storey over basement mid-terrace Victorian building located on the north side of Evering Road. The property was in the process of being refurbished at the time of the site visit. At its rear is a large single-storey ground floor extension with balcony above. A rear roof dormer extension and front light-well have been constructed utilising permitted development rights granted to single family dwellinghouses under the Town and Country Planning (General Permitted Development Order).
- 1.2 The surrounding area is predominantly characterised by residential properties, which are a mixture of single family dwellings and similar flat conversions.

#### 2. CONSERVATION IMPLICATIONS

- 2.1 There are no conservation implications associated with this application.

#### 3. HISTORY

- 3.1 There is no planning history for the subject site.

It is noted that this application was withdrawn from the 5 November 2008 planning committee due to the accuracy of the plans, particularly with regard to the proposed front elevation. The plans have subsequently been amended and accurately illustrate the proposed works. Given the minor nature of the changes, it was not considered necessary to re-consult.

#### 4. CONSULTATIONS

- 4.1 Date Statutory Consultation Period Started: 19/08/2008
- 4.2 Date Statutory Consultation Period Ended: 10/10/2008
- 4.3 Site Notice: Yes
- 4.4 Press Advert: No



#### 4.5 Neighbours

4.5.1 12 neighbours have been consulted by personal letter and a site notice was posted on 19/08/2008.

#### 4.5.2 Evering Road Action Group:

Object – One petition letter with 16 signatures has been received from the above group, raising objections on the following grounds:

- Submitted plans are incorrect as the proposed building includes works and alterations that have already been completed. There is a discrepancy between the submitted plans with some showing a level access to the side entrance and some showing a number of steps, which would have an implication in relation to Hackney UDP policy HO16.
- The work in relation to this scheme has already commenced without planning permission and it is contested that this can not be seen as permitted development.
- The existing single storey rear extension does not have planning permission and this planning permission would effectively permit this unauthorised development.
- The single storey rear extension would have a balcony element that would seriously affect the privacy of adjoining neighbouring properties.
- The dwelling does in fact have a side entrance at ground floor level and part of the development must therefore be adapted for disabled use to comply with policy HO16 of the Hackney UDP.

#### 4.6 Other Council Departments

##### 4.6.1 Waste Management:

No comment received

### 5 POLICIES

#### 5.1 Hackney Unitary Development Plan 1995

EQ1	Development Requirements
H03	Other sites for housing
H012	Conversions
H016	Housing for people with disabilities

SPG2            Supplementary Planning Guideline 2 (Residential  
Conversions Extensions and Alterations)

**5.2 London Plan 2008**

3A.1            Increasing London's Supply of Housing  
3A.2            Borough housing targets  
3A.3            Maximising the potential of sites  
3A.5            Housing Choice  
3A.6            Quality of new housing provision  
4B.1            Design Principles for a Compact City

**5.3 National Planning Policies**

PPS1            Delivering Sustainable Development  
PPG3            Housing

**6. COMMENT**

**6.1 Background**

The proposal is for the conversion of single dwelling house to create 4 self-contained flats of which one will be a four bedroom flat with access to the rear garden. The proposal includes minimal external alterations namely alterations to the front basement windows and front door steps, the erection of a roof structure on the edge of the existing terrace and double doors opening onto it at first floor level.

6.2 A number of minor revisions were negotiated with the applicant to improve the proposal and to bring it under current policy requirements. This included the erection of a 1.8 metre high screen on the boundary wall at first floor level, the insertion of an additional window to the bedroom 2 at basement level and the reconfiguration of the internal layout to improve stacking of rooms, prevent overlooking issues.

6.3 A large rear extension exists on the site with a flat concrete roof and access onto it at first floor level which can therefore be used as a first floor terrace. This structure was built without planning permission but it was constructed approximately 10 years prior and would therefore be immune from planning enforcement action.

6.4 Building works were underway at the time of the site visit. This included the rear dormer and loft conversion as well as refurbishment of the basement and the insertion of windows. The property is however currently a single family dwellinghouse and under the Town and Country (General Permitted Development) (Amendment) (No2) (England) Order 2008 permitted development rights can be used to carry out all the works referred to above without the need to apply for planning permission. These developments do not therefore form part of the current planning application which is confined solely to the proposed conversion of the building to flats with the alterations as stated in the description.

6.5 Principle Of Development

The relevant policies to consider with regards to the principle of the proposed residential conversion are HO3 'Other Sites for Housing' and HO12 'Conversions' and H016 'Housing for people with disabilities'.

6.6 The existing dwelling comprise of approximately 316 square metres of internal floor space. Policy HO12 of the Hackney UDP requires for conversions exceeding 180 sqm. to provide at least one family unit with four bedrooms, suitable for occupation by six or more people and with access to private amenity space. These features form part of the current planning application and are therefore acceptable.

6.7 Policy HO16 of the Hackney UDP requires, where possible, for a house conversion to have at least part of the conversion accessible for people with impaired mobility. The side entrance of the subject site is at ground level and the layout of the four bedroom unit was improved so that accessibility for disabled users can be attained with further conversion work. The need to provide a four bedroom family unit as required by policy HO12 was however considered to take priority and the proposal is considered as acceptable in this regard.

6.8 The proposal is also considered to be in line with policies 3A.1, 3A.2 and 3A.3 of the London Plan as well as PPS1 and PPS3 which support the notion of creating additional housing in a sustainable manner.

6.9 Visual Appearance

The proposal entails mainly changes to the internal configuration. The minor alterations to the front elevation, including the improvements to the front steps and basement windows will improve the visual appearance of the building and the street scene. The proposed new roof structure on the single storey rear extension is in keeping with the dwelling structure and will integrate this structure with the main dwelling. The proposed development is therefore considered to be acceptable in terms of its visual appearance and policies EQ1 of the Hackney UDP and 4B.1 of the London Plan.

6.10 Impact on neighbouring amenities

The proposal would only comprise of changes to the internal configuration of the building it would not have an adverse effect on the residential amenities of neighbouring properties. The proposal will however improve the negative impacts of overlooking from the terrace at first floor level on the single storey rear extension. The proposal entails the construction of a new false roof structure with the existing terrace as a recess behind this and 1.8 metre screen on the boundary with 189 Evering Road. As such the proposal is regarded to be acceptable in terms of policies EQ1 of the Hackney UDP and 4B.1 of the London Plan in terms of its potential impact on residential amenities.

6.11 Internal Layout

The internal layout of the proposed development was changed so that the four bedroom family gains access from the side entrance and occupies the rear of the property on basement, ground and mezzanine level. This arrangement allows for the four bedroom unit and avoids loss of privacy for any of the proposed units. The other three two bedroom units take up the remainder of the building and the internal configuration leads to an appropriate layout and stacking as suggested in Supplementary Planning Guidance 2.

6.12 The table below indicates the room sizes in square metres for the proposed development with the requirements as given in Supplementary Planning Guidance 2 stated in brackets below. All the minimum room sizes are being met with the proposed development and the internal layout complies with the regulations and requirements of policy HO3 and Supplementary Planning Guidance 2.

	Unit 1	Unit 2	Unit 3	Unit 4
Main Bedroom	16.5 (11)	18 (11)	12 (11)	11.5 (11)
2 <sup>nd</sup> Bedroom	12 (10.5)	10 (6.5)	10 (6.5)	15.5 (6.5)
3 <sup>rd</sup> Bedroom	8.2 (6.5)			
4 <sup>th</sup> Bedroom	12.8 (6.5)			
Kitchen/ Living	14 (13)	30 (24)	25 (24)	27 (24)
Separate Living	20 (16)			
Garden	149.5 (30)			

6.13 Waste Management – The proposal makes provision for four 140 litre refuse bins and four recycling boxes and would therefore comply with the conventional standards for waste management. The refuse area would be screened from public view behind a low level wall and would therefore be less visible so that no further condition is required in this regard to comply with policy EQ1 of the Hackney UDP.

**7. Response to objections**

In response to the objections received to the proposal, the following comments apply:

7.1 Inaccurate plans – The Local Planning Authority is satisfied that the submitted plans are a true reflection of the buildings that exist on the site at the time of the site inspection.

7.2 Commencement of works – The property is currently classified as a single residential dwelling and the works that were carried out to date would fall

under the permitted development allowance as explained in paragraph 6.4 of this report.

- 7.3 Unlawful single storey extension – The single storey rear extension that has been constructed without planning permission would be immune to planning control as it has been in existence for more than 4 years. The proposal would improve the visual appearance of this element with the inclusion of a false roof and reduce the negative impacts on neighbouring amenities due to overlooking as discussed in paragraph 6.10 of this report.
- 7.4 Privacy – The proposal will improve the privacy of all neighbouring residential properties as discussed in section 6.10 of this report.
- 7.5 Provisions for mobility impaired occupants – The revised plans will result in the four bedroom ground floor unit to comply with policy HO12 of the Hackney UDP which is considered to be of primary importance and compliance to policy HO16 may not be possible in this instance.

## **8 CONCLUSION**

- 8.1 The proposal to convert and alter the property into flats accords with policies within the Hackney Unitary Development Plan. The Planning Service is satisfied that no breach of planning control occurred and that the proposed development should be recommended for approval.

## **9 RECOMMENDATION:**

**That planning permission be Granted subject to:**

### 9.1 SCB1N - **Commencement within 3 years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of the Town and Country Planning Act 1990 as amended.

### 9.2 SCB0 - **Development only in accordance with submitted plans**

The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

### 9.3 NSC – **Screening**

A 1.8 metre high obscured screen shall be erected and permanently maintained for the first 2.5 metres at first floor level along the rear

boundary with 189 Evering Road.

REASON: To safeguard against overlooking of adjoining sites and premises.

## 10 INFORMATIVES:

SI Reason for approval:

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 [Development Requirements], HO3 [Other Sites for Housing] and H012 , [Conversions], H016 [Housing for people with disabilities] as well as policy 3A.1 [Increasing London's Supply of Housing], 3A.2: [Borough Housing Targets], 3A.3 [Maximising the potential of sites], 3A.5 [Housing Choice], 3A.6 [Quality of new housing provision], 4B.1 [Design Principles for a Compact City] of the London Plan 2008.

SI.1 Building Control

Your attention is drawn to the provisions of the Building Act 1984 and other Building Control legislation, which must be complied with to the satisfaction of The Planning and Transportation Service, Dorothy Hodgkin House, 12 Reading Lane, London, E8 1HJ. Telephone No: 020 8356 5000. Before any building work (including improvements to means of escape and changes of use) is commenced on site, detailed plans, together with the appropriate application form must be submitted for approval and early consultation is advised.

S3 Hours of Building works

Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 which imposes requirements as to the way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Councils Pollution Control Service, 205 Morning Lane, London, E9 6JX (Telephone: 020 7356 5000) and you are advised to consult that Division at an early stage.

SI.3 Sanitary, Ventilation, and Drainage Arrangements

Before any drainage works are commenced on site, detailed plans, giving notice of intention to build/permission to drain/construct/reconstruct or alter pipes and drains must be submitted for approval under the Building Regulations 1991 to the

Planning and Transportation Service, Dorothy Hodgkin House, 12 Reading Lane, London, E8 1HJ, Telephone No: 020 8356 5000. Please note that it will be necessary to consult the Thames Water Utilities Ltd., Waste Water Connections, Kew Business Centre, Brentford, Middlesex, TW8 0EE. Telephone No: 020 7713 3865, Fax No: 020 7713 3875.

- 1) All information appertaining to the existing public sewerage system.
- 2) Requests for sewer connections. All works will be carried out by the London Borough of Hackney at the applicant expense. All new developments will be required to have new sewer connections.
- 3) Building over sewers.
- 4) System of drainage to be provided on site.
- 5) Adoption of sewers.

Advisory Note:

It should be noted that most sewers throughout the Borough flow full or surcharge during periods of heavy storm and conditions may be imposed restricting discharge to the system. The prime condition is that any large development shall not cause an increase in the rate of flow to the public sewerage system. This requirement is normally met in the case of new developments by separation on site and storage of surface water flows in tanks or oversized pipes on sites. Where sites adjoin a suitable watercourse or storm relief sewer into which surface water can be discharged by gravity then the policy is for sites to be separated and have their surface water discharged to the watercourse or storm relief sewer. In the case of developments/ rehabilitation/ conversions etc., involving the use of basements these are likely to be particularly vulnerable to the effects of surcharge and applicants must therefore demonstrate that adequate drainage arrangements exist at all times.

*Sue Fletcher*

Signed.....

Date: 10 November 2008

Fiona Fletcher -Smith

**CORPORATE DIRECTOR NEIGHBOURHOODS & REGENERATION**

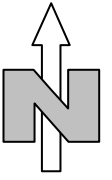
NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Planning file: 2008/1920	Bernard Haasbroek Planning Officer	263 Mare Street, London E8 3HT

2.	Hackney UDP and London Plan	020 8356 7939	
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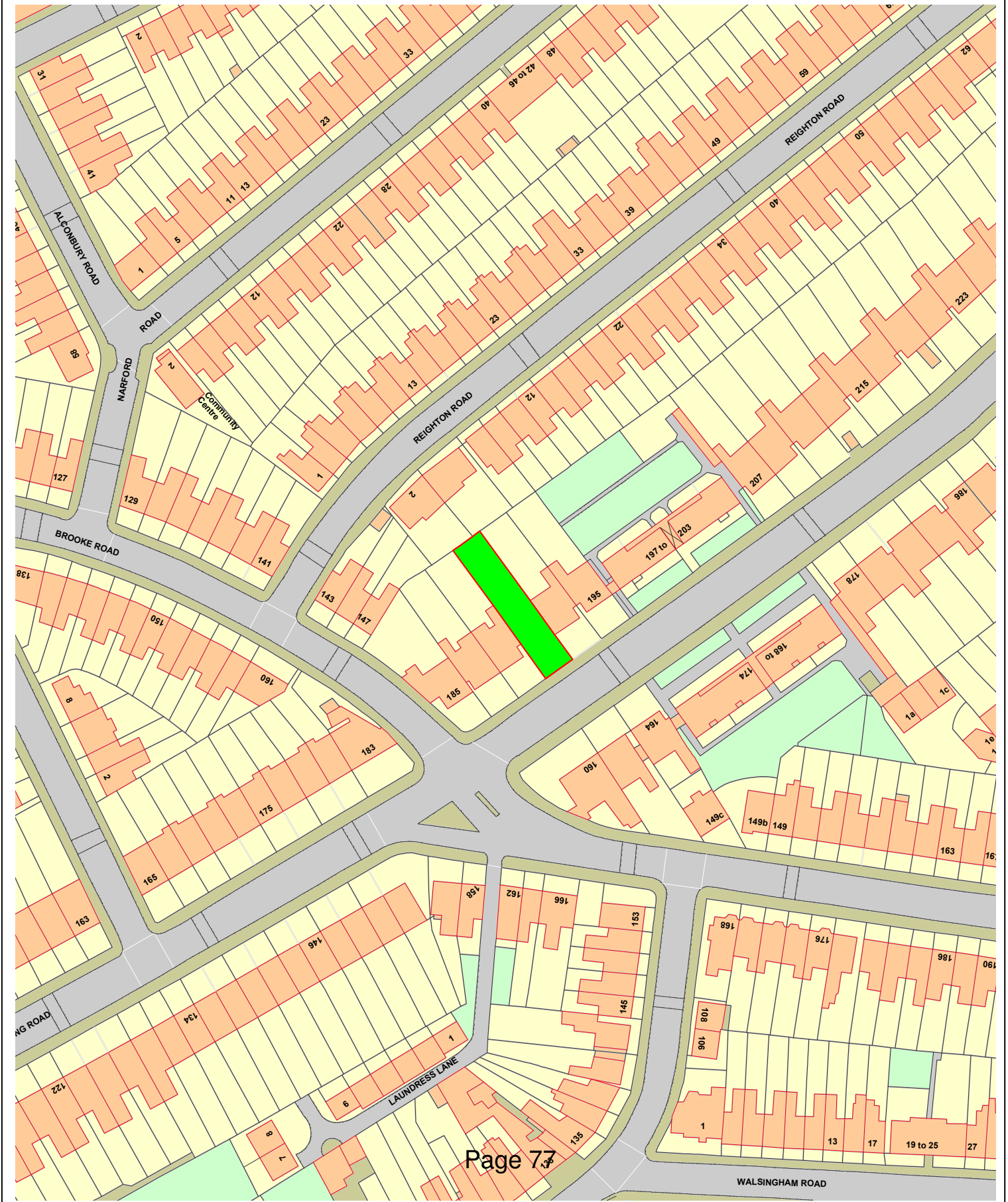
Date: 11/11/2008

Title: 2008/1920, 191 Evering Road London N16

Scale 1:1250

Prepared by : Technical Support Team

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<b>ADDRESS:</b> 151 Church Walk London N16 9JU	
<b>APPLICATION NUMBER:</b> 2008/1864  <b>DRAWING NUMBERS:</b> AL(0) 001, AL(0) 002, AL(0) 003, AL(1) 001 (Rev B), AL(1) 002 (Rev C), AL(1) 003 (Rev A), AL(1) 004 (Rev A) and AL(1) 005 (Rev A).  <b>REPORTS:</b> <ul style="list-style-type: none"> <li>• Design and Access Statement (July 2008)</li> </ul>	<b>REPORT AUTHOR:</b> Pascal Van-de-Walle  <b>VALID DATE:</b> 15/08/2008
<b>APPLICANT:</b> Mr David Mikhail 125 High Street Sevenoaks Kent TN13 1UT	<b>AGENT:</b> Howard Sharp & Partners LLP 125 High Street Sevenoaks Kent TN13 1UT
<b>PROPOSAL:</b> Erection of a four storey building to accommodate 1 x two-bedroom house, 1 x three-bedroom house, 1 x one-bedroom flat and a 1 x two-bedroom flat together with roof terraces at first, second and third floors, associated landscaping and provision for refuse storage and bicycle parking.	
<b>AMENDMENTS:</b> <ul style="list-style-type: none"> <li>• Privacy screening to terraces</li> <li>• Additional bicycle storage provided</li> </ul>	
<b>RECOMMENDATION SUMMARY:</b> Grant conditional planning permission	

### ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace
<b>Existing</b>	B1	Builder's Yard / Open Storage (currently vacant)	0.03 ha
<b>Proposed</b>	C3	Residential	

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing	0	0	0	0	0	0
Proposed	Flats	1	1	0	0	0
	Dwellings	0	1	1	0	0
	Studio	0	0	0	0	0
<b>Totals</b>	<b>(Total = )</b>	4				

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	0	4

### CASE OFFICER'S REPORT

#### 1. SITE DESCRIPTION

- 1.1 The site is located on the western side of Church Walk. Church Walk branches from the junction with the main roads; Clissold Road and Albion Road, and the smaller roads; the southern part of Church Walk and Milton Grove. The northern part of Church Walk is a dead end. Due to the width of the road, there is no on street parking.
- 1.2 The immediate area is predominately residential in nature, with a small shopping parade to the south of the site, on Albion Road, and a newsagent on the corner of Albion Road and Church Walk. Stoke Newington Church Street Local Shopping Area is located within easy walking distance from the site.
- 1.3 Adjoining the site to the north is a single storey community building, further to the north is a four storey hipped residential building and Stoke Newington School. Immediately to the west/south west of the site is a block of four storey flats, with a four and half storey building to mark the corner of Clissold Road and Church Walk. To south/south east of the site is a mix of three and three and half storey buildings. To the north east of the site there is a terrace of four two storey houses adjoining a four storey disused warehouse.
- 1.4 The site is currently vacant and disused, but was previously used as a builders yard / open storage (B1 / B8 Use). The street frontage consists of approximately 2 metre high boarding, creating a dead frontage along this part of Church Walk. This is further cemented by the rear boundary of the properties facing Albion Road. The rear of the site is currently marked by a 2 metre plus brick wall. The site slopes slightly to the south west, meaning that the rear wall extends to first floor finished floor level of the flats in 6-12 Clissold Road. At its nearest point, this wall is some 1.8 metres from the rear wall of the most south westerly flat, to 19.4 metres from its furthest point to the most north westerly flat.

**2. CONSERVATION IMPLICATIONS**

2.1 The site does not contain a listed building nor is it located within a conservation area. This subject site is, however, located nearby the following Grade II Listed Buildings:

- The Albion Public House – 2-4 Clissold Road, N16
- Albion Road – 144B, 144A, 142A, 142B, 143-145

Two site notices were placed at the site to identify the proposals proximity to these Grade II Listed buildings.

**3. HISTORY**

- 3.1 2001/0657 – Application withdrawn for the erection of 3 x 2 storey dwelling houses comprising 1 x 2 bed houses and 2 x 3 bed houses together with provision of 1 x off street car parking space.
- 3.2 2001/0658 – Application withdrawn for the erection of 3 x 2 storey 3 bedroom dwelling houses with provision of 1 No. off-street car parking bay
- 3.3 2001/0819 – Application refused for the erection of 3 No. dwelling houses. This application was dismissed at appeal (APP/U5360/A/1063563).
- 3.4 2002/1849 – Application refused for the erection of 2 x 4/6 person dwelling houses with car parking. This application was dismissed at appeal (APP/U5460/A/1113315)
- 3.5 2004/1359 – Application refused for the erection of 2 x two bedroom dwelling houses and 1 x one bedroom dwelling house, provision of one parking space
- 3.6 2004/2231 – Application granted for the erection of 2 x two storey houses and 1 x one storey house as a terrace with adjacent parking.
- 3.7 2006/2269 – Application refused for erection of a part single, part-two, part three and part-four storey building to accommodate 1 x two-bedroom house, 1 x three-bedroom house, 1 x two-bedroom flat and 1 x 3-bedroom flat, including landscaping, boundary works, courtyards, refuse and bicycle storage. The reasons for refusal included:
- The proposed height, scale, massing, bulk and design was considered to result in an obtrusive form of development which would adversely affect the amenity of the occupants of surrounding residential units.
  - Poor internal amenity

**4. CONSULTATIONS**

4.1 Date Statutory Consultation Period Started: 02/09/2008

4.2 Date Statutory Consultation Period Ended: 13/10/2008

4.3 Site Notice: Yes

4.4 Press Advert: Yes

4.5 **Neighbours**

172 neighbouring property owners / occupiers were consulted by personal letter and three site notices were placed around the site. 14 individual objections, 10 letters of support and two comments were received in response to the proposed development. They raised the following issues:

4.5.1 The reasons for support are as follows:

- The design is aesthetic and will improve the appearance of the street and local environs,
- Hackney needs more innovative buildings and this scheme makes excellent use of its context.
- The proposed scheme would be an improvement to the location,
- The architects have previously completed several award winning projects of comparable type on complex sites in London,
- The area is in desperate need of development as it is currently attracting vermin and with the 'air of dilapidation that makes the area threatening at night'.

4.5.2 The reasons for objection are as follows:

- Overdevelopment – *'too much building on too small a plot'* and would *'impose too great a strain on the local area'*.
- Loss of privacy – to residents of adjacent properties and also for tenants of the new development.
- Loss of daylight – not only to Flat 2, No.8 Clissold Road.
- Scale – the proposed development is too high for the site and will result in an overbearing and oppressive development when viewed from neighbouring properties.
- Design, appearance and use of materials are inappropriate and out of character with the surrounding area
- Precedence – previous cases, including smaller scale proposals, have been refused on this site and at appeal.
- Glare from the zinc roofing
- Lack of parking – *'parking is already a nightmare on neighbouring streets and this will simply exacerbate the problem'*.
- Internal amenity of the proposed development is poor as the living space size is insufficient



- Loss of green space

#### **4.6 Statutory Consultees**

- 4.6.1 The London Fire & Emergency Planning Authority: No objection to the proposal.
- 4.6.2 Thames Water Utilities Limited provided the following response: No response received.

#### **4.7 Other Council Departments**

- 4.7.1 Urban Design and Conservation: No objection to the proposed development which is considered to provide a more refined approach to the previous scheme that improves light levels to adjacent properties, complements the setting of the nearby listed buildings, and results in a more neighbourly development that sits comfortably within its context.
- 4.7.2 Highways & Transportation: The proposal is acceptable in transport terms. It appears that there is an existing vehicular crossover which is deleted under the proposal and the applicant/developer will be expected to cover the cost of removing this vehicular crossover through the s278 agreement.
- 4.7.3 Waste Management: This application requires 800 litres of waste storage in total plus provision for 4 recycling boxes the plan shows that they have designated an area for these requirements at the front of the property.
- 4.7.4 Private Sector Housing: No objection to the proposal subject to adequate provision being made for the hygienic storage of refuse pending collection.
- 4.7.5 Pollution Group: No objections to the proposal.
- 4.7.6 Landscape and Tree Officer: Recommended a condition to protect the tree located within the adjacent property.

### **5. POLICIES**

#### **5.1 Hackney Unitary Development Plan (UDP) (1995)**

- |      |   |                                  |
|------|---|----------------------------------|
| EQ1  | - | Development Requirements         |
| EQ18 | - | Setting of Listed Buildings      |
| EQ31 | - | Trees                            |
| EQ43 | - | Development of Contaminated Land |
| EQ48 | - | Designing out Crime              |
| HO3  | - | Other Sites for Housing          |

#### **5.2 London Plan (Consolidated with Alterations since 2004)**

- |      |   |  |
|------|---|--|
| 3A.1 | - | Increasing London's Supply of Housing; |
| 3A.2 | - | Borough Housing Targets;               |
| 3A.3 | - | Maximising the Potential of Sites;     |
| 3A.5 | - | Housing Choice;                        |
| 4B.1 | - | Design principles for a compact city   |

4B.4 - Enhancing the quality of the public realm

**5.3 Supplementary Planning Guidance (SPG)**

SPG 1 - Residential Conversions, Extensions and Alterations

**5.4 National Planning Policies**

PPS3 - Housing

**6 COMMENT**

6.1 The application site has been the subject of seven planning applications since 2001. An application for the erection of 3 No. dwelling houses and an application for the erection of 2 x 4/6 person dwelling houses with car parking were refused by The Planning Service and both were dismissed at appeal (APP/U5360/A/1063563 and APP/U5460/A/1113315). The appeal decisions provided some clear guidance on what may be considered acceptable at the site. Following the most recent appeal application 2004/2231 for the erection of 2 x two storey houses and 1 x one storey house as a terrace with adjacent parking was granted planning permission, however most recently application 2006/2269 for erection of a part single, part-two, part three and part-four storey building was refused for the following reasons:

- The proposed height, scale, massing, bulk and design was considered to result in an obtrusive form of development which would adversely affect the amenity of the occupants of surrounding residential units.
- Poor internal amenity

6.2 The current application seeks consent for the erection of a part single storey, part two storey, part three storey, part four storey building to incorporate 1 x two bedroom flat, 1 x three bedroom flat, 1 x two bedroom house and 1 x three bedroom house. This application provides four residential units, hence a greater intensification of the site from the previously approved application. The application provides a carefully considered and modern design response for the site. The proposal is considered to have addressed the reasons for refusal for the previous application 2006/2269 as detailed in paragraph 6.3 and the matters raised in the appeal decisions. This is discussed in more detail later in the report.

6.3 The main considerations relevant to this application are:

- The principle of the proposed development
- Design and appearance
- Bulk and scale
- Living Conditions of Adjacent Residents
- Amenity of the Proposed Development
- Impact on the Adjacent Listed Buildings

- Waste
- Access and Parking
- Consideration of submissions

Each of these considerations is discussed in turn below.

#### **6.4 The principle of the proposed development**

- 6.4.1 In principle, policy HO3 of the Hackney UDP supports the provision of housing where (a) the proposed development does not conflict with other policies and proposals contained within the plan and in particular with the retention of land and floorspace for employment uses; (b) the environment of the site is acceptable or would be made acceptable by the proposal in accordance with the policies in this plan; and (c) The proposed scheme is of a high quality with minimal disadvantages to residents in the surrounding area and is compatible with surrounding uses.
- 6.4.2 The subject site is currently vacant but was most recently used as a builders' yard / open storage. The principle of the loss of land for employment uses and the sites subsequent development for residential purposes has previously been established, including in the appeal decision dated 24 July 2001 (APP/U5360/A/01/1063563). The Planning Inspector for this case concluded that given the surrounding residential development, and the proximity of this development to the site, the site was considered unsuitable for a continuation of its present use and that the use of the site for housing would accord with Central Government Policy. To ensure that the site is made suitable for the proposed residential use a condition is recommended that site contamination investigation works and, where necessary, site remediation works are carried out prior to commencement of the building works.
- 6.4.3 With regards to policy HO3(c) the proposed development is considered to be a high quality contemporary scheme that will enhance the appearance of the streetscene while minimising impacts on the adjacent residents and the surrounding area. This is discussed in more detail later in the report.
- 6.4.4 As such, the principle of the development is supported in this case.

#### **6.5 Design and Appearance of the Proposed Development**

- 6.5.1 The subject site is located in a densely developed area that contains a mix of development styles and heights which utilise a range of building materials. The proposal consists of a staggered floor plan and a stepped height from a minimum of one storey to a maximum of four storeys. The building uses a simple palette of materials largely comprising yellow stock brick walls, zinc standing seam roof, perforated zinc galvanized mesh screens are used at the front ground floor to provide security for residents while retaining passive surveillance of the street and glazed balustrading for the upper floor balconies. A sedum planted roof is proposed above the single storey element at the southern part of the site. Fixed 'fin type' vertical louvres are provided behind

the rear elevation glazing to allow views only away from adjacent residential units and to prevent overlooking into the proposed units.

- 6.5.2 The contemporary design and use of materials, accompanied by the stepped nature of the development, is considered to be an appropriate design response for the site. The limited range of materials is sympathetic to the Grade II listed Albion Public House at 2-4 Clissold Road, and other nearby development, while preventing the development from becoming dominant in its position. The proposed design of the development is also supported by The Urban Design and Conservation Team who state that the proposal *“improves views into Church Walk from the nearby road junction, which are currently dominated by the blank gable end of the five storey building to the north of the site...The building is both fun and functional and we consider it enhance the appearance of the streetscene”* (refer to paragraph 4.7.1). The proposed design is considered to satisfy the relevant requirements contained in policy EQ1 of the Hackney UDP.

## **6.6 Bulk and scale of the proposed development**

- 6.6.1 The bulk and scale of the development has been considered separately to the design and appearance of the building due to the sites proximity to neighbouring properties and the potential impacts that this may create for surrounding residents. This section does not further consider the scale of the proposed development along Church Walk as this is considered to be appropriate in its context. This is also supported by The Urban Design and Conservation Team (refer to paragraph 4.7.1).
- 6.6.2 As discussed in paragraph 6.5.1, the proposed development steps up from one storey to a maximum of four storeys. The single storey element is located toward the southern part of the site, the nearest part to the flats in 6-12 Clissold Road, with a height of 2 metres nearest the boundary and 2.25 metres adjacent to the highway. This single storey element is proposed to be located 3.5 metres from the rear of 6-12 Clissold Road, and the existing 3 metre high brick wall located approximately 1.6 metres from 6-12 Clissold Road will be replaced with a 2 metre high fence. The area between the proposed fence and the single storey building will remain undeveloped.
- 6.6.3 It is this part of the previous proposals that has raised the most concern, especially in the initial appeal decision (APP/U5360/A/1063563) which concluded that the proposed building was considered to feature too prominently in the outlook from a ground floor flat at 6-12 Clissold Road. The current proposal has addressed this issue by moving the building further away from the residential units and reducing the height of the building near this boundary. As discussed in paragraph 6.3.3, the existing 3 metre high fence is also proposed to be removed and replaced by a 2 metre high fence. Subject to the design and location of the building and replacement fence, the outlook from the ground floor unit is considered to be improved from its current situation. Daylight issues will be discussed in more detail later in the report, however a report has been submitted to The Council that demonstrates that the daylight obtained by this unit will remain the same or will improve.

- 6.6.4 The current proposal also proposes a four storey element that will have a maximum height of 9.75 metres adjacent to the highway and sloping down to the rear. The overall height of the rear part of the building is reduced by 800mm of excavation and the use of flat or a steeply sloping roof form. This part of the development has been one of the main concerns raised by surrounding residents. The previous proposals that were the subject of appeal decisions were a maximum of two storeys in height but it is not considered that these decisions restricted development of the site to a maximum of two storeys as has been suggested in some of the objections. The most recent application number 2006/2269 which was refused in 2006 proposed a small four storey element at the sites northern end. That proposal was closer to neighbouring properties and the main reason of refusal was that it was considered to result in an obtrusive form of development that would adversely affect the amenity of the occupants of surrounding residential units.
- 6.6.5 The four storey element proposed with this application is a similar height to that of the previous refused scheme 2006/2269 but the element is located a minimum of 17 – 20 metres from the rear of 6-12 Clissold Road. This increases the buildings separation of 15 metres from the adjacent flats as proposed for the previous scheme. The proposed design and materials have also been significantly amended to reduce the bulk and scale by providing a sloping roof, a broken and stepped rear façade, and the proposed use of glazing and materials. The Urban Design and Conservation Team also agree that *“the revised roof profile and reduced footprint lessens the building’s overall bulk, creating a more neighbourly development, which sits comfortably within its context”*.
- 6.6.6 For the reasons provided above, the proposed development is considered to be compatible with neighbouring buildings and not result in an obtrusive form of development as viewed from adjacent residential properties. The proposal therefore addresses the relevant requirements within the Hackney UDP and the London Plan.

## **6.7 Living Conditions of Adjacent Residents**

- 6.7.1 The proposal is for a residential development that is located within a predominantly residential area. The potential impacts from the proposal are therefore considered to be restricted to overlooking, loss of daylight, loss of outlook, and glare from the proposed zinc roof material. The loss of outlook / oppressive nature of the development has been addressed in paragraph 6.6 and consideration of potential parking impacts is considered in paragraph 6.10.
- 6.7.2 With regards to potential privacy impacts, the proposed development has been designed so that the upper floor terraces face south with views along Church Walk. Screening is proposed to the western elevations of these proposed terraces and integral planters are also proposed to prevent overlooking toward the flats within No.6-12 Clissold Road. A balcony is also proposed at the first floor northern elevation which overlook Church Walk, a public highway, and the residences on the opposite side of the highway. As the residences are located across a highway there are not considered to be any privacy impacts. Overlooking opportunities from rooms within the proposed dwellings have been

minimised by the use of fixed 'fin type' vertical louvres are provided behind the rear elevation glazing to allow views only away from adjacent residential units and to prevent overlooking into the new units. As such, privacy impacts from the proposed development will be minimal.

- 6.7.3 In terms of daylight impacts, the first appeal decision relating to 3 No. two storey dwellings under application North/167/00/FP concluded that the proposed development would feature prominently in the outlook from the ground floor Flat 2, 8 Clissold Road and it was anticipated that the proposed development would reduce the amount of daylight to the bedroom window of this unit. This application proposed a two storey element built to the southern boundary, and the daylight and loss of outlook issues were a key reasons for dismissing the appeal. The subsequent appeal decision (APP/U5360/A/03/1113315) relating to application 2002/1849 for 2 No. four bedroom dwellings was also dismissed. In this case the Inspector concluded that, in their view, *'the scheme attempts to get too much building onto too small a plot, providing ...harm to the living conditions of the occupants of the closest ground floor flats to the south and west'*. This proposal was setback approximately 1.5 metres from the rear boundary of the site with No.6-12 Clissold Road for a large part of the site. The current proposal has a varied setback between 2.2 metres and 4.5 metres, and is also set back away from the southern boundary of the site and impacts are considered to have been reduced from the previous proposal.
- 6.7.4 A daylight and sunlight report has been submitted with the application that specifically considers the potential impact upon the ground floor Flat 2, No.8 Clissold Road and Flat 3, 6-12 Clissold Road. These are the flats nearest the proposed development and Flat 2 was referred to specifically in the 2001 appeal decision. With regards to Flat 2, this flat is only 2-4 metres from the boundary and 7.5 – 10 metres distance from the two storey part of the proposed building. The daylight report submitted confirms that the Vertical Sky Component (VSC) would be maintained at 29% for Window 1, increased from 30.5% to 35% for Window 2 and increased from 35.5% to 36.5% for the final window. As such, there will be no daylight impacts to this flat and only an improvement to two of the windows. In relation to Flat 3, the applicants report confirms that the current situation VSC is 38.5% and that the proposals VSC is 34%. This represents an 11.6% reduction, well within BRE guidelines, both in terms of the percentage decrease and the eventual VSC.
- 6.7.5 Some daylight impacts may occur to other units within No.6-12 Clissold Road, however these impacts will be less than those experienced at the flats discussed in paragraph 6.7.4 and on balance the changes to the amount of daylight received would not be significant given the urban context of the site and that the site is located north east of the windows measured. Additionally, loss of daylight was not a reason of refusal for the previous four storey scheme 2006/2269 and the current proposal has been reduced in height and scale toward the rear of the site. According to the planning report for the previous application, the daylight report submitted indicated that some neighbouring occupiers would experience a small reduction in the amount of sunlight but that

the proposal would not reduce the vertical sky component to below BRE guidelines acceptable level (27%).

- 6.7.6 The bulk and scale of the proposal and its resultant impacts on the amenity of the adjacent residents has been discussed in detail paragraph 6.6 above. The revised proposal is considered to lessen the building's overall bulk and create a more neighbourly development that sits comfortably within its context. This is supported by the Urban Design and Conservation Team.
- 6.7.7 The application proposes to use a 'bright zinc standing seam roof' which is angled down at the rear. This roofing material may have the potential to create glare to adjacent flats and a condition is proposed requiring pre-aged zinc roofing to be used which is considered to reduce the glare while providing a lighter development to benefit the neighbouring properties.
- 6.7.8 The potential impacts to adjacent properties have been addressed are considered to be minimal.

## **6.8 Amenity of the proposal**

- 6.8.1 In terms of internal layout, all units contain an entrance lobby which are separated from the living spaces, and all rooms are accessed from internal corridors. Furthermore, the bedrooms are mainly separated from the living areas by being located on separate floors to the main living areas. The room sizes of the proposal comply with the residential space standards of the Councils Supplementary Planning Guidance Note. The internal layouts are considered to provide an adequate living environment in accordance with policy EQ1 of the UDP and policy 4B.1 of the London Plan 2008.
- 6.8.2 With regard to amenity space, the proposal would provide one three bedroom family sized dwelling with direct access to 25 square metres of ground floor private amenity space and 5.8 square metres of amenity space at first floor balcony. This satisfies the Supplementary Planning Guidance requirements of a minimum of 30 square metres per three bedroom and more units. Additionally it should be noted that Clissold Park is located within easy walking distance of the subject site.
- 6.8.3 Overlooking into rooms located within the proposed development and overlooking of the outdoor amenity space was raised as reasons of concern in both appeal decisions. This issue of overlooking opportunities into rooms within the proposed dwellings has been minimised by the use of fixed 'fin type' vertical louvres are provided behind the rear elevation glazing to allow views only away from adjacent residential units and to prevent overlooking into the new units. The concern with overlooking of the outdoor amenity space has been reduced by providing three separate outdoor amenity spaces for the family size flat which is located closest to the adjacent flats at 6-12 Clissold Road. This dwelling now provides a courtyard adjacent to the public highway and a terrace area at first floor level which is private. As such, overlooking into the proposed development is considered to be minimal and the proposal provides a satisfactory living conditions for future residents.

**6.9 Impact on the Setting of Adjacent Listed Buildings**

6.9.1 The proposed development has the potential to affect the setting of the adjacent Grade II listed buildings located at 2 – 4 Clissold Road (The Albion Public House) and 143 – 145 Albion Road (odd). The subject site is located to the rear of these listed buildings and will generally only be viewed together with The Albion Public House when looking up the narrow entrance to Church Walk. The application proposes zinc roofing and face brick walls, with glazing for the doors accessing the terraces. Conditions are proposed requesting the submission of materials for approval prior to commencement of works on site. Subject to final approval of the materials, the design is considered to be sympathetic to the listed buildings and the Urban Design and Conservation Team raised no objection to the proposal. As such, the proposed development meets policy EQ18 of the Hackney UDP.

**6.10 Waste**

6.10.1 The proposed refuse and recycling arrangements for residential elements of the proposal are considered to be satisfactory.

**6.11 Access and Parking**

6.11.1 On site parking is not required for the proposed development. The site is located in an area with a good public transport access level (PTAL) of 3 and on site parking is not encouraged for small developments served by good public transport and the Transport Team also raises no objection to the proposed development.

6.11.2 Bicycle parking is proposed in the courtyards of the proposed dwellings houses and also for the ground floor one bedroom flat. Bicycle parking for the upstairs flat is provided behind a perforated zinc screen adjacent to the entrance of the dwelling.

6.11.3 The proposal provides level access at ground floor level for people with disabilities.

6.11.4 As such, the proposed development is considered to provide adequate access in accordance with the Hackney UDP 1995.

**6.12 Consideration of submissions**

6.12.1 Ten letters of support and 14 letters of objection were received in response to the proposed development.

6.12.2 The ten letters of support complimented the proposed design and appearance of the development and noted that the derelict site was in need of development.

6.12.3 The reasons for objection included overdevelopment, loss of privacy, loss of daylight, excessive scale, inappropriate design and appearance, precedence, glare, lack of parking, poor internal amenity for the proposal and loss of green



space. These issues have been addressed in the body of the report, with the exception of loss of green space. In response to this objection it is considered that the site is currently a brown field site and that the owner is under no obligation to retain the site as open space.

## **7.0 Conclusion**

7.1 The application site has been the subject of several planning applications and also appeal decisions. One application for three dwellings has previously been approved at the site, and this application for four dwellings increases the density of the site. The proposal has been stepped and provides a broken rear façade that minimises impacts to adjacent residences. The applicant has submitted information to demonstrate that daylight impacts to the two nearest ground floor flats is within the standards and actually improves for two of the windows for Flat 2, 8 Clissold Road. The design, appearance, bulk and scale of the proposal are supported by the Urban Design and Conservation Team and the development is considered to be sympathetic to the nearby listed buildings. The proposal provides a good level of internal amenity and subject to recommended conditions the application is recommended for approval.

## **8.0 RECOMMENDATION**

That planning permission be GRANTED subject to the following conditions:

### **8.1 SCBN1 –Commencement within three years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

### **8.2 SCB0 – Development only in accordance with submitted plans**

The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

### **8.3 SCM2 - Materials to be approved**

Full details, including samples, of the materials to be used on the external surfaces of the building, including glazing, shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory

and does not detract from the character and visual amenity of the area.

**8.4 SCM9 - No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8.5 SCI3 – No Roof Plant**

No roof plant (including all external enclosures, machinery and other installations) shall be placed upon or attached to the roof or other external surfaces of the building.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8.6 Non-standard – Roof Material**

Notwithstanding the details shown on the plans, full details, including samples, of the roof material to be used on the external surface of the building shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The proposed roof shall be constructed using pre-weathered material or be of an agreed patination that has been demonstrated to create minimal glare to adjacent properties. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To protect the living conditions to the occupants of neighbouring properties.

**8.7 SCG10 – Soil Contamination Survey/Treatment**

No development shall take place until details and results of a soil contamination survey of the site and details of remedial measures proposed to treat/eradicate any contamination found have been submitted by the applicant and approved by the Local Planning Authority in writing. The survey shall be carried out by a suitably qualified person or body to be agreed by the Council. The development shall not take place otherwise than in accordance with the details so approved.

REASON: To ensure that the condition of the site is suitable for the development proposed and to ensure a reasonable quality of natural environment, in order to safeguard future occupiers and users of the site.

**8.8 SCT3 – Protection of trees during site works**

No development will take place on site until full details of tree protection have been submitted to, and approved in writing by, the Council and until such

approved protection has been erected on site.

Tree protection will be in accordance with BS5837:2005 (Trees in relation to construction - Recommendations) and will protect the root protection area calculated as described in Table 2 of that British Standard.

The protective fencing will be 2.4m high and conform to Figure 2 of BS5837:2005 i.e. a scaffold framework comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3m. On to this weldmesh panels should be securely fixed with wire or scaffold clamps.

REASON: In order to protect the existing trees during building operation and site works.

**9. INFORMATIVES**

The following Informatives should be added:

- SI.1 Building Control
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.19 Health and Safety at Work Act

NSI.1 All materials submitted pursuant to the discharge of conditions 3 and 4 of this granting of full planning permission ('materials to be approved') should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/1586, and accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

NSI.2 An existing vehicular crossover is proposed to be deleted as part of this application and the developer/landowner will be responsible for all costs relating to the closure of existing vehicular and pedestrian accesses to the site, the construction of new accesses and the reinstatement and repair of public footways where they adjoin the site boundaries.

The Highways and Engineering Team, Environment Services Division, 263 Mare Street, London, E8 3HT, Telephone 0208 356 5000, should be consulted regarding any works to, on or under the public highway, including vaults and thresholds, vehicle crossing, access, parking and sight lines. Any vehicle crossing works are to be carried out by the London Borough of Hackney.

**10. REASONS FOR APPROVAL**

The following policies saved in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this

Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ1 - Development Requirements; EQ43 - Development of Contaminated Land; EQ48 - Designing out Crime; and HO3 - Other Sites for Housing.

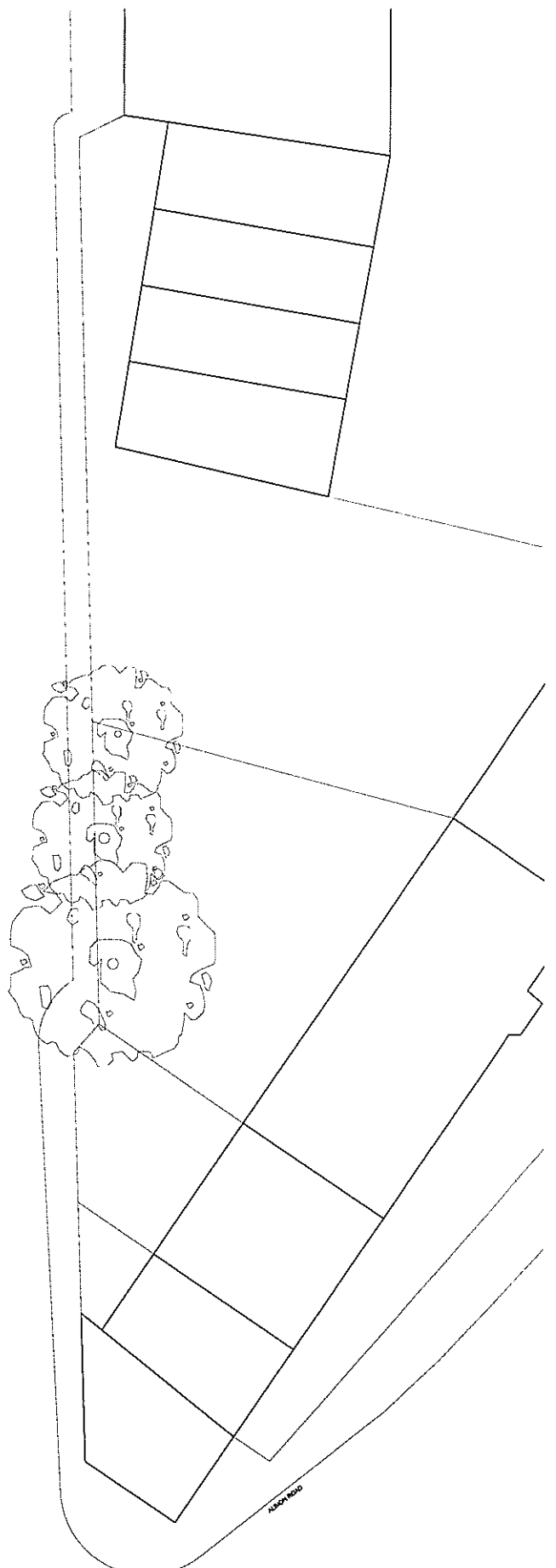
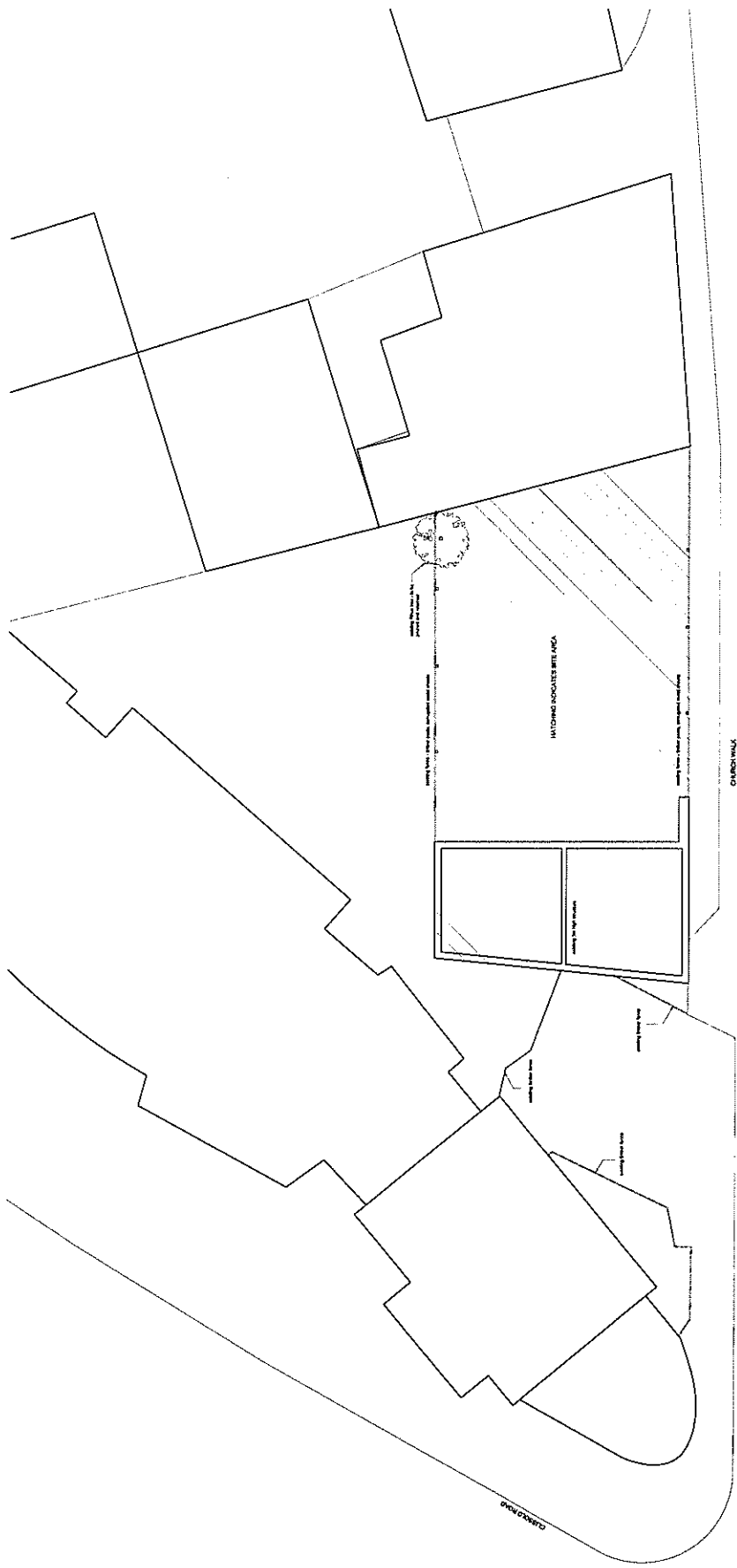
The following policies in the London Plan (2008) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 3A.1 – Increasing London’s Supply of Housing; 3A.2 – Borough Housing Targets; 3A.3 – Maximising the Potential of Sites; 3A.5 – Housing Choice; 4B.1 - Design principles for a compact city; 4B.4 - Enhancing the quality of the public realm.

*Sue Foster*

Signed..... Date: 10 November 2008

**Fiona Fletcher-Smith**  
**CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION**  
**DIRECTORATE**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP and the London Plan	Pascal Van-de-Walle	263 Mare Street, E8 3HT



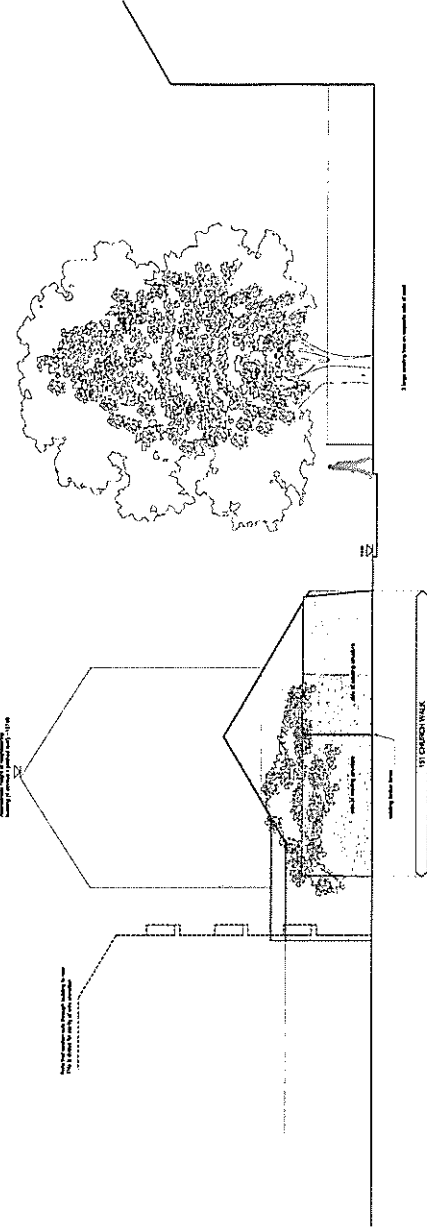
**NOTES**

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- All dimensions between corners, elevations,
- and other markings on site to be shown by
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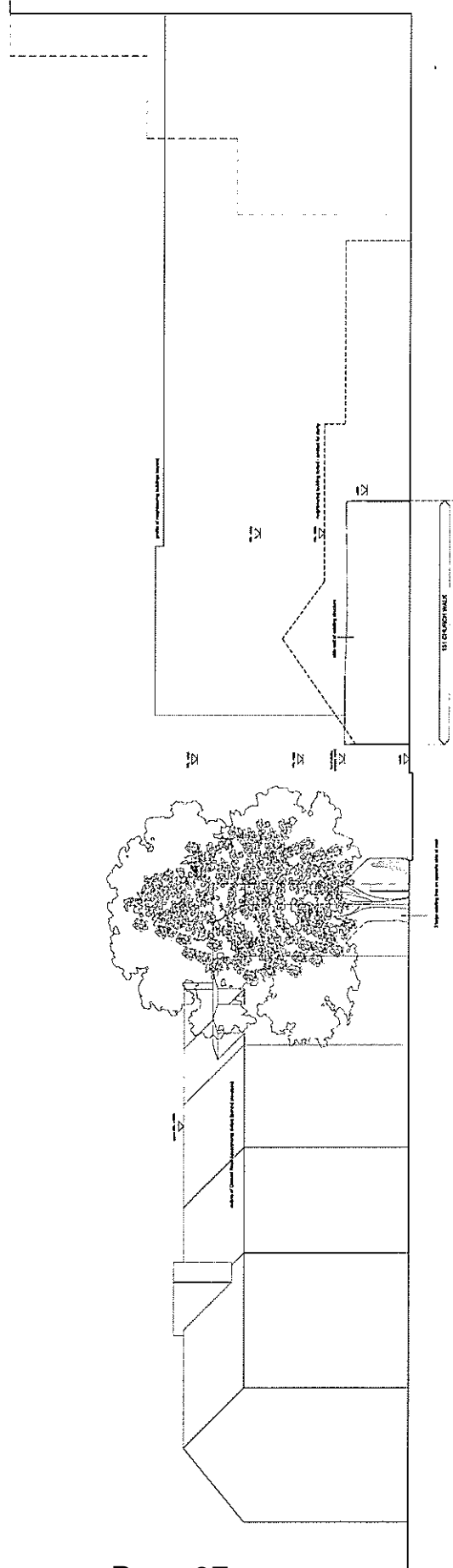
David Michael Architects  
 111 Church Street  
 02111  
 617-552-3333  
 www.dmaarchitects.com

PROJECT: 111 Church Street  
 CLIENT: David  
 TITLE: Existing Plan  
 DATE: May 2008  
 SCALE: 1/8" = 1'-0"  
 DWG NO.: A-101-001  
 DWG STATUS: PLANNING





SOUTH ELEVATION

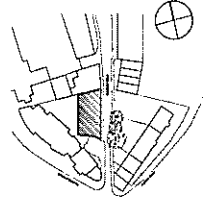


NORTH ELEVATION

**NOTES**  
 Do not scale from drawing  
 All dimensions given are in feet and inches, to the nearest 1/8 inch. All dimensions are to the center of the member unless otherwise indicated.  
 All dimensions between building elevations are to the center of the member unless otherwise indicated.  
 Make no schedule for specification of materials.  
 E.T.P.

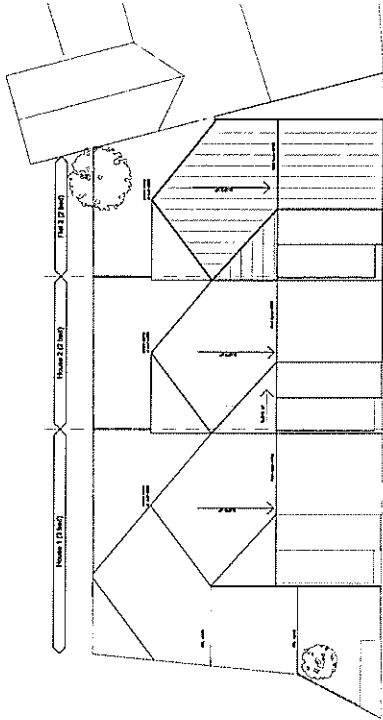
David Michael Architects  
 1000 17th St NW  
 Suite 200  
 Washington, DC 20036  
 Tel: 202.775.1100  
 Fax: 202.775.1101  
 www.dmaarchitects.com

PROJECT: 181 Church Walk  
 CLIENT: Davis  
 TITLE: Existing Elevations (North & South)  
 DATE: May 2009  
 SCALE: 1/8" = 1'-0"  
 DRAWN: ACR/ML  
 PROJECT: PLANNING

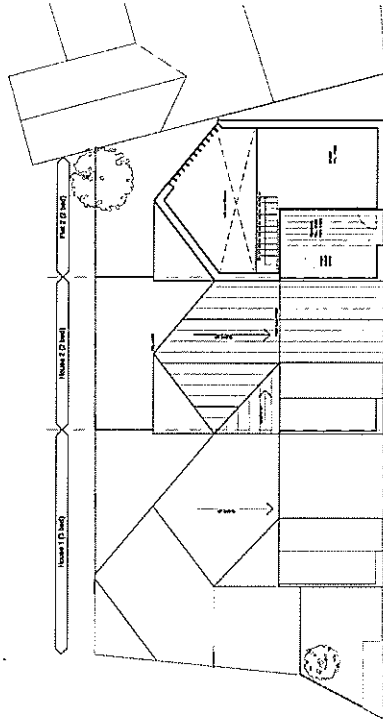




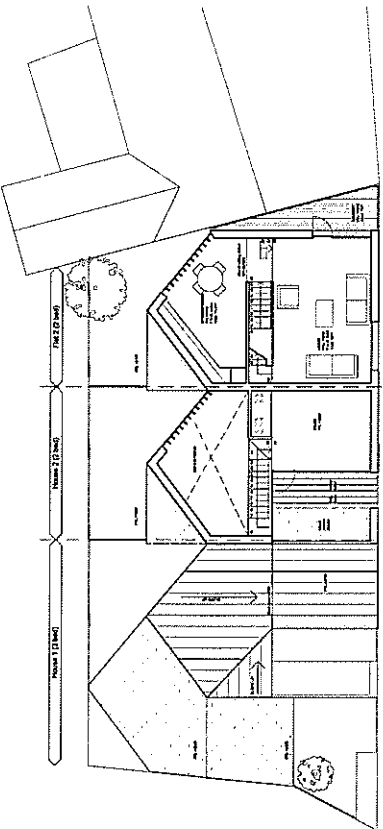




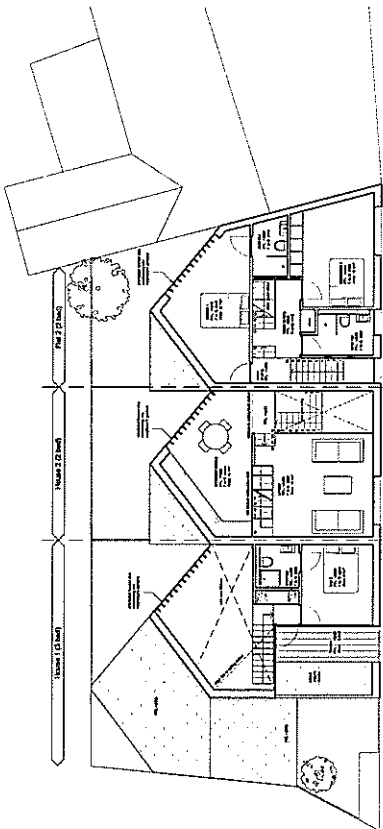
ROOF PLAN



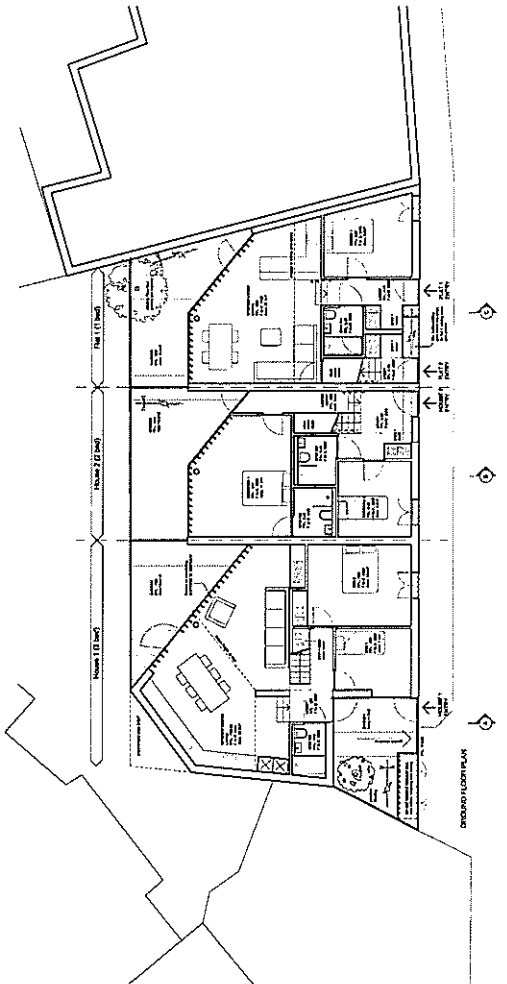
THIRD FLOOR PLAN



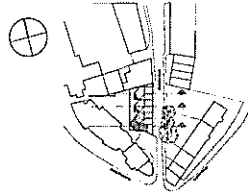
SECOND FLOOR PLAN



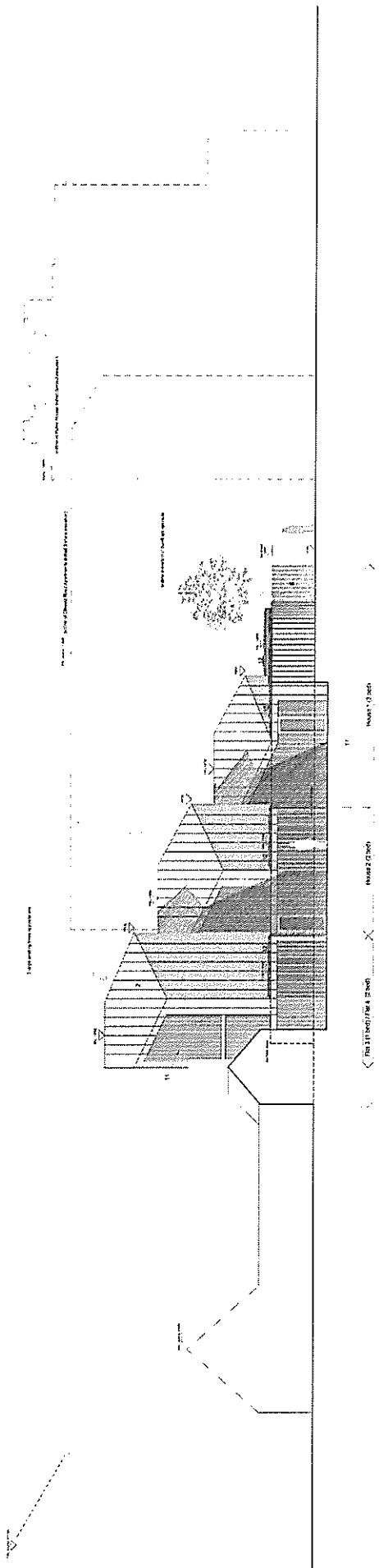
FIRST FLOOR PLAN



GROUND FLOOR PLAN



<p><b>NOTE</b></p> <p>Do not make any changes to the drawings without the written consent of the architect.</p> <p>All measurements given are in millimeters, unless otherwise stated.</p> <p>All dimensions are given in millimeters, unless otherwise stated.</p> <p>Do not scale drawings for reproduction of details.</p> <p>Do not scale drawings for reproduction of details.</p>	<p>PROJECT: 111 Church Walk</p> <p>CLIENT: Dand</p> <p>TITLE: Proposed Plans</p> <p>DATE: May 2008</p> <p>SCALE: 1:100 (B1)</p> <p>DWG No.: A1 (1) 001 Plan B</p> <p>DWG STATUS: PLANNING</p>
	<p>REVISED A: Issue 04</p> <p>REVISED B: Issue 05</p> <p>REVISED C: Issue 06</p> <p>REVISED D: Issue 07</p> <p>REVISED E: Issue 08</p> <p>REVISED F: Issue 09</p> <p>REVISED G: Issue 10</p> <p>REVISED H: Issue 11</p> <p>REVISED I: Issue 12</p> <p>REVISED J: Issue 13</p> <p>REVISED K: Issue 14</p> <p>REVISED L: Issue 15</p> <p>REVISED M: Issue 16</p> <p>REVISED N: Issue 17</p> <p>REVISED O: Issue 18</p> <p>REVISED P: Issue 19</p> <p>REVISED Q: Issue 20</p> <p>REVISED R: Issue 21</p> <p>REVISED S: Issue 22</p> <p>REVISED T: Issue 23</p> <p>REVISED U: Issue 24</p> <p>REVISED V: Issue 25</p> <p>REVISED W: Issue 26</p> <p>REVISED X: Issue 27</p> <p>REVISED Y: Issue 28</p> <p>REVISED Z: Issue 29</p> <p>REVISED AA: Issue 30</p> <p>REVISED AB: Issue 31</p> <p>REVISED AC: Issue 32</p> <p>REVISED AD: Issue 33</p> <p>REVISED AE: Issue 34</p> <p>REVISED AF: Issue 35</p> <p>REVISED AG: Issue 36</p> <p>REVISED AH: Issue 37</p> <p>REVISED AI: Issue 38</p> <p>REVISED AJ: Issue 39</p> <p>REVISED AK: Issue 40</p> <p>REVISED AL: Issue 41</p> <p>REVISED AM: Issue 42</p> <p>REVISED AN: Issue 43</p> <p>REVISED AO: Issue 44</p> <p>REVISED AP: Issue 45</p> <p>REVISED AQ: Issue 46</p> <p>REVISED AR: Issue 47</p> <p>REVISED AS: Issue 48</p> <p>REVISED AT: Issue 49</p> <p>REVISED AU: Issue 50</p> <p>REVISED AV: Issue 51</p> <p>REVISED AW: Issue 52</p> <p>REVISED AX: Issue 53</p> <p>REVISED AY: Issue 54</p> <p>REVISED AZ: Issue 55</p> <p>REVISED BA: Issue 56</p> <p>REVISED BB: Issue 57</p> <p>REVISED BC: Issue 58</p> <p>REVISED BD: Issue 59</p> <p>REVISED BE: Issue 60</p> <p>REVISED BF: Issue 61</p> <p>REVISED BG: Issue 62</p> <p>REVISED BH: Issue 63</p> <p>REVISED BI: Issue 64</p> <p>REVISED BJ: Issue 65</p> <p>REVISED BK: Issue 66</p> <p>REVISED BL: Issue 67</p> <p>REVISED BM: Issue 68</p> <p>REVISED BN: Issue 69</p> <p>REVISED BO: Issue 70</p> <p>REVISED BP: Issue 71</p> <p>REVISED BQ: Issue 72</p> <p>REVISED BR: Issue 73</p> <p>REVISED BS: Issue 74</p> <p>REVISED BT: Issue 75</p> <p>REVISED BU: Issue 76</p> <p>REVISED BV: Issue 77</p> <p>REVISED BV: Issue 78</p> <p>REVISED BV: Issue 79</p> <p>REVISED BV: Issue 80</p> <p>REVISED BV: Issue 81</p> <p>REVISED BV: Issue 82</p> <p>REVISED BV: Issue 83</p> <p>REVISED BV: Issue 84</p> <p>REVISED BV: Issue 85</p> <p>REVISED BV: Issue 86</p> <p>REVISED BV: Issue 87</p> <p>REVISED BV: Issue 88</p> <p>REVISED BV: Issue 89</p> <p>REVISED BV: Issue 90</p> <p>REVISED BV: Issue 91</p> <p>REVISED BV: Issue 92</p> <p>REVISED BV: Issue 93</p> <p>REVISED BV: Issue 94</p> <p>REVISED BV: Issue 95</p> <p>REVISED BV: Issue 96</p> <p>REVISED BV: Issue 97</p> <p>REVISED BV: Issue 98</p> <p>REVISED BV: Issue 99</p> <p>REVISED BV: Issue 100</p>



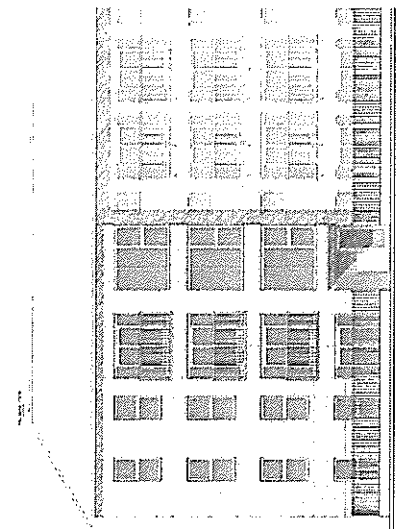
REAR ELEVATION (WEST ELEVATION)

151 CHURCH WALK

North 10 feet

North 10 feet

North 10 feet



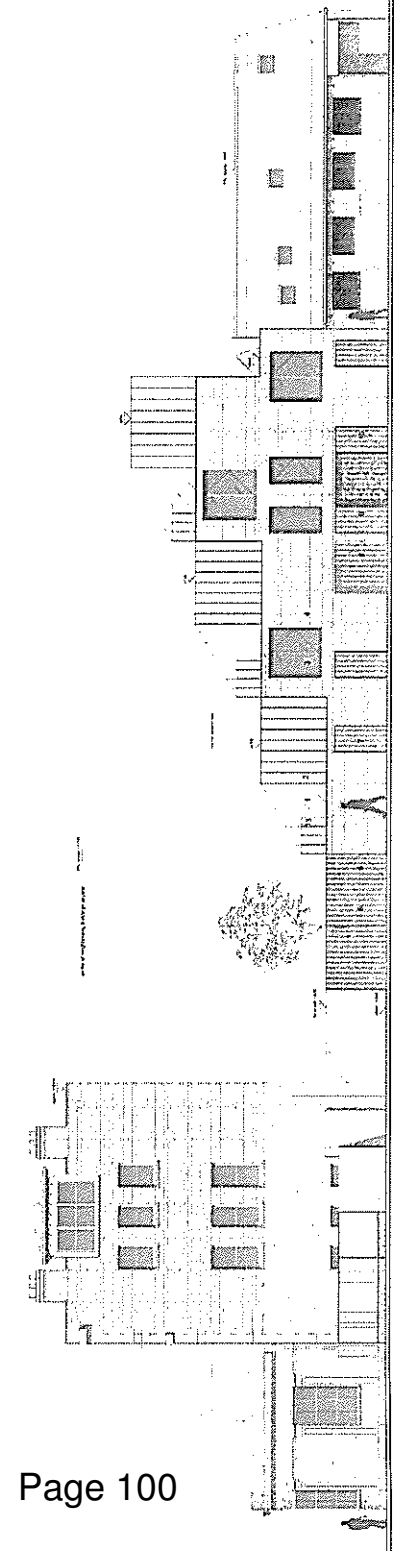
EAST ELEVATION (EAST ELEVATION)

151 CHURCH WALK

North 10 feet

North 10 feet

North 10 feet

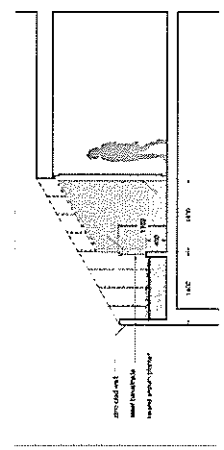


151 CHURCH WALK

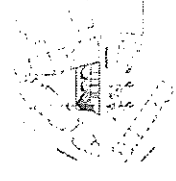
North 10 feet

North 10 feet

North 10 feet



1:100 Plan section through window and roof edge detail

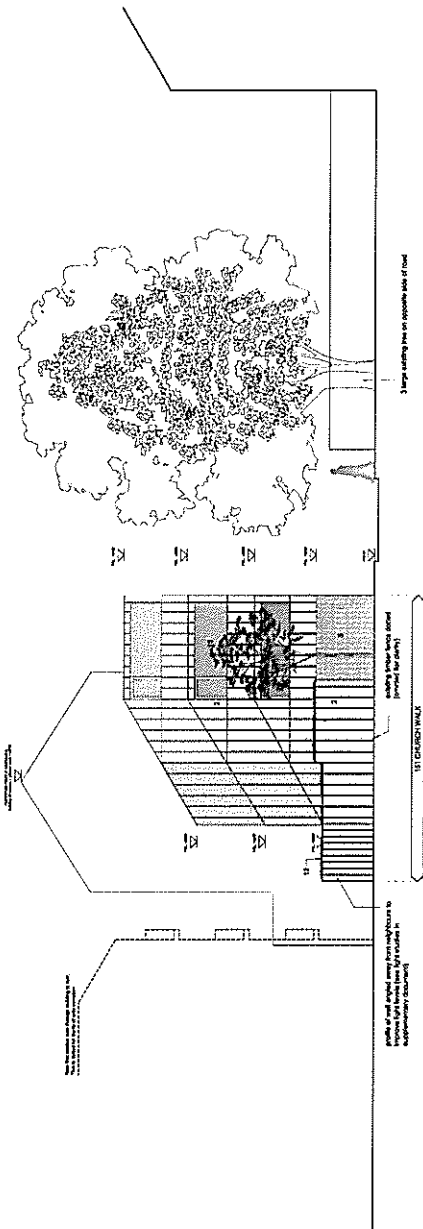


**NOTES**  
 Do not scale from drawing  
 All dimensions shall be as indicated on the drawing unless otherwise noted.  
 All dimensions between finished elevations shall be as indicated on the drawing unless otherwise noted.  
 Refer to schedule for material of details & finish

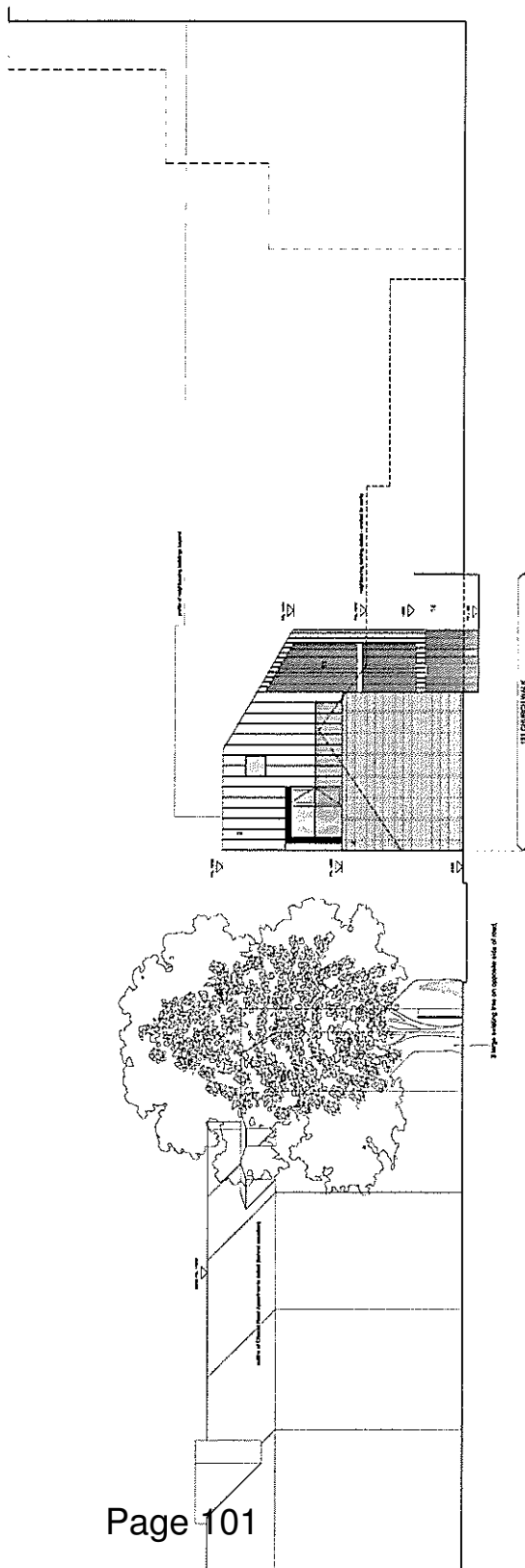
**1. OVER FINISHING**  
 2. 3/4" x 1/2" "hardy board" gyp  
 3. mineral wool insulation  
 4. gyp  
 5. include fire rated glass doors, 100% minimum transparency  
 6. 1/2" x 1/2" "hardy board" gyp  
 7. 1/2" x 1/2" "hardy board" gyp  
 8. 1/2" x 1/2" "hardy board" gyp  
 9. 1/2" x 1/2" "hardy board" gyp  
 10. 1/2" x 1/2" "hardy board" gyp  
 11. 1/2" x 1/2" "hardy board" gyp  
 12. 1/2" x 1/2" "hardy board" gyp  
 13. 1/2" x 1/2" "hardy board" gyp

**REVISIONS**  
 1. 02/27/2018  
 2. 03/27/2018  
 3. 04/27/2018  
 4. 05/27/2018

**PROJECT** 151 Church Walk  
**CLIENT** David  
**TITLE** Proposed Elevations, Part 8  
**DATE** May 2018  
**SCALE** 1/8" = 1'-0"  
**DRAWN BY** A11181/PLC  
**DATE** 05/15/18  
**PROJECT MANAGER** PL/AMW



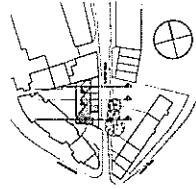
EAST ELEVATION



NORTH ELEVATION

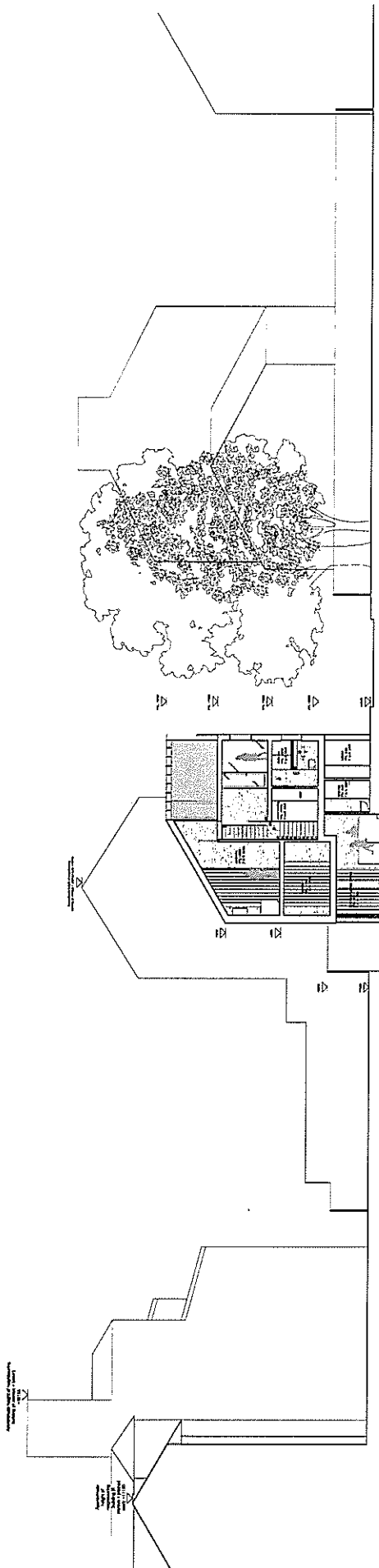
1. Glass balustrade
2. Larger zinc 'herringbone' roof
3. Internal entrance to upper floor
4. Brick
5. Reinforced zinc galvanneal 'fishbone', 50% lightness transparency
6. House 1 empty directly from street
7. Existing window behind glass balustrade screen - flush with street edge
8. House 2 empty directly from street
9. Plot 1 empty directly from street
10. Plot 1 empty directly from street
11. To plot 1 empty directly from street, using an external balcony to provide any overlooking of from the plot
12. Plot of existing plans
13. Revised section plan

BY/ISSUED A. BARR ON  
 1. Plans shown to be revised



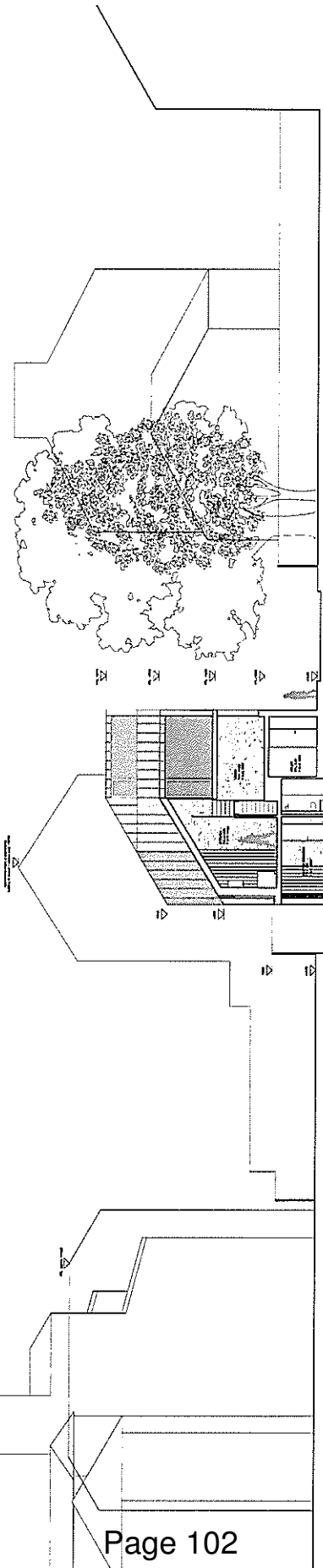
**NOTES**  
 Do not scale from drawing  
 All measurements given are in millimeters, to 1000  
 All dimensions are to be taken from the face of the work unless otherwise stated  
 All dimensions between verticals of structural members are to be taken from the face of the work unless otherwise stated  
 Refer to schedule for specifications of fixtures & fittings

David Mitchell Architects  
 111 Church Walk  
 London E1 1ED  
 T: 020 7321 8421  
 F: 020 7321 8422  
 E: info@dmarchitects.com  
 PROJECT: 111 Church Walk  
 CLIENT: David Mitchell Architects  
 TITLE: Plans  
 DATE: May 2004  
 SCALE: 1:100 B & A  
 DWG No: A11104 Rev A  
 DWG DATE: 7/10/03



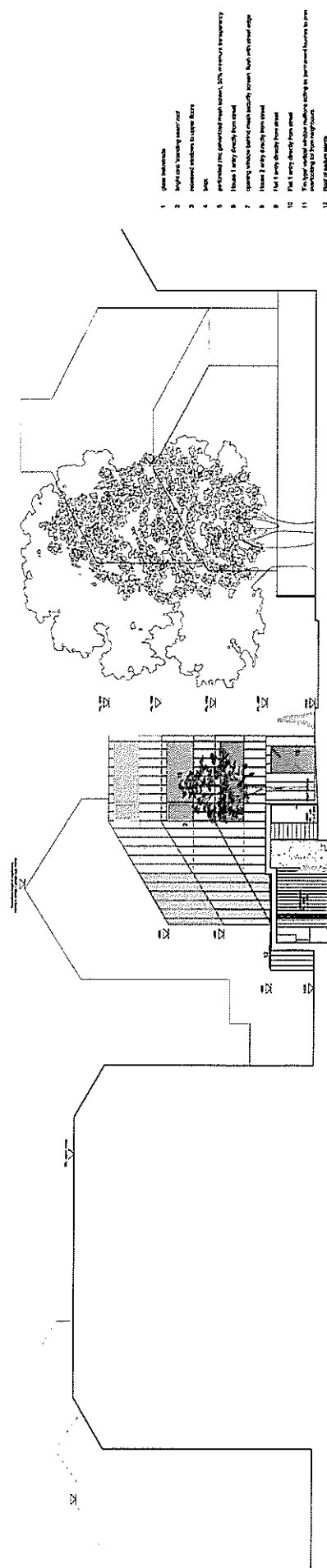
SECTION D-D

Section line and arrow pointing towards right



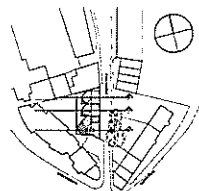
SECTION C-C

Section line and arrow pointing towards right



SECTION B-B

Section line and arrow pointing towards right



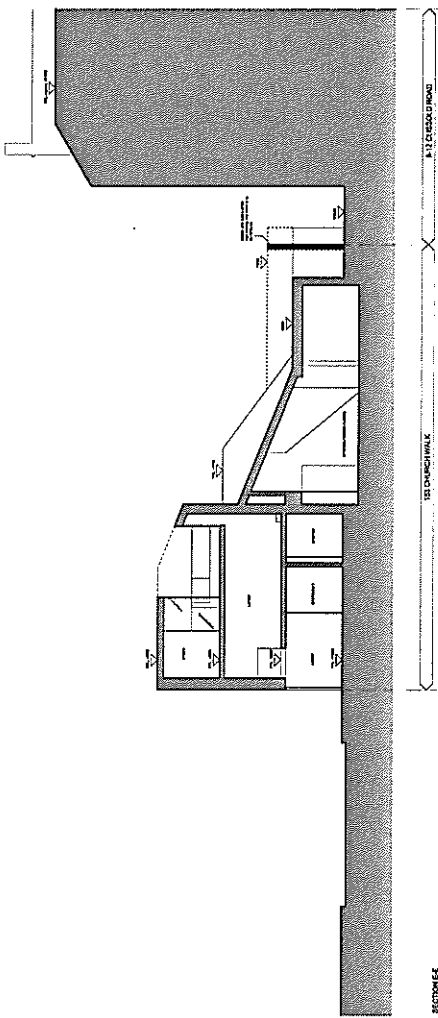
**NOTES**  
 Do not scale from drawing  
 All dimensions of form and materials, in the absence of specific information, shall be taken from the manufacturer of any component.  
 All discrepancies between indications dimensions and materials shall be resolved in favor of the architect.  
 Note to architect for specification of Figure 4  
 1/10/20

**PROJECT**  
 111 Church Walk  
 CLIENT: DWH  
 TITLE: Program Analysis  
 DATE: May 2009  
 SCALE: 1/100 @ A1  
 DRAWN BY: A1(1) (see Rev A)  
 DATE REVISED: 14/10/2009

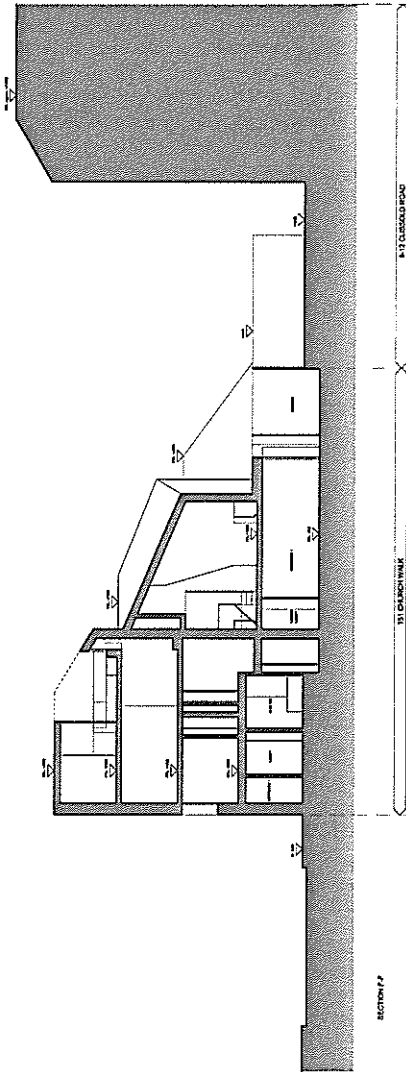
**ARCHITECT**  
 111 Church Walk  
 London E1 6EG  
 T: 020 7377 6441  
 F: 020 7377 6442  
 E: info@dwheeler.com

**REVISED**  
 111 Church Walk  
 London E1 6EG  
 T: 020 7377 6441  
 F: 020 7377 6442  
 E: info@dwheeler.com

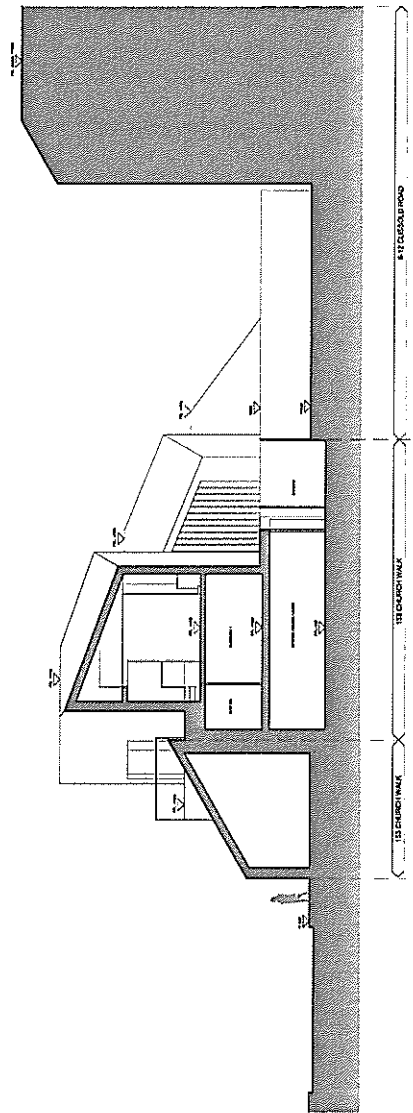
1. Glass balustrade
2. Light grey 'battering board' roof
3. Insulated concrete to upper floor
4. Brick
5. perforated zinc galvanneal metal sheet, 50% minimum transparency
6. House 1 empty directly from street
7. opening vehicle height (max height) shown. Walls with steel edge
8. House 2 empty directly from street
9. Flat 1 empty directly from street
10. Flat 1 empty directly from street
11. The top vertical section walls such as shown in Figure 4 are shown according to floor height
12. Head of section plane
13. Head of section plane



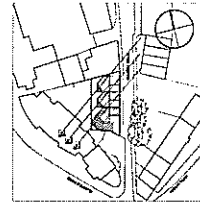
SECTION E



SECTION F



SECTION G



**NOTES:**  
 Do not scale from drawings.  
 All measurements shown on drawings, on site or otherwise, shall be deemed to be the true and correct measurements for the purposes of construction of any component.  
 All measurements shown on drawings are shown and shall be measured as shown to the centerline of any dimension.  
 Make no alterations for specifications of fixtures or fittings.

**David M. Ward Architects**  
 Unit 70, 113 John Street  
 Portland, ME 04101  
 P: 207 277 6241  
 F: 207 277 6761  
 A: info@wardarchitect.com

**PROJECT:** 111 Church Walk  
**CLIENT:** David  
**TITLE:** Proposed Addition 3  
**DATE:** Oct 2008  
**SCALE:** 1/8" = 1'-0"  
**DWG NO.:** A111M-Walk-A  
**DWG STATUS:** PLANNING

Revised 11/13/08  
 Project: 111 Church Walk Addition 3

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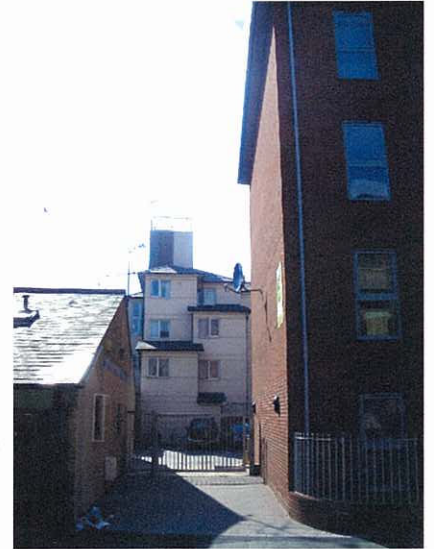
view from 6



view from 7



view from 8



view from 9



view from 10



view from 11



view from 12



view from 13



view from 14



view from 15



view from 16



view from 17



# Design statement

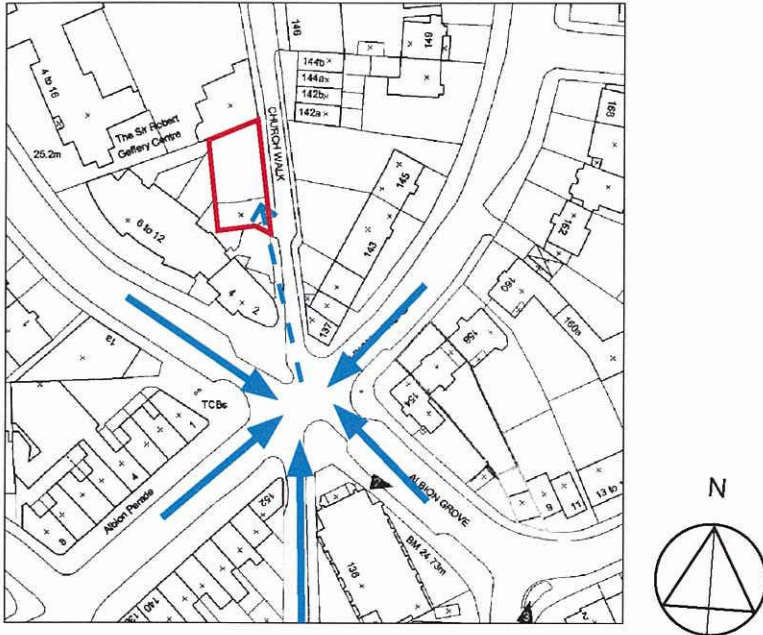
## Existing Site context

The site is overgrown having been unused for many years. It has been fly-tipped and the source of antisocial behaviour such as drug use and loitering.

The street is characterised by buildings of very different heights, from a number of five storey apartment blocks, to a terrace of three two storey houses.

Highly visible from Albion Road, it is one of six roads that combine here, making this crossroads, with its parade of shops, bus stops and zebra crossings, an important and much-used part of Stoke Newington.

The current view of the site from this crossroads is simply the blank gable end of a recent five-storey apartment block.



## Proposal in context

We believe the site is suitable for a development that responds to the different building heights along Church Walk. It can also be seen obliquely from the crossroads. For these reasons, a building which steps and which has balconies and windows looking south towards the crossroads not only provides the best possible light and views for its occupants, but also sets up an architectural connection with the crossroads. From a townscape perspective, this will help to reinforce the importance of the crossroads. We believe 151 Church Walk will look good from this important junction.





<b>ADDRESS:</b> 39 Northchurch Road, London N1	
<b>WARD:</b> De Beauvoir	<b>REPORT AUTHOR:</b> Yousef Bahadur
<b>APPLICATION NUMBER (s) :</b> 2008/1190 & 2008/1692	<b>VALID DATE:</b> 11/09/2008 & 30/06/08
Plan No's: Existing: 0840/ -1 to -4, -5A, -6A, -07 & -8. Proposed: 0840/ -9, -10A, -11, -12A, -13A, -14B, -15A, -16, -16 Section B-B, -17 & -18. Structural Survey: 8194 -01 & -02.	
<b>APPLICANT:</b>  Tim Sylvester & Eddie Menez 39 Northchurch Road London N1 7EE	<b>AGENT:</b>  Carolyn Squire Architect 122 Church Walk London N16 8QW
<b>PROPOSAL (A):</b> Removal of rear extension and erection of part one, part two storey rear extension (full planning permission). <b>PROPOSAL (B):</b> Removal of rear extension and erection of part one, part two storey rear extension together with internal alterations comprising lowering of attic ceiling to create a shower room and internal alterations to create a bathroom at ground floor level.	
<b>RECOMMENDATION SUMMARY:</b> (A) Grant planning permission subject to conditions. (B) Grant listed building consent subject to conditions	
<b>Note to Members:</b> This application is being reported to the Planning Sub Committee because one of the applicants is a Council employee.	

**ANALYSIS INFORMATION**

ZONING DESIGNATION:	(Yes)	(No)
CPZ	X	
Conservation Area	X	
Listed Building (Statutory)	X	
Listed Building (Local)		X
DEA		X

LAND USE	Use Class	Use Description	Floorspace

<b>DETAILS:</b>			
Existing	C3	Residential	324sqm
Proposed	C3	Residential	336.7sqm

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing	Dwelling	0	2	0	0	0
Proposed	Flats	0	0	0	0	0
	Dwellings	0	2	0	0	0
	Studio	0	0	0	0	0
<b>Totals</b>	<b>(Total = 1 )</b>					

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	Not relevant	Not relevant	Not relevant
Proposed	Not relevant	Not relevant	Not relevant

**CASE OFFICER'S REPORT**

**1. SITE DESCRIPTION**

1.1 The application site is a Grade II listed 3 storey single dwelling house situated on the south side of Northchurch Rd, near the junction with Ufton Road. The surrounding area is predominantly residential in nature.

**2. CONSERVATION IMPLICATIONS**

2.1 The application site lies in De Beauvoir Conservation Area and the subject building is statutorily listed at grade II. The application has been advertised in accordance with the regulations applicable to applications of this nature.

**3. HISTORY**

None

**4. CONSULTATIONS**

4.1.1 Date Statutory Consultation Period Started: 07.07.2008  
 4.1.2 Date Statutory Consultation Period Ended: 28.07.2008

4.1.3 Site Notice: Yes

4.1.4 Press Advert: Yes

4.1.5 Neighbours

- 4.1.6 4 letters sent to adjoining neighbours. One letter of objection was received on grounds of: the proposed works would significantly alter the character of the building which forms part of a group of Grade II listed buildings; risk of demolition of the rear building could harm the structure of the adjoining building and wall.

**4.2 Statutory Consultees**

None

**4.3 Local Consultees**

- 4.3.1 The Kingsland Conservation Area Advisory Committee (CAAC): Objection - Having scrutinised the latest set of drawings the Committee we can find no reason to change our previous opinion – application 2008/1190 considered in June last. Our comments then were as follows:
- 4.3.2 The Committee strongly objects to this very intrusive addition to 39 Northchurch Road.
- 4.3.3 We strongly object to the careless and misleading presentation that insinuates that the existing work on the side of the house is higher than it actually is. We urge the Council to get a Conservation Officer to visit the property immediately and ask the applicant to make a re-submission showing the true context and appearance of the proposals. We do, however, object to the side extension as we understand it.
- 4.3.4 These are listed buildings and we think that a Conservation Officer should visit the interior to make sure that nothing is being destroyed by the proposal to put a rear room in the top of the building as no photographs have been supplied showing the inside of the building.

We strongly object to this application

**4.4 Other Council Departments**

- 4.4.1 The Sustainability and Design Team: This is an early-mid 19 century paired property forms part of a terrace of properties within the De Beauvoir conservation area. The current submission follows extensive pre-application discussions and a series of revisions. The Sustainability and Design Team have no objection to the principle of demolition and construction of a rear extension at lower ground floor level; the building of a part two storey side extension which maintains the symmetry of the front wall feature and the internal changes in the attic floor to provide a bedroom.

## **5. POLICIES**

### **5.1 Hackney Unitary Development Plan (UDP) (1995)**

- EQ1 – (Development Requirements)
- EQ12 (Protection of Conservation Areas)
- EQ13 (Demolition in Conservation Areas)
- EQ14 (Alterations and Extensions of Buildings in Conservation Areas)
- EQ16 (Protection of Listed Buildings)
- EQ17 (Alteration to Listed Buildings)

### **5.2 London Plan (Consolidated with Alterations since 2004)**

- 4B.1 - 'Design Principles for a Compact City'.

### **5.3 National Planning Policies**

- PPS1 – Creating Sustainable Communities
- PPS3 - Housing
- PPG15 – Planning and the Historic Environment

## **6. COMMENT**

- 6.1 The proposal entails the demolition of an existing single storey rear extension at rear lower ground floor level and the construction of part one, part two storey rear extension and internal alterations to provide an open plan dining and kitchen room at rear lower ground floor level, a bathroom at rear ground floor level and another bathroom in the roof space.
- 6.2 The lowest level of the proposed rear extension would be located at lower ground floor and would measure 3.2m deep, 5.3m wide and 3.2m high. The part of the rear extension at ground floor level involves building in the void space behind the front wall and measures 3.25m deep, 0.9m wide and 1.6m high.

### **Design Considerations**

- 6.3 The scheme has been revised after negotiations with the Planning Service regarding the alterations to the listed building and the proposed rear extension.
- 6.4 The proposed part one extension at lower ground floor is considered acceptable in principle and on grounds of bulk, size and design. The scale and bulk of the proposed extension remains subservient to the host building and furthermore would not cause harm to the character of the Conservation Area in which it is situated. It would therefore accord with UDP policies EQ1 and EQ14.

- 6.5 The Sustainability and Design Team have no objection to the proposal and consider the proposed materials of brick and timber to be appropriate for the listed building and the Conservation area.
- 6.6 The proposed part two storey extension at rear ground floor level to provide a bathroom is also acceptable. The proposed ground floor extension has been amended to be behind the solid wall and not the wall and the railings in order to protect the symmetry from the street of this pair of listed buildings. The drawings show the existing and proposed front elevation accurately, the details of the stairs, railing and details of the parapet align with the neighbour's staircase at No 41 in order to protect the symmetry from the street of this pair of listed buildings. The drawings also show that the roof of the proposed ground floor bathroom would not be visible from the front elevation.
- 6.7 On the rear elevation, the proportion of the window of the new bathroom would align with the other secondary windows in the building. The proposed new window will be constructed using the same fenestration patterns and in wooden material as the existing windows at the premises.
- 6.8 The applicant has also provided structural information indicating how they are going to support the weight of the bathroom by a inserting a steel box frame into the opening in the flank wall. The drawing on section B-B shows there is sufficient head height left in the lower ground floor below the proposed bathroom. No objection is raised to this aspect of the proposal providing further information is provided by way of a condition to the extent of demolition of the flank wall.
- 6.9 The Listed Building Consent application also seeks consent to construct a bathroom in the attic space. This aspect of the proposal involves lowering the ceiling height by 30cm to facilitate the provision of a shower room. Again no objection is raised to this aspect of the proposal which it is considered can be undertaken without undue disturbance to the fabric of the Listed Building. The applicant has provided structural information indicating how they are going to support the weight of the bathroom by cutting up the old joist to make space and joining it up with the new joist as shown in Section A-A. The Structural Engineer's Report accompanying the application shows how the load would be spread on the roof structure.
- 6.10 The Sustainability and Design Team have requested a condition to be attached to the listed building consent being granted requiring detailed drawings of the joining between new and old floor joists.
- Amenity**
- 6.11 The proposed extension at lower ground level would align with the adjoining building line at No. 37, and, the proposed extension at rear ground floor would be in line with the rear building line at No 41. There is a window to a kitchen area at lower ground floor level at No 41, which lies to the west of the application site. It is considered that the proposed single storey extension of 3.2m high would not impact on the light and outlook to this window because it is facing south and therefore would receive sufficient natural light and

sunlight. There would be no significant loss of light or outlook to this adjoining window.

- 6.12 The proposal is considered acceptable in amenity terms.

**Response to objections**

- 6.13 The majority of the objections have been addressed in the body of the report. With respect to the remaining issues, the following comments apply :-

- 6.14 Works to a Listed Building in a Conservation Area: The issue of the demolition and works to the Grade II listed building in De Beauvoir Conservation Area has been dealt with above through extensive negotiations. The demolition of the existing rear extension is considered acceptable because it is not visible from the front and surrounding properties and the replacement extension is also acceptable in its bulk, size, design and materials. The proposal would neither be detrimental to the listed building or the Conservation Area within which the building is located.

- 6.15 Potential damage to adjoining property: The concern regarding the possible impact on the structure of the adjoining building and wall is a party wall issue which needs to be resolved between the two respective landowners. The Sustainability and Design Team are satisfied with the information received regarding the internal works and the internal demolition.

**7. CONCLUSION**

- 7.1 The proposed part one and part two storey rear extension at lower ground and upper ground floor is considered to be acceptable in design and amenity terms. Overall the proposal would not cause any harm to the character and appearance of the listed building nor to the De Beauvoir Conservation Area and as such it is recommended that planning permission and listed building consent be granted.

**7.2 RECOMMENDATION**

**RECOMMENDATION A:**

- 8.1 **That planning permission and be GRANTED, subject to the following conditions:**

8.1.1 **SCB1 – Commencement within three years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

- 8.1.2 **SCB0 – Development in accordance with plans**



The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

**8.1.3 SCM6 – Materials to be approved**

Samples of all materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls and ground surfaces commences on site, in accordance

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8.1.3 SCM9 – No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8.2 RECOMMENDATION B:**

**8.2.1 That listed building consent be GRANTED, subject to the following conditions:**

**8.2.2 SCB1N – 3 years**

The Development hereby permitted must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: In order to comply with the provisions of Section 18(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

**8.2.3 SCB0 – Development in accordance with plans**

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

**8.2.4 SCL8B – Demolition as part of Redevelopment Only**

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission ref 2008/1190 was granted on 05/11/2008 and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

REASON: As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the character and the appearance of the De Beauvoir Conservation Area and the special architectural and historic interest of this listed building.

**8.2.5 SCL6 – Original Features**

All existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrade shall remain undisturbed in their existing position and shall be fully protected during the course of works on site, unless specifically authorised otherwise on the drawings hereby approved.

REASON: To ensure that those features which contribute to the special architectural and historic interest of the building are retained.

**8. REASONS FOR APPROVAL**

9.1 The following policies contained in the Hackney Unitary Development Plan (1995) and the London Plan 2008 are relevant to the approved development and were considered by this Council in reaching the decision to grant planning permission: EQ1 (Development Requirements); EQ12 (Protection of Conservation Areas); EQ13 (Demolition in a Conservation Areas); EQ14 (Alterations and Extensions of Buildings in Conservation Areas); EQ16 (Protection of Listed Buildings) and EQ17 (Alteration to Listed Buildings) and 4B.1 - 'Design Principles for a Compact City'.

**9. INFORMATIVES**

The following Informative should be added:

- SI.1 Building Control
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.7 Hours of Building Works

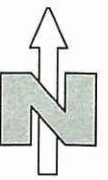
Signed.....

Date.....

**Fiona Fletcher-Smith**  
**CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION**  
**DIRECTORATE**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER

1.	Hackney UDP and the London Plan	Yousef Bahadur	263 Mare Street, E8 3HT
----	---------------------------------	----------------	-------------------------



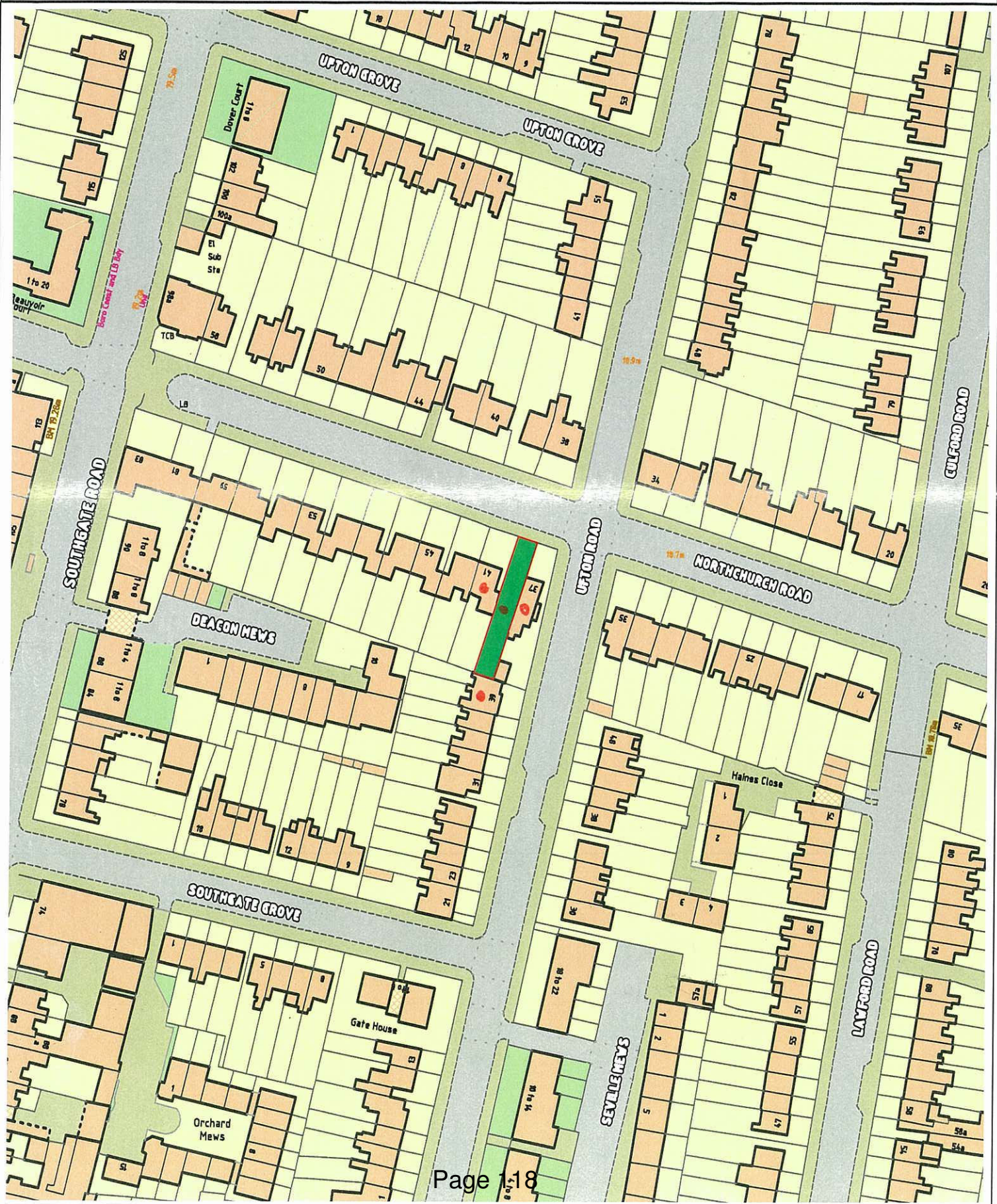
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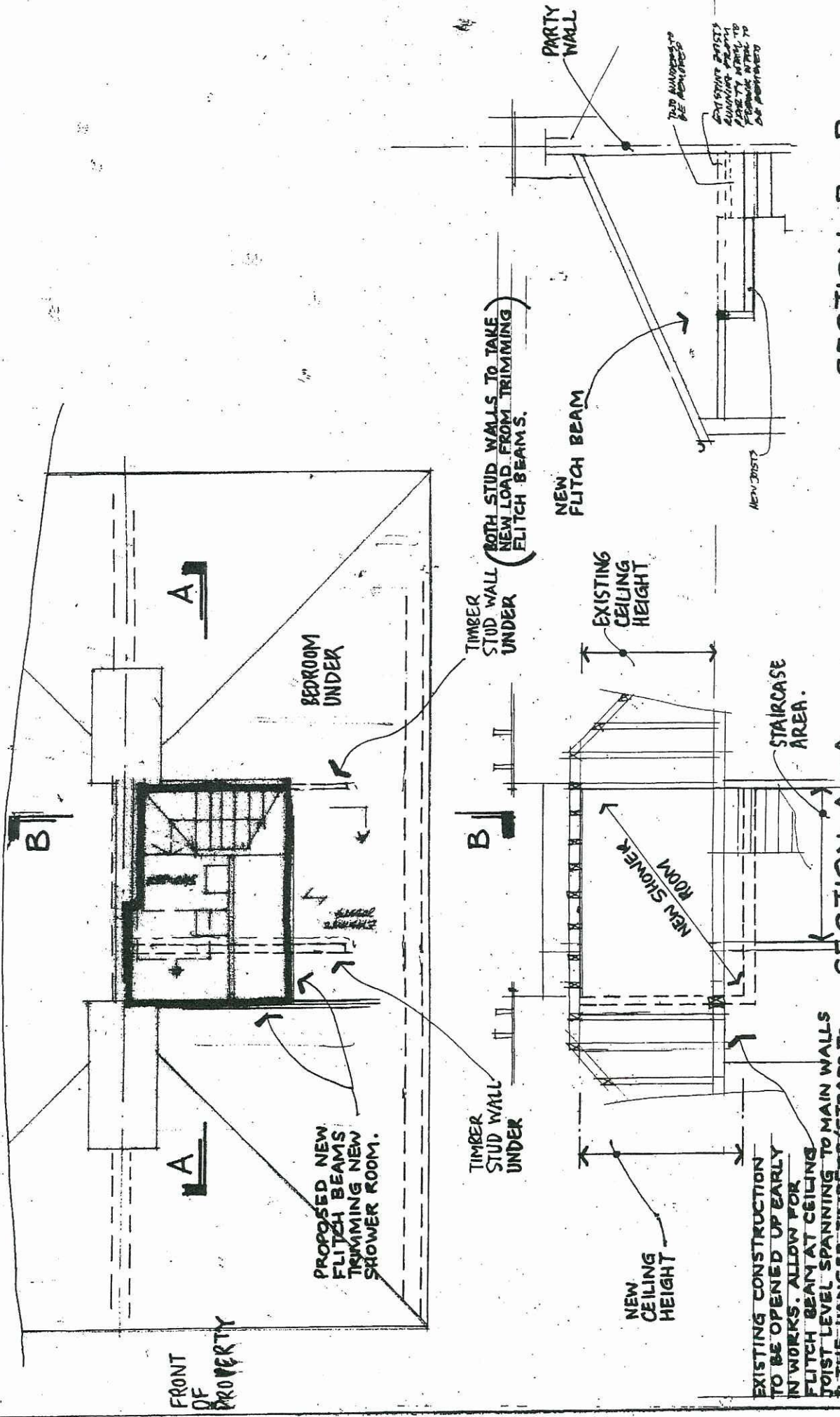
Title: 39 Northchurch Road, London. N1 7EE

Scale 1:1250

Prepared by: Technical Support Team

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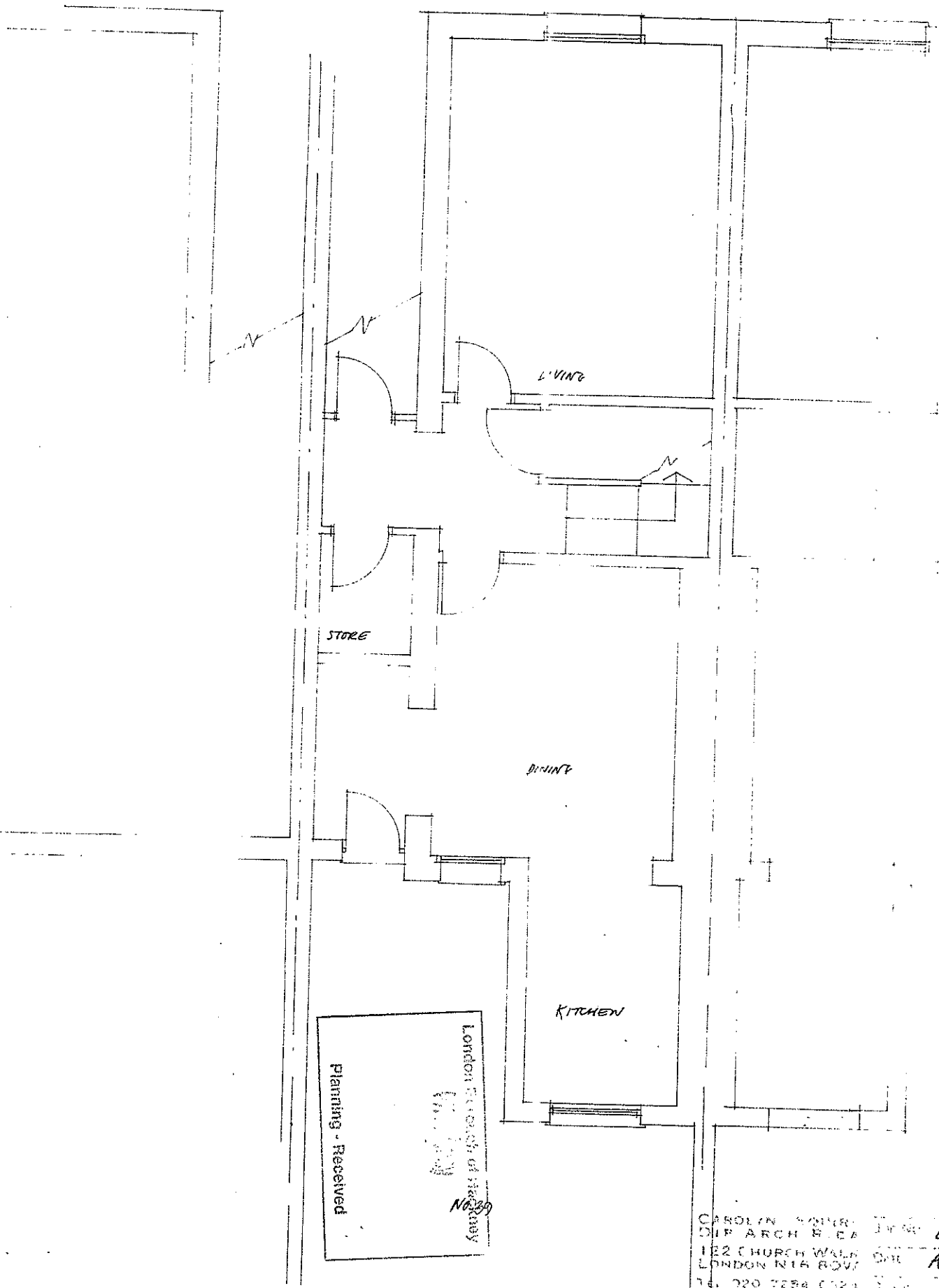




SECTION B - B

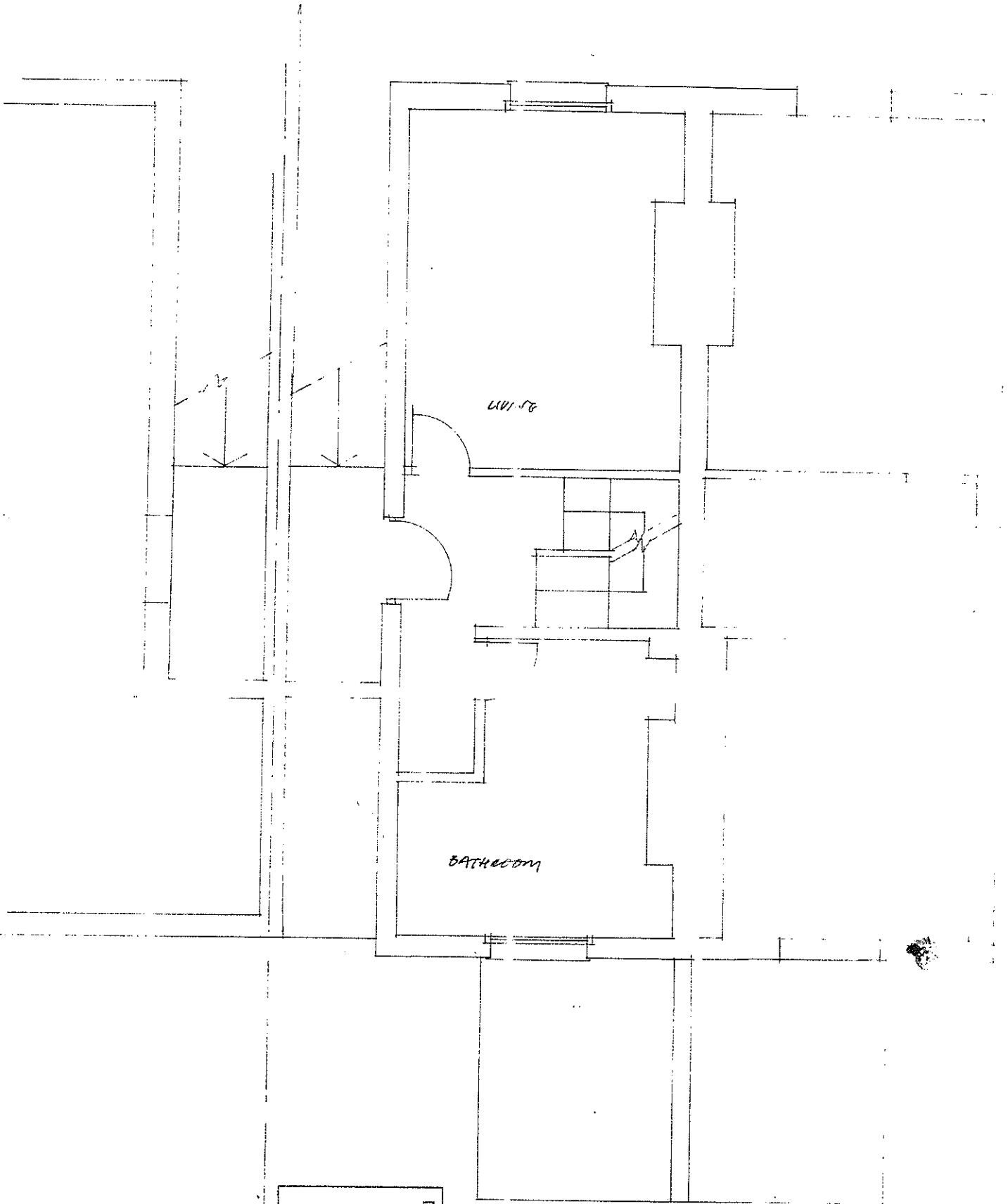
SECTION A - A

FOR PLANNING INFORMATION		Drawn	M.C.	39 NORTHCHURCH ROAD, LONDON N1		Job No.	8194
Rev.	Date	Chk'd.	Scale	1:50	Date	19-8-08	Approved
							M.C.
							NC.
							01
							8194
<p>PROPOSED SUPPORT FOR NEW SHOWER ROOM.</p> <p><b>Morrish &amp; Partners</b></p> <p>Consulting Engineers          Phone 01707 33601          E-mail eng@morrish.co.uk</p>							



London Borough of Hackney  
 Planning - Received  
 No. 39

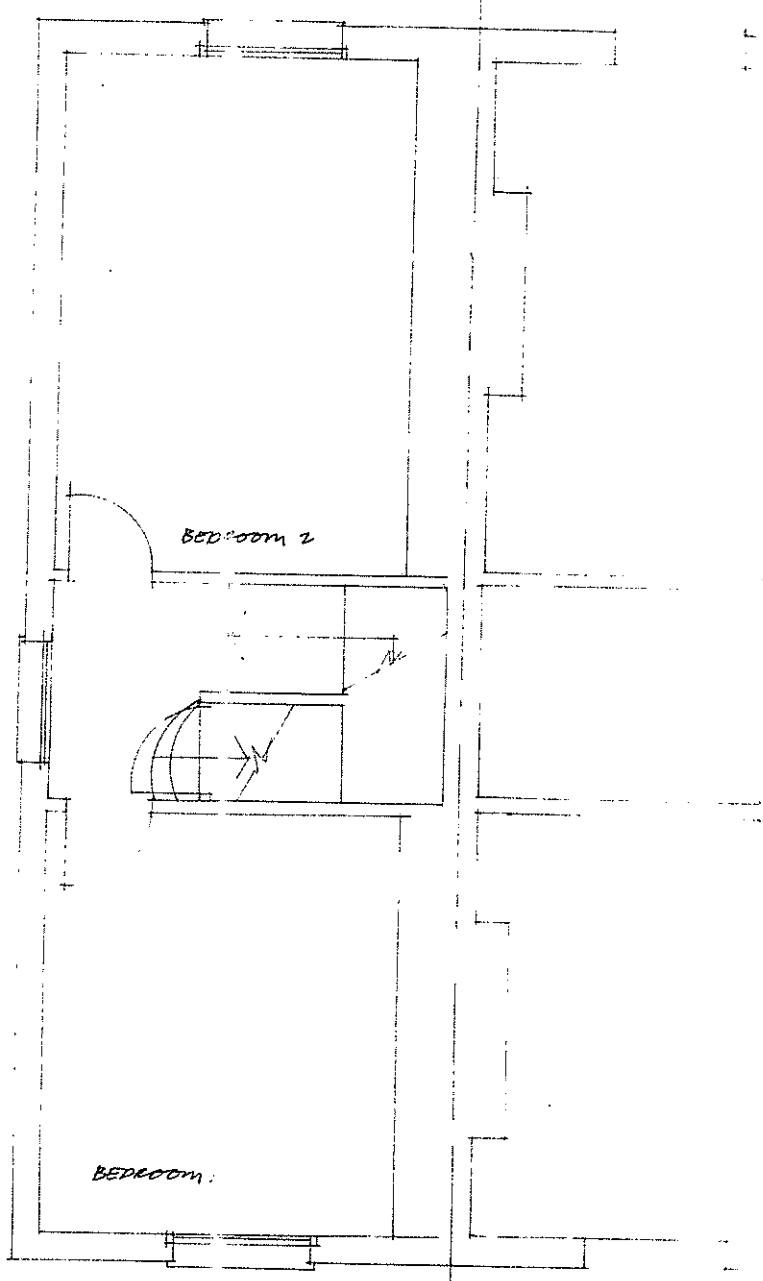
CAROLYN SMITH 11/08 0840/11  
 DIP ARCH R. CA  
 112 CHURCH WALK  
 LONDON N1A 8DV  
 TEL 020 7284 0124  
 FAX 020 7503 878  
 PROJECT: 39 NORTH CHURCH ROAD, N1  
 DRAWING: EXISTING LOWER GROUND FLOOR PLAN



London Borough of  
 M139  
 Planning - Received

CAROLYN SQUIRE  
 DIP ARCH RIBA  
 122 CHURCH WALK  
 LONDON N16 8QW  
 TEL 020 7264 0624  
 FAX 020 7603 9169  
 JOB No: 0840/2  
 DATE: APRIL 08  
 SCALE: 1:50

PROJECT: 39 NORTHCHURCH ROAD, N1



NO 30

London East of Hockney

Planning - Received

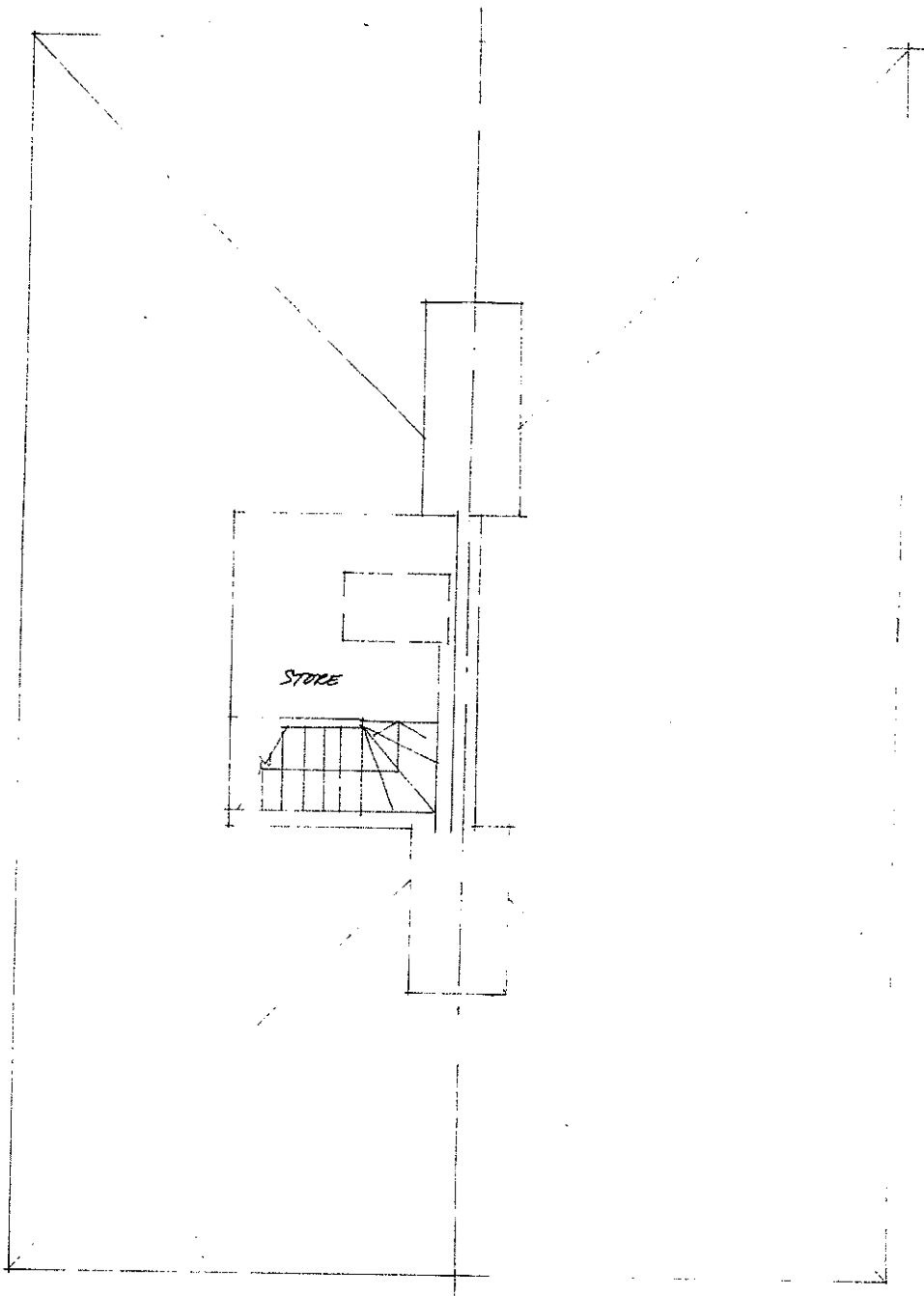
CAROLYN SCOTT  
 122 CHURCH WAY  
 LONDON N16 9JW  
 TEL 020 7254 0222  
 FAX 020 7501 9154

DATE: 0840/3  
 APRIL 08  
 SCALE: 1:50

PROJECT: 39 NORTHCHURCH ROAD, N1

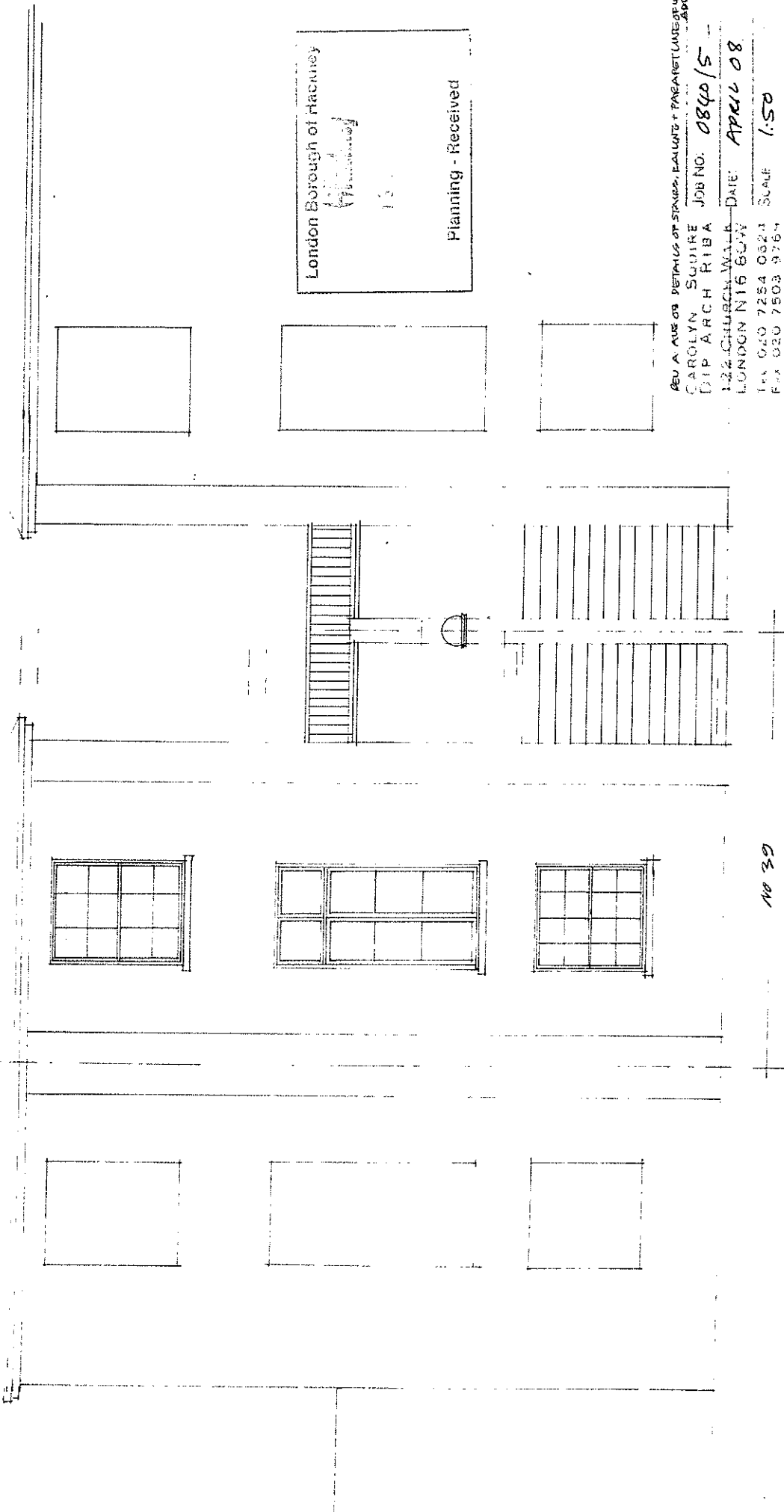
DRAWING: EXISTING FIRST FLOOR PLAN





London Borough of Havering  
 Planning - Received

CAROLYN SQUIRE  
 DIP ARCH RIBA  
 122 CHURCH WALK  
 LONDON N16 9DW  
 TEL 020 7254 0324  
 FAX 020 7503 9769  
 PROJECT: 39 NORTHCHURCH ROAD, N1  
 DRAWING: EXISTING ROOF PLAN



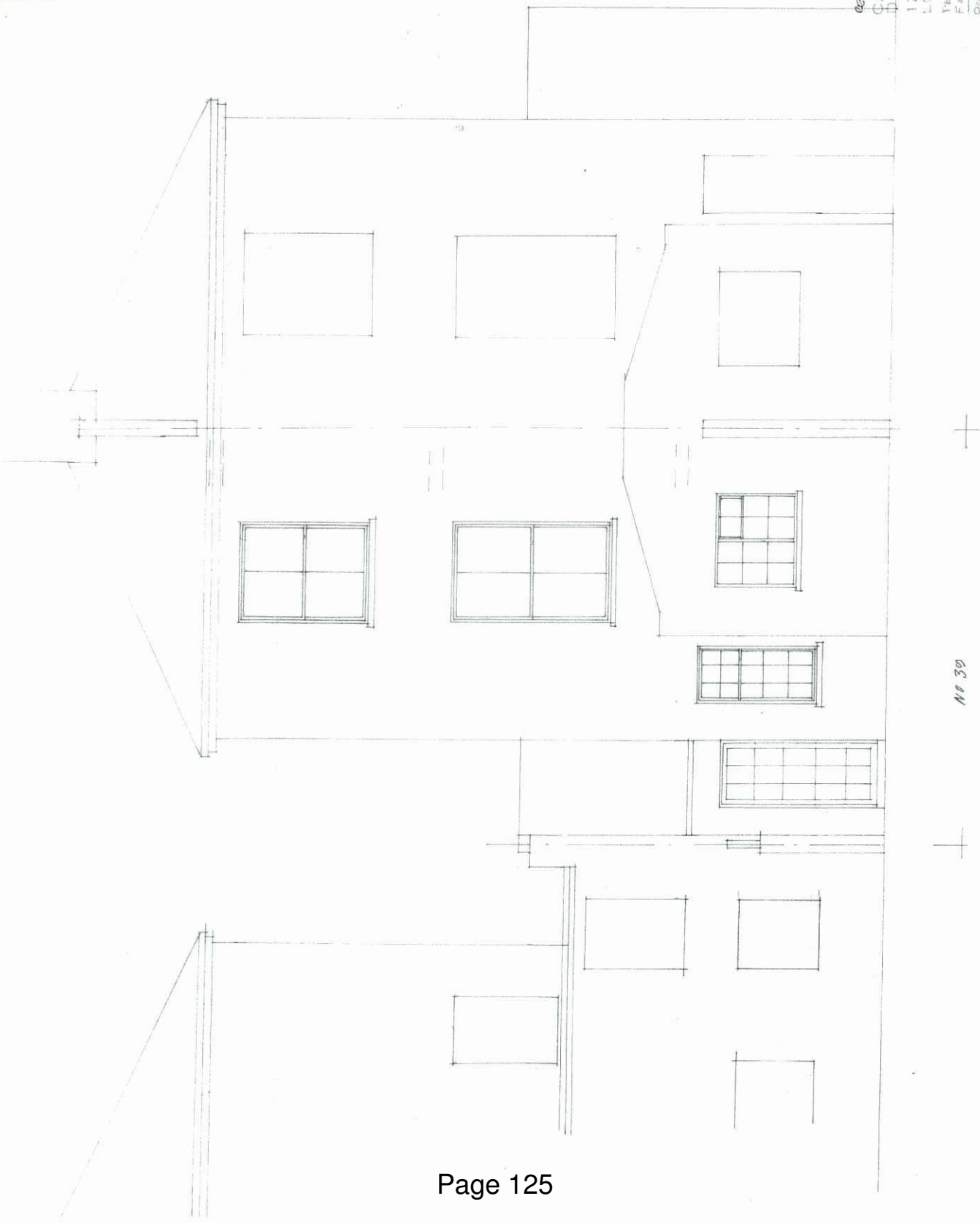
London Borough of Hackney  
13  
Planning - Received

REV A. AURE 08 DETAILS OF STAIRS, BALCONY + PORCH (LATERAL)  
CAROLYN SQUIRE JOB NO. 0840/5  
DIP ARCH RIBA DATE: APRIL 08  
122 CHURCH WALK  
LONDON N16 8DW  
TEL 020 7254 0521 SCALE 1:50  
FAX 020 7503 9764  
PROJECT 39 NORTHCHURCH ROAD, N1  
DRAWING EXISTING FRONT ELEVATION

10 39

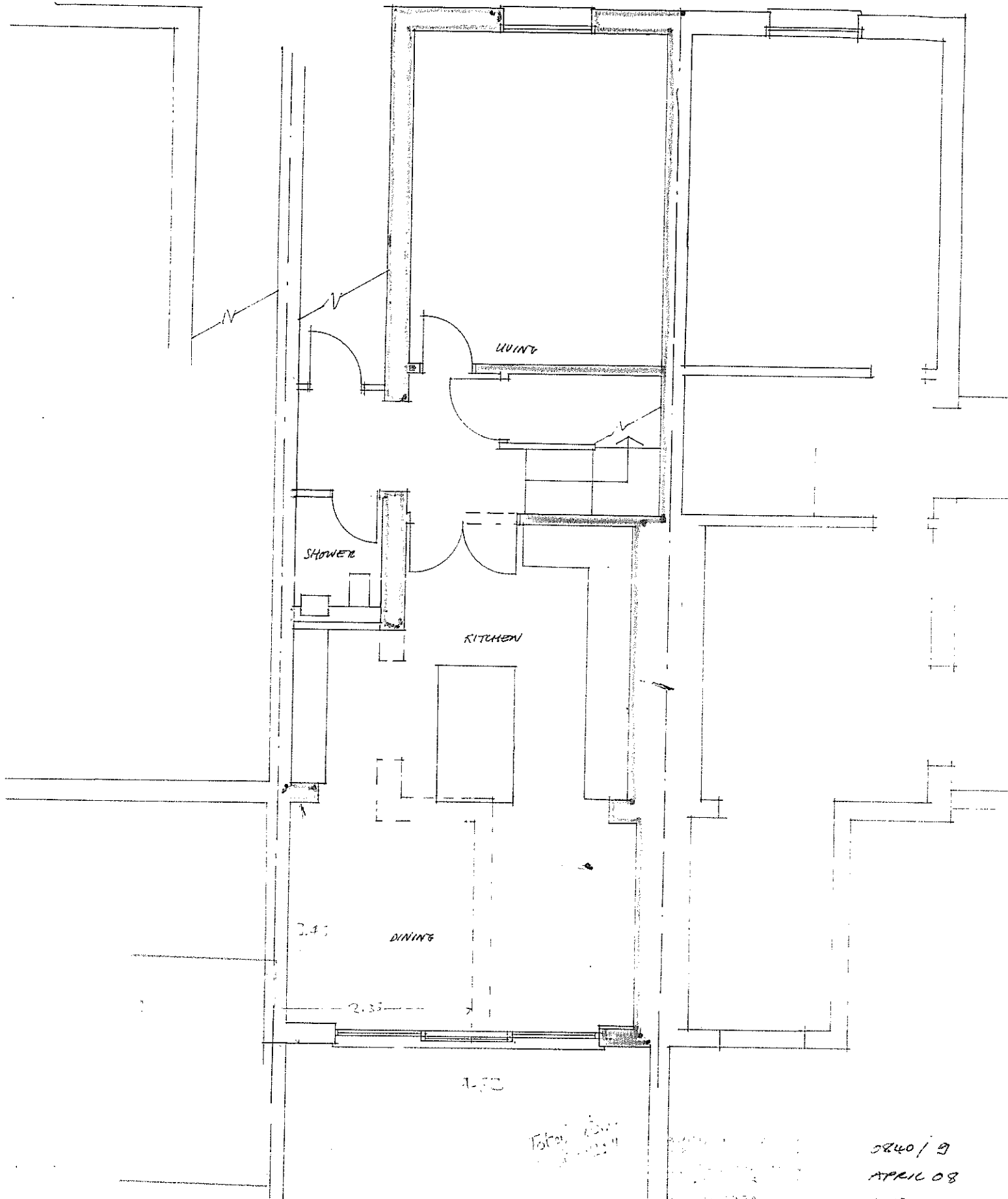
London Borough of Hackney  
**Hackney**  
16 OCT 2008  
Planning - Received

REVISED DRAWING APPROVED TO USE OF 15/04/11  
CAROLYN SQUIRE JOB NO: 0840/6 A  
DIP ARCH RIBA DATE: APRIL 08  
122 CHURCH WALK  
LONDON N16 8WJ  
TEL 020 7254 0624 SCALE: 1:50  
FAX 020 7503 9759  
PROJECT: 39 NORTHCHURCH ROAD, N1  
DRAWING: EXISTING REAR ELEVATION

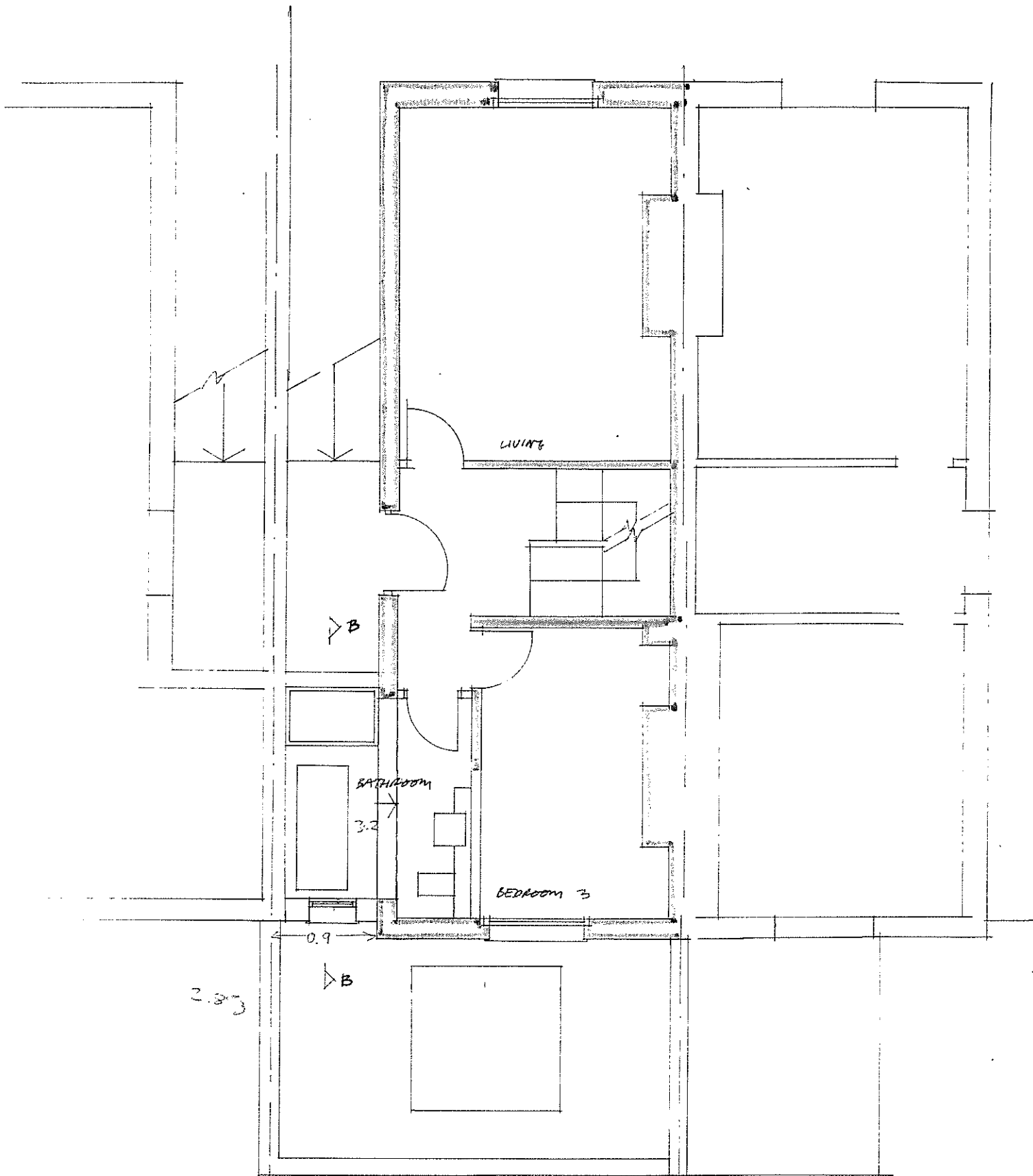


N139





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 APRIL 08  
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 37 NORTHCHURCH ROAD, N1  
 PROPOSED LOWER GROUND  
 FLOOR PLAN



No 29

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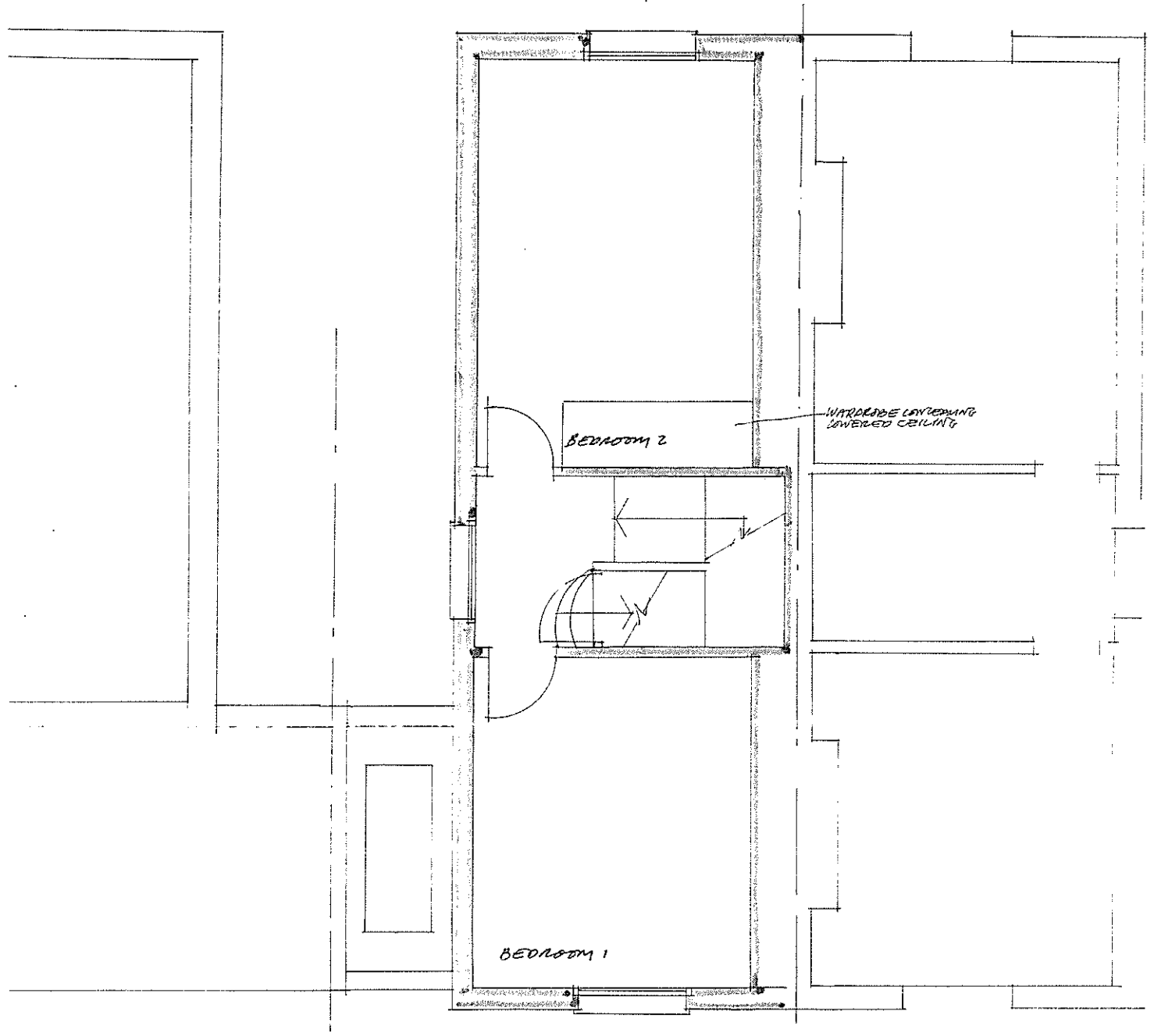
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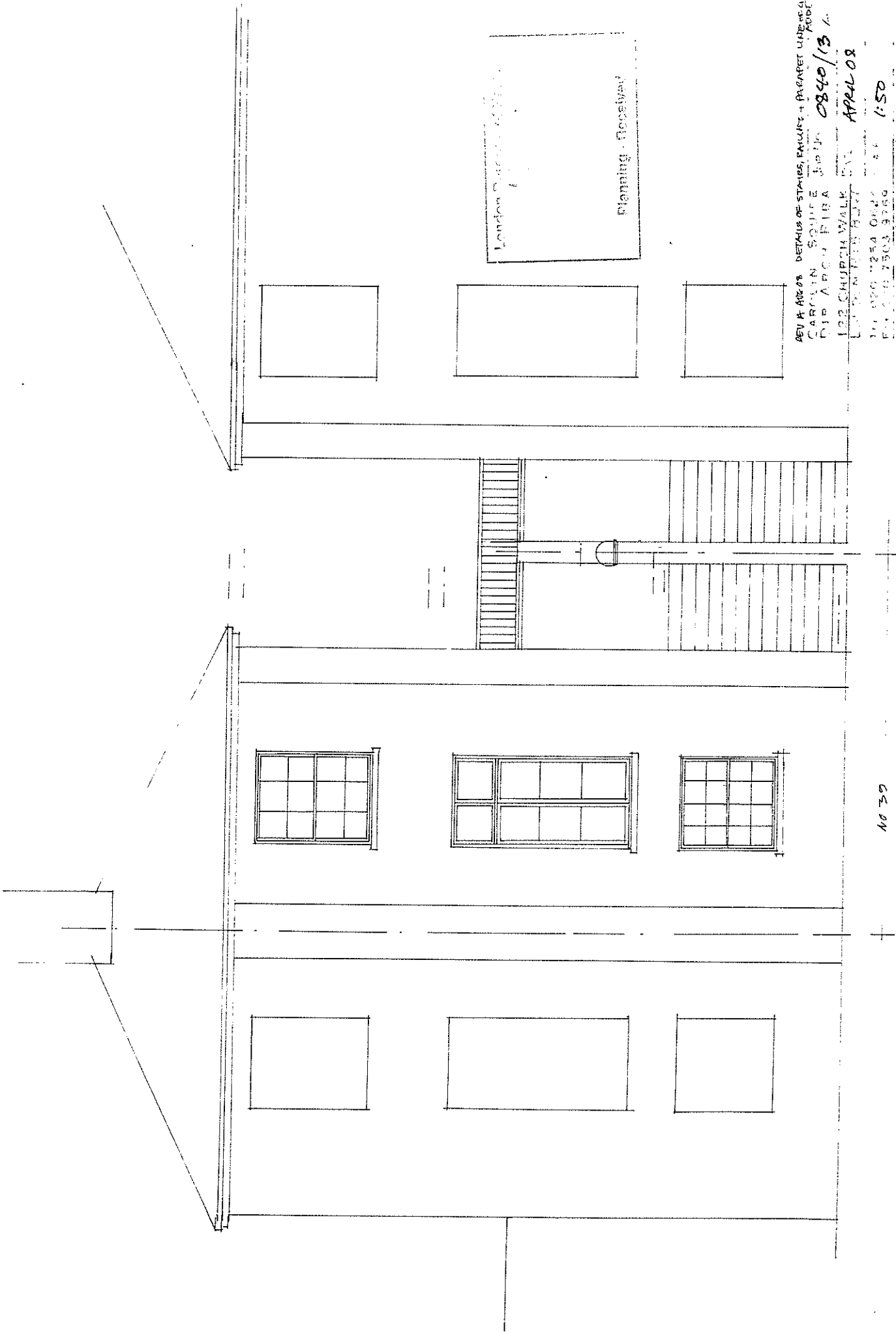
PROPOSED GROUND FLOOR PLAN



CAROLYN  
 120 CHURCH  
 LONDON  
 0840/11  
 APRIL 08  
 1:50  
 39 NORTHCHURCH ROAD, N1  
 PROPOSED FIRST FLOOR  
 PLAN







REV A 08/08 DETAILS OF STAIRS, RAILINGS + BALCONET LAYOUTS  
 CAROLIN SQUIRE  
 122 CHURCH WALK  
 LONDON SW1E 5HT

London Planning  
 Planning - Received

111 020 1234 0822 1:50  
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 PROJECT 30 NORTHCHURCH ROAD, N1  
 DATE 1 APRIL 08  
 PROPOSED FRONT ELEVATION

NO 30

London Borough of Hackney  
 Hackney  
 16 OCT 2008  
 Planning - Received

REV B OCT 08 WINDWARD TO CG OF NO 41  
 (S/A) A/C 08 MATERIALS CHANGED + NOTED HIT OF STAIRS  
 CAROLYN SQUIRE Job No: 0840/14 AB  
 DIP ARCH RIBA  
 122 CHURCH WALK  
 LONDON N16 8QW  
 DATE: APRIL 08  
 TEL 020 7254 6624 SCALE: 1:50  
 FAX 020 7503 9769  
 PROJECT: 39 NORTHCHURCH ROAD, N1  
 DRAWING: PROPOSED REAR EXTENSION

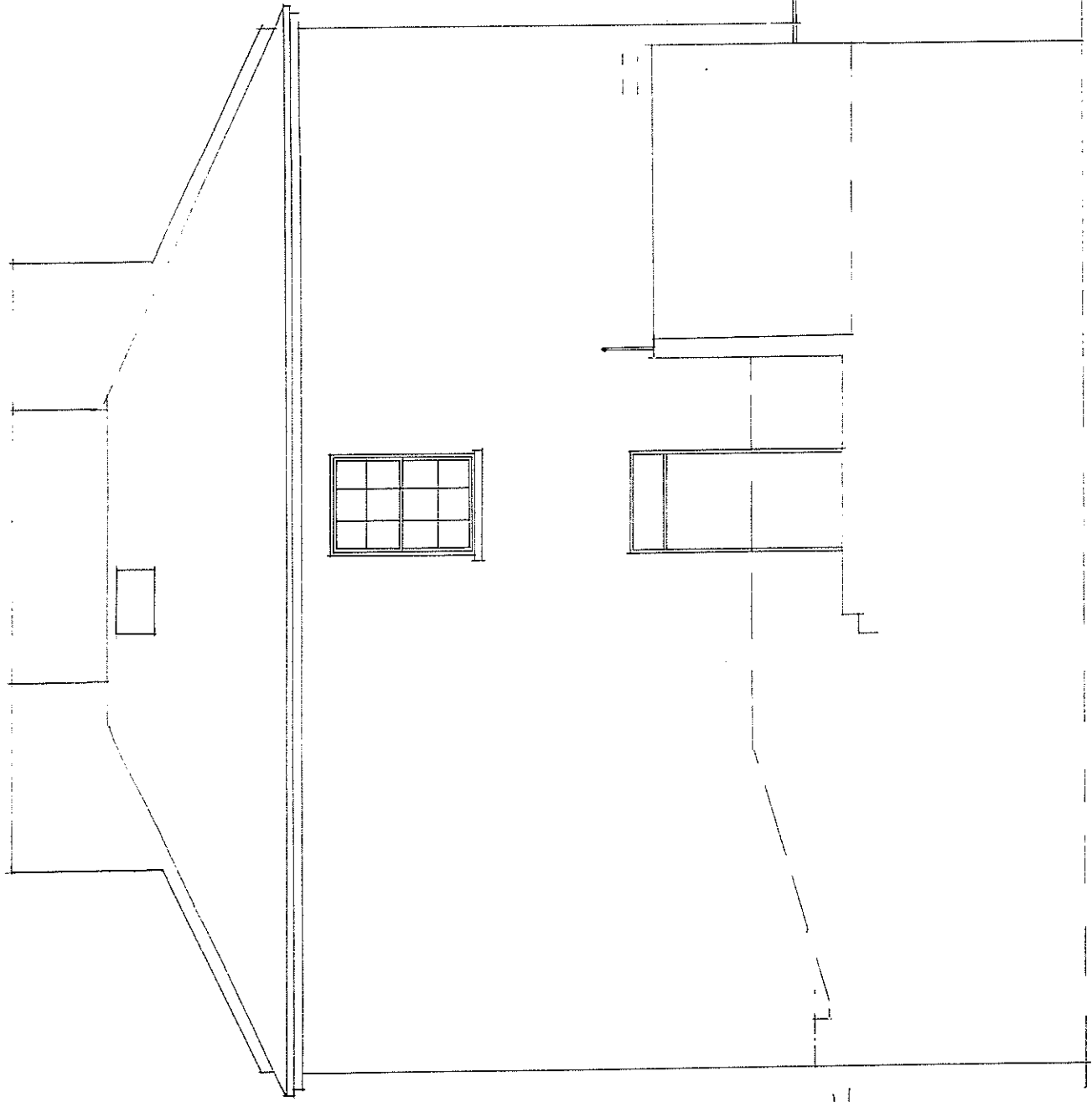


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39 NORTH CHURCH ROAD, N1

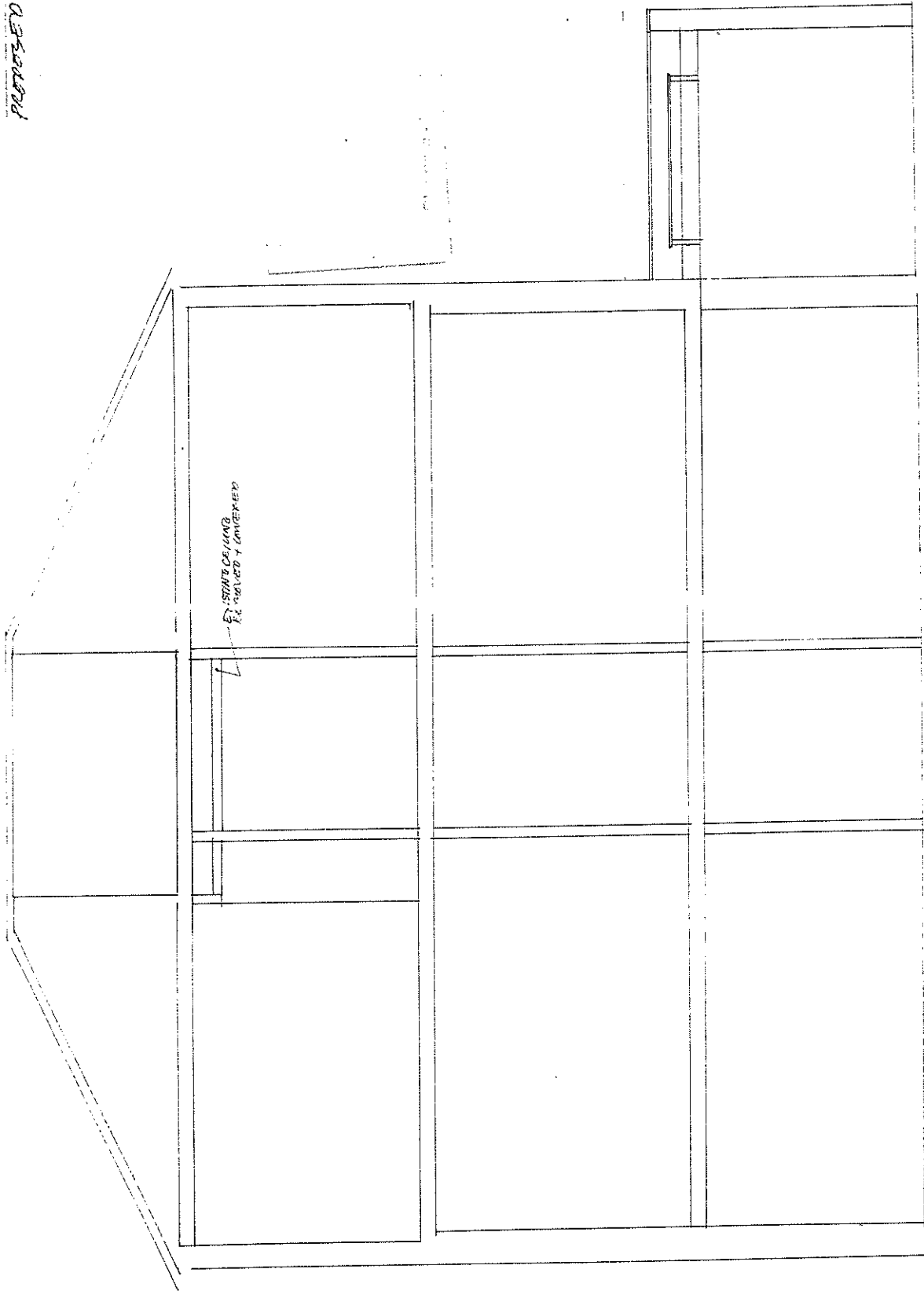
PROPOSED PLANK ELEVATION

HT OF FIRST FLOOR EXTENSION TO CORNER  
TO EX HT OF PARAPET WALL



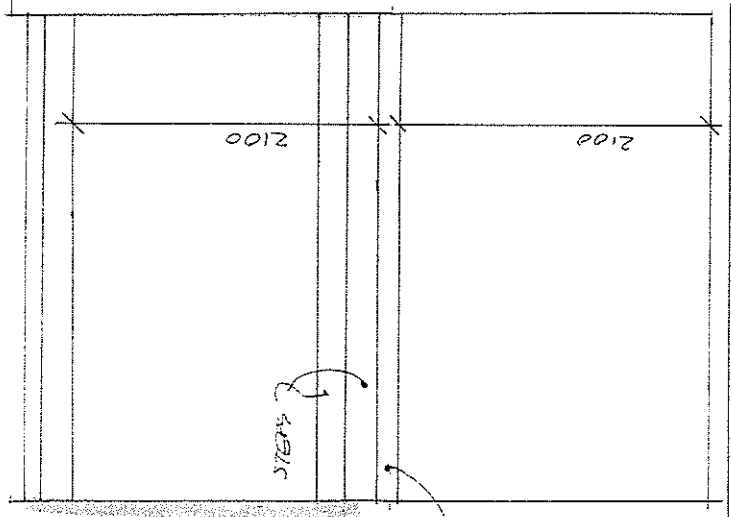
London Borough of Westminster  
Planning - Received

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SS NORTH CHURCH ROAD  
PROPOSED SECTION



London Borough of Hackney

Planning - Received



EXISTING DOISTS WHICH ARE MAINTAINED

STEPS

EXISTING DOISTS.  
PROPOSED DROPPED DOISTS.

CAROLYN SQUIRE  
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LONDON N16 8QW  
TEL 020 7254 0624  
FAX 020 7503 9769

JOB NO: 0840/16  
DATE: AUG 08  
SCALE: 1/50  
PROJECT: 39 NORTHCHURCH ROAD, N1

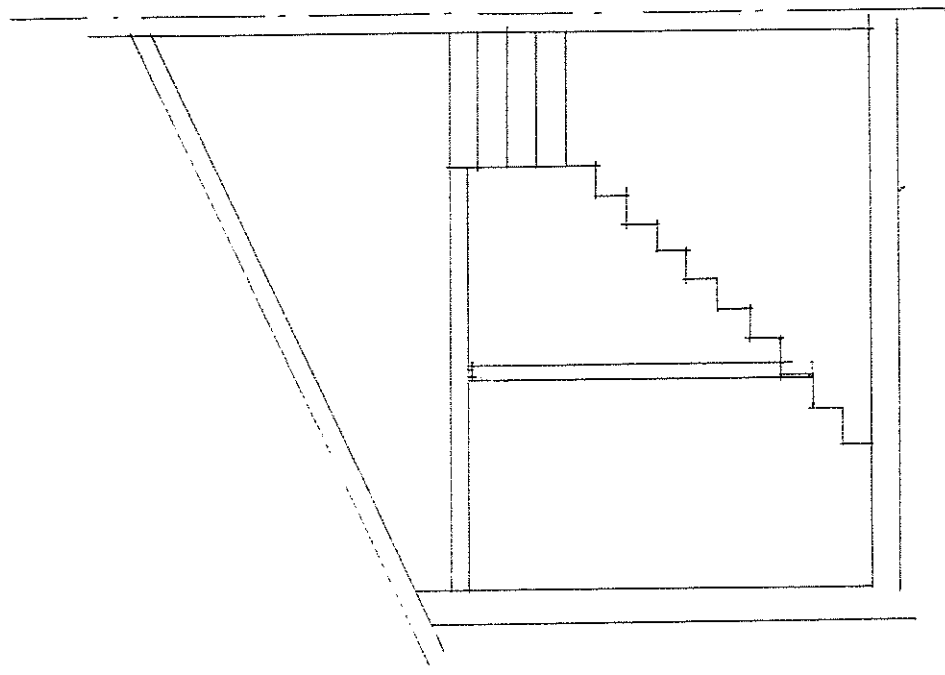
DRAWING: PROPOSED SECTION B-B

CAROLYN SQUIRE  
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 122 CHURCH WALK  
 LONDON N16 8QW  
 TEL 020 7254 0624  
 FAX 020 7503 9769  
 PROJECT: 59 NORTHCHURCH ROAD, N1

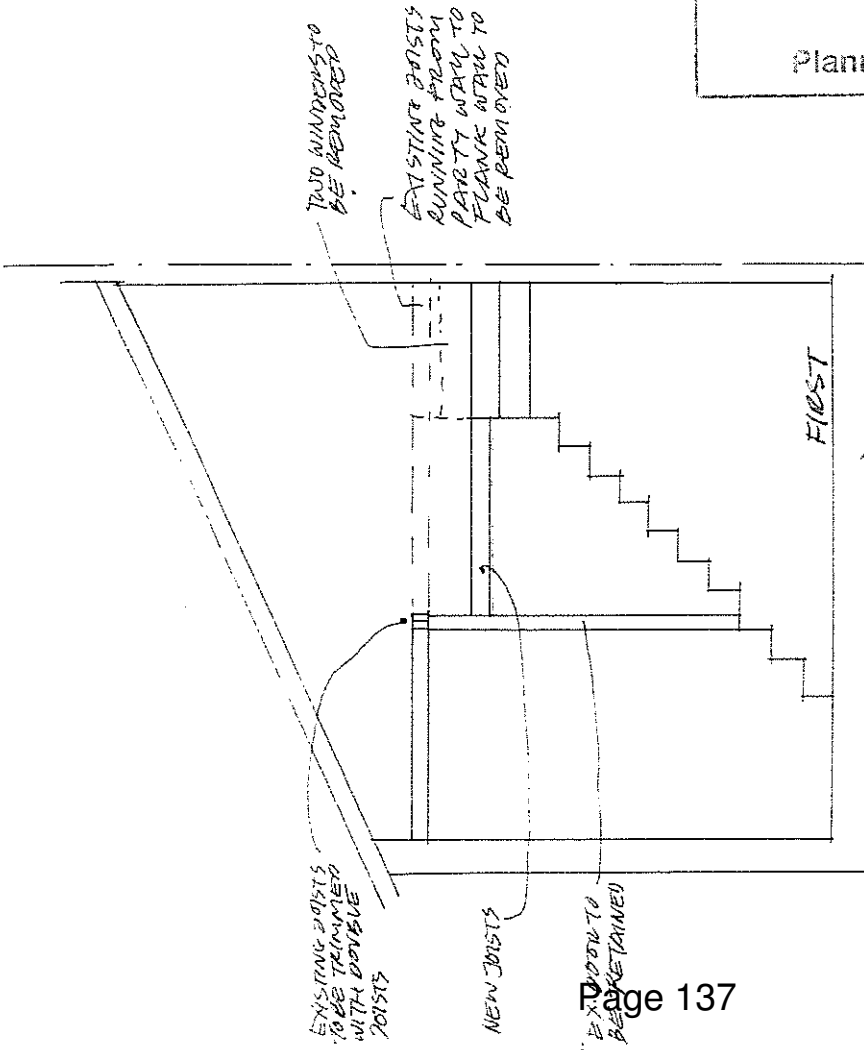
JOB No: 0840/17  
 DATE: AUG 08  
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DRAWING: EXISTING SECTION A-A

London Borough of Hackney  
 Planning - Received



EXISTING SECTION A-A



London Borough of ...  
 Planning - Received

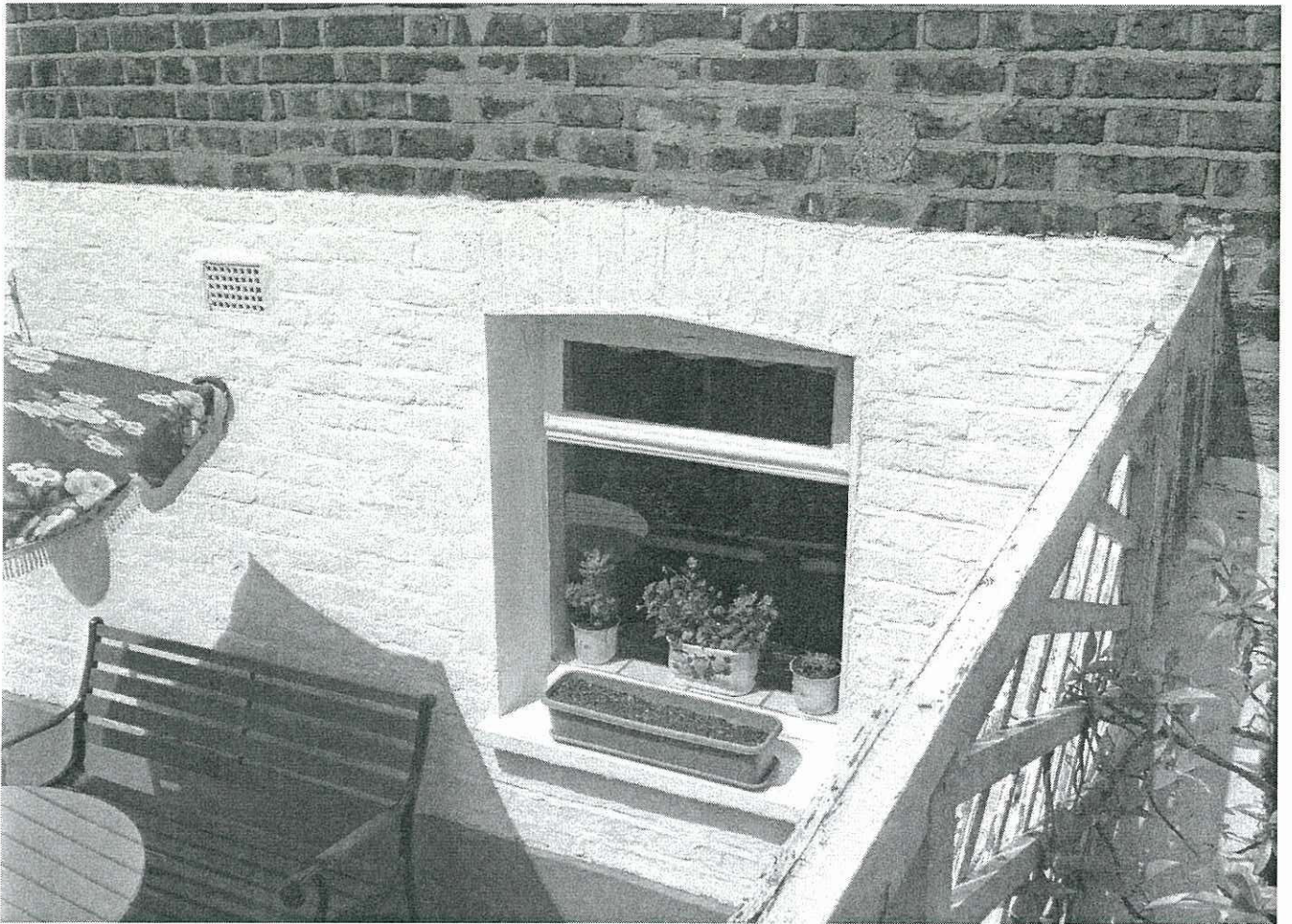
PROPOSED SECTION A-A

CAROLYN SQUIRE  
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 122 CHURCH WALK  
 LONDON N16 8QW  
 TEL 020 7254 0624  
 FAX 020 7503 9769  
 PROJECT: 39 NORTH CHURCH ROAD, N1  
 JOB NO: 0840/18  
 DATE: AUG 08  
 SCALE: 1:50  
 DRAWING: PROPOSED SECTION A-A











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<b>ADDRESS:</b> Land to the West of Beechwood Road South of Dalston Lane East of Roseberry Place and North of Trinity Primary School Dalston, London E8 3DE	
<b>WARD:</b> Dalston	<b>REPORT AUTHOR:</b> Gillian Nicks
<b>APPLICATION NUMBER:</b> 2008/1049	<b>VALID DATE:</b> 21/04/2008
<p><b>DRAWING NUMBERS:</b>            060315 Plan Detail 1 1:100, 060315 Plan Detail 2 1:100,            P-O-30-400, P-O-30-520 Accessibility Statement, Design Statement - March 2006,            Energy Strategy, Environmental Statement, Environmental Statement Appendices Volume 1,            Environmental Statement Appendices Volume 2, Environmental Statement Non            Technical Summary, Planning Supporting Statement            Report of Community Involvement, Sustainability Statement, Transport Assessment Report, Travel Plan Framework Draft, Viability Assessment, P0-30-010B, P0-30-011, P0-30-020B, P0-30-030B, P0-30-031, P0-30-040B, P0-30-050, P0-30-051, P0-30-090B, P0-30-100B, P0-30-110, P0-30-111, P0-30-200, P0-30-510, P0-30-520, P0-30-621, P0-30-631, P0-30-670, P0-36-020, P0-36-030, P0-90-000, P0-90-010, P0-90-011, P0-90-510, P0-90-520B, P-A-30-010B, P-A-30-020, P-A-30-030, P-A-30-040, P-A-30-050, P-A-30-060B, P-A-30-070B, P-A-30-080, P-A-30-090, P-A-30-100, P-A-30-110, P-A-30-510, P-A-30-520B, P-A-30-530, P-A-30-540, P-A-30-610B, P-A-30-670B, P-B-30-010B, P-B-30-020B, P-B-30-030B, P-B-30-040B, P-B-30-050, P-B-30-060B, P-B-30-070B, P-B-30-080, P-B-30-090B, P-B-30-100B, P-B-30-110, P-B-30-120, P-B-30-130, P-B-30-140, P-B-30-150, P-B-30-160, P-B-30-170, P-B-30-180, P-B-30-190, P-B-30-200, P-B-30-510, P-B-30-520B, P-B-30-530, P-B-30-540B, P-B-30-630, P-B-30-640,</p>	

<p>P-B-30-670, 060315 Section Detail 3, 060315 Section AA, 060315 Section AA Detail 2 1:100, 060315 Section AA Detail 1:100, 060315 Ground Plan 1:200, 060315 Plan 1:500, 060315 Plan Detail 3 1:100, 060315 Section BB Coupe General 1:100, 060315 Tree Plan 1:200, 060316 Section AA Detail 4:50, 118199-79-01 to 04RevB 01 (1) A1,AA118199/P-0-91-200A, AA118199/P-0-91-901, 876 1010C, 1011C, Waste Management Strategy Rev A, Crossrail Consultation Report – May 2007, Crossrail Consultation Calculations 17.07.2007 and Groundborne noise and vibration study, Revision I.</p>	
<p><b>APPLICANT:</b> Barratts East London C/o Agent</p>	<p><b>AGENT:</b> Savills Incorporating Hepher Dixon Bridewell Gate Bridewell Place London EC4 6AW</p>
<p><b>Proposal:</b> Section 73 application for the variation of the wording of conditions 3 (ground surface treatment), 4 (boundary walls), 5 (details to be approved), 6 (lighting &amp; balcony details), 7 (soft and hard landscaping public realm design details), 10 (highway boundary details), 19 (details of public realm hard and soft landscaping), 20 (detail of non public realm hard and soft landscaping), 21 (landscape management plan), 24 (cycle storage), 29 (artefact details), 30 (safe by design), 37 (phasing plan), 39 (contaminated land study) of planning permission 2007/1803 dated 27/02/2008: Section 73 application for the variation of condition 3 (ground surface treatment), 4 (boundary walls), 5 (details to be approved), 6(modifications), 7 (signage), 12 (roof plant enclosures), 17 (shop fronts), 18 (landscaping public realm), 19 (landscaping excluding public realm), 20 (landscape management plan), 21 (waste, recycling enclosures), 23 (cycle stands), 28 (artefact details), 29 (certificate of compliance to safe by design) and 35 (restricted delivery hours) of planning permission dated 9/11/2006 (ref: 2006/0886 for Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No.293): Environmental Statement accompanying a planning application for the redevelopment of the site through the erection of two blocks being part 8, part 10 and part 19 storey buildings for the purposes of a mixed use development comprising a total of 244 residential units (81x1bed, 82 x 2 bed, 59 x 3 bed, 16 x 4 bed and 6 x 6 bed); 1711sqm of class A1 (Retail), A2 (Financial and Professional services), A3 (Restaurant/Café), A4 (Drinking Establishments) floor space; 424sqm of B1/D1 floor space (workshop, studio, community); 3168sqm of D1 floor space (Library and Archive); 4900sqm public open space; 65 car parking spaces, 62 cycle spaces for public use; new site access points, relocation to taxi stands from</p>	

Roseberry Place to Dalston Lane; The proposal includes the demolition of all existing building on the subject site (amended description).

**NOTE TO MEMBERS:** The application was granted conditional planning permission subject to the signing of a S106 Legal Agreement at Planning Sub-Committee in August 2008.

This resolution followed the prior approval of application reference 2007/1803 to vary application 2006/0886 for which the discharge of a number of conditions had been sort, as reported to Members in August. The Council having the freehold of the site, are required to seek Cabinet consent to enter the Section 106; this was considered by Cabinet towards the end of October. In the meantime, conditions to the 2007 application have been discharged. The purpose of this note is to update members in relation to the progress of the development in consideration of the details that have been dealt with under condition and that consequently no longer require submission for discharge but rather to be included within the schedule of approved drawings and documents attached to a new consent.

**SUMMARY:**

**Members are recommended to grant Conditional planning permission subject to S106 legal agreement.**

**CASE OFFICER'S REPORT**

**1. BACKGROUND**

- 1.1 The application was granted conditional planning permission subject to the signing of a Section 106 Legal Agreement at Planning Sub-Committee on 4<sup>th</sup> August 2008.
- 1.2 At this meeting it was resolved that the conditions recommended for variation were acceptable. Subsequently, a number of conditions, not related to those that were sort for amendment, have been discharged. The details submitted have been considered satisfactorily as follows:

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Note continues overleaf.

Condition number and application reference in relation to 2007/1803	Condition number in relation to initial recommendation for 2008/1049	Condition Wording	Details submitted for discharge	Informatives added to discharge notice
Condition 9a, reference 2008/0917	Condition 10a	Detailed drawings showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved: a. layout and dimensions of the new basement car park b. details of new access routes/routes REASON: In the interests of orderly and satisfactory parking provision being made on the site to ensure that the development hereby approved does not prejudice the free flow of traffic or public safety along the adjoining highway.	876 1010 C	N/a
Condition 17, reference 2008/0920	Condition 18	Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and so maintained. REASON: To provide a suitable standard of	Drawing: 1011c	The details hereby approved within 1011c relate to the visibility splay only and with respect to discharging Condition 17.



		visibility to and from the highway and to ensure that the use of the access does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.		
Condition 22 and 23, reference 2008/0922	Condition 23 and 24	<p>22: Full details of all waste, recycling and dustbin enclosures showing the design, location and external appearance, shall be submitted to and approved by the Local Planning Authority before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved. REASON: To protect amenity and ensure adequate provision for the storage of refuse.</p> <p>23: A Waste Management Plan, including long term objectives, management responsibilities, maintenance schedules, cleaning schedules, refuse collection and servicing for all parts of the development, shall be submitted to and approved by the Local Planning Authority in writing before any work is commenced on the development. The Waste Management Plan shall be carried out in accordance with the details thus approved. REASON: To ensure that satisfactory measures are in place for the provision of refuse storage and its ongoing maintenance.</p>	Drawing 876 1011 C and Waste Management Strategy Rev A.	N/a
Condition 26 a and 26b, reference 2008/2396	Condition 27 a and 27b	No construction work of any part of the development forming part of this permission shall begin until detailed design and method statements for all the ground floor structures, foundations, basements and other structures, including piling (both temporary and permanent),	Crossrail Consultation Report – May 2007 and Crossrail Consultation	N/a

		<p>below ground level (the Foundation works) which accommodate:</p>	<p>– Calculations 17.07.2007</p>	
<p>Condition 26c, reference 2008/0925</p>	<p>Condition 27c</p>	<p>a. the proposed location of the Crossrail structures and tunnels; b. the ground movement arising from the construction of the Crossrail structures and tunnels; c. the effects of noise and vibration arising from the use of the running tunnels have been submitted to and approved, in writing, by the Local Planning Authority, after consultation with Cross London Rail Links, all such works which form part of the design and method statements shall be completed, in their entirety, before any part of the building hereby permitted is occupied. REASON: In order to ensure that the development does not impact and/or is not impacted by the proposed Cross Rail Network</p>	<p>Groundborne noise and vibration study, Revision I</p>	<p>N/a</p>
<p>Condition 27, reference 2008/2415</p>	<p>Condition 28</p>	<p>The developer shall provide written notice to the Local Planning Authority prior to its intention to commence the foundation works. Within 25 days of receipt of such prior written notice, the Local Planning Authority may issue a counter notice to developer prohibiting the commencement of the Foundation works during any period when the construction of the Crossrail structures and tunnels is in progress or is scheduled to commence or be in progress. REASON: To ensure that the proposed development does not have a negative impact upon the construction of Crossrail.</p>	<p>Crossrail Consultation Report – May 2007 and Crossrail Consultation – Calculations 17.07.2007</p>	<p>N/a</p>

Condition reference 2008/0930	32, 33	Details of the location of at least 25 car parking spaces for disabled users in the basement car park shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The spaces shall be retained permanently for use by the vehicles of residents with disabilities. The development shall not be carried out otherwise than in accordance with the details approved. REASON: In order to ensure a reasonable minimum of parking spaces are located conveniently for use by persons with disabilities.	1010c	N/a
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- 1.3 The previous Officer's Report is attached for member's information.
- 1.4 Given that officers have considered details that members requested be submitted it is recommended that these details no longer require submission. As such, it is recommended that it is most relevant to bring forward the details as discharged by officers on to the formal decision notice rather than require the duplication of submissions which could be seen as contrary to Circular 11/95 in consideration of whether such conditions would be necessary or reasonable given their prior discharge under related applications.
- 1.5 No principles of development are altered by the details being presented to Members.

## 2. **RECOMMENDATION**

### **Recommendation A**

On the basis of the above the proposal is considered to be acceptable and the Local Planning Authority, which has taken into account the environmental information required under Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, resolves to GRANT approval subject to the following conditions:

1. **SCB1 – Commencement within three years**  
The development hereby permitted must begun not later than the expiration of three years beginning with the date of this permission.  
REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.
2. **SCM2 – Materials to be approved**  
Full details, including samples, of the materials to be used on the external surfaces of the building, including glazing, shall be submitted to the Local Planning Authority, in writing, prior to implementation. The development shall not be carried out otherwise than in accordance with the details thus approved.  
REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.
3. **SCM4 – Ground Surface Treatment**  
Full details of all ground surface treatments to the site shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of the works associated with the ground surface treatments. The development shall not be carried out otherwise than in accordance with the details thus approved.  
REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the visual amenity of the area.

**4. SCM5 – Boundary Walls**

Full details including materials of all boundary walls, screening and enclosures shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of the works associated with boundary walls, screening and enclosures. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**5. SM7 – Details to be approved 1**

Detailed drawings (at least at 1:50 scale) including modifications to the following matters must be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of the works associated with these items. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a. Glazing;
- b. winter gardens and balconies

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual appearance of the area.

**6. SCM7 – Details to be approved 2**

Detailed drawings (at least at 1:50 scale) of the proposed development showing the matters set out below must be submitted to the Local Planning Authority within one month of the date of this permission and approved by the Local Planning Authority, in writing, prior to the commencement of the works associated with these items. The development shall not be carried out otherwise than in accordance with the details thus approved:

- a. All proposed louvers;
- b. Part elevation drawings;
- c. External doors

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**7. SCM7 – Details to be approved 3**

Detailed drawings (at least at 1:50 scale) of the proposed development showing the matters set out below must be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of the works associated with the external lighting scheme. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a). External lighting;

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8. SCM11 - Modifications**

Detailed drawings showing further design and consideration of soft and hard landscaping, layout, street furniture and useable area of the public realm shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority, following consultation with the GLA's Architecture and Urbanism Unit, prior to the commencement of the works associated with the soft and hard landscaping, layout, street furniture and useable area of the public realm. This part of the development shall be completed in accordance with the modification(s) thus approved.

REASON: The proposed landscaping requires further, detailed consideration to ensure an acceptable form of development.

**9. NSC1 - Signage**

Prior to occupation of the first phase of development full details of the signage, including site signs and signs on buildings must be submitted to and approved by the Local Planning Authority before any work associated with signage is commenced. The development should not be carried out otherwise than in accordance with the details thus approved.

REASON: To assist in directing members of the public around the site and ensure a consistency in design.

**10. NSC2 – Car Parking details**

Detailed drawings showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved:

b. details of new access routes/routes

REASON: In the interests of orderly and satisfactory parking provision being made on the site to ensure that the development hereby approved does not prejudice the free flow of traffic or public safety along the adjoining highway.

**11. NSC3 - Site boundary**

A detailed drawing to show a clear demarcation must be provided to distinguish the boundary of the site from the Public Highway within one month of the date of this permission.

REASON: To ensure that the amenity of the public highways is protected and that the development does not encroach upon it.

**12. SCM9 – No extraneous pipe work**

No soil stacks, soil vent pipes, flues, ductwork or any other pipe work shall be fixed to the (Street) elevations of the building other than as shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**13. SCD1 – Level Access (units and shops)**

A level access shall be provided to all ground floor units hereby approved before the use is first commenced of that unit.

REASON: In order to ensure that people with disabilities are able to gain proper access to the development.

**14. SCI4 – Roof plant enclosures**

Full details of all roof plant enclosures (as shown on the approved drawings) shall be submitted to and approved in writing by the Local Planning

REASON: To safeguard the appearance of the property.

**15. SCH3 – Parking within site**

No parking of vehicles arriving at or departing from the premises shall take place otherwise than within the cartilage of the premises.

REASON: To assist in ensuring that the public highway is available for the safe and convenient passage of vehicles and pedestrians.

**16. SCH5 – Provision of parking, turning and unloading facilities**

No individual phase of the development hereby approved shall be occupied until the accommodation for car parking, turning and loading/unloading associated with that phase has been provided in accordance with the approved plans and phasing strategy, and such accommodation shall be retained permanently for use by the occupiers and/or persons.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the car parking for residents, users and/or persons calling at the premises.

**17. SCH9 – Marking of parking/ service areas**

Before the use hereby permitted first commences, appropriate markings shall be used to delineate all car parking space and service areas within the site/development as shown on the permitted plans, and such markings shall be retained permanently.

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the development does not prejudice the free flow of traffic or public safety along the adjoining highway.

**18. SCS1 – Details of Shopfront**

Details of the proposed shop fronts on drawings of a suitable scale, together with materials used shall be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced on that part of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the design of the shop front is not detrimental to the appearance of the building.

**19. NSC4 – Landscaping of public realm**

Full details of both hard and soft landscaping works associated with the public realm within the scheme shall be submitted in writing to the Local Planning Authority within one month of the date of this permission and approved in writing prior to the commencement of the works associated with the details thus approved following consultation with the GLA's Architecture and Urbanism Unit. Soft landscape works shall include: a planting plan; a

schedule of plants noting species, type of stock, numbers of trees and shrubs to be included; and details of areas to be grass seeded or turfed. Hard landscape works shall include details of ramps, steps, railings, lighting, vehicular and pedestrian circulation areas, street furniture, the water feature, proposed drainage system and details of the location of a tree with associated plaque dedicated to the victims of the New Cross fire tragedy. All hard and soft landscaping works associated with the public open space shall be carried out in accordance with the approved details. The works shall be implemented in accordance with the approved phasing plan and shall be carried out within a period of twelve months from the date on which the development commences or the first planting season following completion of the relevant phase.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide a reasonable environmental standard in the interests of the appearance of the site and area.

**20. NSC5 – Landscaping excluding Public Realm**

Full details of both the hard and soft landscaping works associated with the scheme excluding the public realm, balconies and winter gardens shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of the works associated with the details thus approved following consultation with the GLA's Architecture and Urbanism Unit. These details shall include: surface materials, steps, railings, balustrades, bat boxes and or bricks, green and brown roofs, ramps and planting plans including a schedule of plants noting species and type of stock. All hard and soft landscaping works associated with the residential terraces shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following completion of the relevant phase of development as set out in the approved phasing plan.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

**21. NSC6 – Landscape management plan**

A landscape management plan (including long term design objectives, management responsibilities and maintenance schedules) for all landscaped areas, shall be submitted to the Local Planning Authority within one month of the date of this permission or as otherwise agreed in writing and approved in writing by the Local Planning Authority prior to the first occupation of the development. All works specified in the approved Landscape Management Plan shall be carried out within a period of twelve months from the date on which the development of the site commences or the first planting season following completion of the development and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die or are severely damaged, seriously diseased or removed.



**22. NSC9 – Cycle Stands**

Full details of the on site provision for all cycle stands to have secure storage shall be submitted to the Local Planning Authority within one month of the date of this permission and approved by the Local Planning Authority in writing prior to the commencement of works for the details thus approved or the first occupation of the development, whichever is earlier. The approved details shall be implemented before first occupation and the development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In order to ensure that a safe and secure provision for cycle storage is located conveniently for use by cyclists.

**23. NSC10 – Environment Agency**

Details of surface water drainage and source control measures shall be submitted to and approved in writing by the Local Planning Authority before development commences, after consultation with the Environment Agency.

REASON: To prevent an increased risk of flooding, to improve water quality and to provide improved amenity and wildlife habitat.

**24. NSC13 – English Heritage**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: Significant archaeological remains may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG15.

**25. NSC14 – Artefact details**

Details of the type of any artefacts from the original buildings which have been identified by the Museum of London in accordance with a condition attached to the planning permission for the demolition of the existing buildings at this site and details of their future display within the site shall be submitted to the Local Planning Authority within one month of the date of this permission or as otherwise agreed in writing and approved in writing by the Local Planning Authority prior to commencement of those works.

REASON: In the interests of preserving a link with the social and cultural history of the site.

**26. NSC15 – Certificate of Compliance to Secured by Design**

The development shall achieve a Certificate of Compliance to Secure by Design or alternatively achieve Secure by Design standards to the satisfaction of the Metropolitan Police, details of which, to include consultation with the police during the construction period, shall be provided

in writing to the Local Planning Authority within one month of the completion date.

REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.

**27. NSC16 – Residential space standards**

The internal layout of all residential units shall comply with unit size standards outlined in Supplementary Planning Guidance No.1 and Policy H09 (4 bed units).

REASON: To ensure a reasonable standard of internal amenity for future occupiers.

**28. NSC18 – Communal Heating System**

Details of the communal heating system shall be submitted to and approved by the Local Planning Authority. The details shall demonstrate that all users within the development will be connected to the communal heating system. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In the interests of sustainable design and energy saving.

**29. NSC19 – Code of Construction practice**

No development shall commence until a code of construction practice has been submitted and approved by the Local Planning Authority. The code of construction practise shall provide a control framework that the developer, contractors and sub-contractors will employ: to control on site working conditions; in relation to site fencing/site security; to minimise construction noise impact on surrounding properties likely to be adversely affected by construction activities; to provide details of traffic routes to be used by construction vehicles. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To avoid serious harm upon members of the public.

**30. NSC20 – Renewable Energy**

Details of the scheme to achieve no less than 10% reliance on renewable energy sources shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the development provides an acceptable amount of onsite renewable energy.

**31. NSC21 – Restricted delivery hours**

Confine delivery access to the service locations, excluding the basement car park, between the following hours:

5am to 7am and 9.30am to 5.30pm Monday to Friday

9.30am to 1.30pm Saturday

No deliveries shall be made on Sundays or Public Holidays

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

**32. NSC22 – Phasing Plan**

A phasing plan showing details of the phased delivery of the scheme hereby approved shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of works on the public realm works. The development shall not be carried out otherwise than in accordance with the Phasing Plan.

REASON: To ensure that the development is implemented to the satisfaction of the Local Planning Authority.

**33. NSC23 – Site clearance and nesting season**

Site clearance should be undertaken outside of the bird nesting season (generally accepted as being between March and July). If this is not possible, all the trees, scrub and buildings should be searched for the presence of nesting birds. If any are found the nests should be protected until such time as the young have fledged and left the nest. These details should be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the development.

REASON: In the interest of preserving ecology on the development site.

**34. NSC24 – Contaminated Land**

Development of the site shall not begin until a contaminated land study has been submitted to the Local Planning Authority for written approval. The study will identify the extent of the contamination and the measures to be taken to avoid risk to the public and local environment when the site is developed. Details of this study should include:

- a. A desk study report documenting the history of the site;
- b. A site investigation report to investigate and identify contamination;
- c. A risk assessment of the site;
- d. Proposals for any necessary remedial works to contain, treat or remove any contamination.

Occupation of the site and development shall not commence until the measures approved in the study have been implemented.

REASON: The development proposed for this site should not expose future users or occupiers of the site, any buildings and services, or the wider environment to risks associated with the contaminants present. This condition should ensure that the contaminated land is properly treated and made safe before development to protect public health and to meet the requirements of Council policy EQ43.

**Recommendation B**

That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a section 106 agreement in order to secure the following matters to the satisfaction of the Assistant Director of Regeneration and Planning and the secretary and solicitor to the Council:

1. That the landowner/developer/mortgagee shall contribute £579,325.00 for

- the purpose of providing education and/or training facilities for the residents of the London Borough of Hackney;
2. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £508,676.00 to reinstate and improve the footway adjacent to the boundary of the site, and include if required, any access to the Highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements. Unavoidable works required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment;
  3. Footway reinstatement works;
  4. That the landowner/developer/mortgagee shall provide temporary and permanent public open space plus associated Bond(s) for the open space works;
  5. That the landowner/developer/mortgagee shall provide a plan for the provision of a programme of public art to require the expenditure of at least £20,000.00 but no more than £25,000.00 inclusive of design and consultation costs;
  6. That the landowner/developer/mortgagee shall provide a plan setting out a package of security measures to be adopted by the developer which shall include the provision of CCTV and lighting;
  7. To secure the provision of Affordable Housing comprising 8 x 2 bedroom units, 18 x 3 bedroom units and 6 x 4 bedroom units as affordable intermediate housing to be created and used exclusively as Intermediate Housing and 8 x 2 bedroom units, 11 x 3 bedroom units, 6 x 4 bedroom units and 6 x 6 bedroom units as affordable rented being the units to be created and used exclusively as Social Rented Housing;
  8. A travel plan shall be provided towards assisting occupiers (both residential and commercial) to achieve sustainable travel targets with the services of a Travel Plan co-ordinator;
  9. The development shall be limited to 65 car parking spaces. The developer shall notify the occupants of the residential units that they shall not be able to obtain any residential parking permit, with the exception of blue badge holders;
  10. That the landowner/developer/mortgagee shall endeavor to secure at least twelve per cent of the workforce for construction of the development shall be Local Labour;
  11. That the landowner/developer/mortgagee shall convene a community working group monthly during the construction phase and provide a code of construction practice;
  12. That the landowner/developer/mortgagee shall provide a Housing Standards Plan in accordance with Lifetime Home Standards
  13. That the landowner/developer/mortgagee shall provide a Sustainable Development Plan securing the incorporation of sustainable measures in the carrying out of the development;
  14. Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Section 106 Agreement

### 3. REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission:

EQ1-Development Requirements, EQ29-Archaeological Heritage, EQ30-Areas of Special Landscape Character, EQ32-Shop fronts, EQ40-Noise Control, EQ46-Recycling Facilities, EQ48-Designing out crime, H03-Other Sites for Housing, H016-Housing for People with Disabilities, E3-Development outside Defined Employment Areas, E18-Planning Standards, TR19-Planning Standards, R1-Town Centre, R3-Development within shopping frontages, CS2-Provision of Community Facilities, AE6-Arts and Open Space, AE8-Planning Standards, 3A.1-Increasing London's Supply of Housing, 3A.2-Borough Housing Targets, 3A.4-Housing Choice, 3A.7-Affordable Housing Targets, 3A.10-Special Needs and Specialist Housing, 4B.1-Design Principles for a Compact City, 4B.2-Promoting World Class Architecture and Design, 4B.4-Enhancing the Quality of the Public Realm, 4B.7-Respect Local Context and Communities, 4B.8-Tall Buildings- Location, 4B.9-Large-scale buildings design and impact, 4B.10-London's Built Heritage, 4B.11-Heritage Conservation, PPS1-Delivering Sustainable Development, PPS3-Housing, PPS6-Planning for Town Centers: Guidance on Design and Implementation, PPG13-Transport, PPG15-Planning and the Historic Environment, Guidance on Tall Buildings 2003 (CABE/English Heritage).

### 4. INFORMATIVES

The following informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping
- NSI Relevant Fire Legislation
- NSI Reliance upon Renewable Energy Sources shall not be less than 10% for the site and where efficiencies are possible with the above ground development on Dalston Junction, a 25% reliance upon renewable energy is recommended.
- NSI The stair riser from Roseberry Place will be required at 150mm.
- NSI The development of this site is likely to damage archaeological remnants. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage Guidelines.
- NSI Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately one bar) and a flow rate of 9 liters/minute at the point where it leaves Thames Water pipes. The developer

should take account of this minimum pressure in the design of the proposed development.

NSI Please note that the Architecture and Urbanism Unit of the Greater London Authority will be consulted on all Landscaping plans submitted pursuant to this permission.

NSI This decision notice follows earlier consents: reference 2006/0886 and 2007/1083. Conditions in relation to layout and dimension of the new basement car park; visibility; waste, recycling and dustbin enclosures; waste management plan; design and method statement; Crossrail and foundations; and 25 disabled car parking spaces were originally attached to these previous consents. However, these details were considered and subsequently discharged, the details of which are covered by the drawings/documents attached and hereby approved under this consent.



Signed..... Date: 03/11/2008

**Fiona Fletcher-Smith  
CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION**

NO.	BACKGROUND PAPERS	NAME AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP and the London Plan	Gillian Nicks (ext 8350)	263 Mare Street, E8 3HT



## Planning Committee – 19.11.2008

<b>ADDRESS: Clissold Park and House</b>	
<b>WARD:</b> Lordship	<b>REPORT AUTHOR:</b> Anthony Traub
<p><b>APPLICATION NUMBER:</b> 2008/1973 (Listed Building Consent) and 2008/1975 (Full Planning Permission for works on Clissold Park).</p> <p><b>DRAWING NUMBERS:</b> 455A D – 02 Rev A, 455A D – 03 Rev A, 455A D – 04 Rev A, 455A D – 05 Rev A, 455A D – 06 Rev A, 455A D – 07 Rev A, 455A D – 08 Rev A, 455A D – 09 Rev A, 455A D – 10 Rev A, 455A D – 11 Rev A, 455A SU-02 Rev x, 455A SU-03 Rev x, 455A SU-04 Rev x, 455A SU-05 Rev x, 455A SU-06 Rev x, 455A SU-07 Rev x, 455A SU-08 Rev x, 455A SU-09 Rev x, 455A SU-10 Rev x, 2631/I/200 Ver A, 2631/L/201 Ver A, 2631/L/300 Ver A, 2631/L/100 Ver A, 2631/L/301 Ver A, 2631/L001 Ver *, 2631/L/302 Ver A, RSB_189/p1 p1, RSB_189/p3 p1, RSB_189/p4 p1, RSB_189/p5 p1, RSB_189/p6 p1, RSB_189/p2 p1, RGA_D02 Ver A, RGA_D03 Ver A, RGA_D04 Ver A, RGA_D05 Ver A, RGA_D06 Ver A, RGA_D07 Ver A, RGA_D08 Ver A, RGA_D09 Ver A, RGA_D10 Ver A, RGA_D11 Ver A, RGA_S01 Ver A, RGA_S02 Ver A, RGA_S03 Ver A, RGA_S04 Ver A, RGA_S11 Ver A, RGA_S12 Ver *, RGA_S13 Ver *, RGA_SU02 Ver *, RGA_SU03 Ver *, RGA_SU05 Ver *, RGA_SU06 Ver *, RGA_SU07 Ver *, RGA_SU08 Ver *, RGA_SU09 Ver *, RGA_SU10 Ver *, RGA_SU04 Ver *.</p> <p>Schedule of Works Historical Assessment Clissold House Design and Access Statement Schedule of Trees Report on Trees Schedule of Tree Works</p>	<b>VALID DATE:</b> 31/07/2008

<b>APPLICANT:</b> Hackney Council Maurice Bishop House 17 Reading Lane London E8 1HH	<b>AGENT:</b> Ms Sally Prothero LDA Design 14-17 Wells Mews London W1T 3HF
<p><b>PROPOSAL: 2008/1973</b> – Restoration of Grade II* Listed Villa to bring all areas into beneficial use as a café, Function Rooms, retail &amp; Ancillary park facilities ( W.C, Ranger Point) the work includes repair &amp; alterations to external walls, re-roofing, internal alterations creating new layout; provision of new passenger lift, kitchen/servery, WC facilities.</p> <p><b>2008/1975</b> – Renovations to park environment including: Demolition and removal of the following: 2 No. existing toilet blocks; Aviary; 2 No. small sheds; 5 No. entrances gates. Refurbishment of: Sluice House with change of use to A1 (refreshment Kiosk 25 sq m in area); and Bowling Pavilion including reinstatement of WC's. Erection of : New Aviary; new butterfly dome; 5 No. entrance gates; storage shed; 2 No. new pedestrian bridges; Extension of the "New River" water body; Development of a new sports and play area including skate park. Relocation of waste storage areas to existing depot accessed from Greenway Close.</p>	
<p><b>RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and referral to the Secretary of State (GOL).</b></p>	

**ANALYSIS INFORMATION**
**ZONING DESIGNATION:**

CPZ		Yes
Conservation Area		Yes – Clissold Park
Listed Building (Statutory)		Yes – Grade II* Listed – <b>CLISSOLD PARK N16</b> Refreshment Rooms (Formerly listed as Clissold House)
Listed Building (Local)		No
DEA		No

<b>LAND DETAILS:</b>	<b>USE</b>	Use Class	Use Description	Floorspace
<b>Existing</b>		A3	Restaurant/Cafe	185 sq.m
		D1	Non Residential Institutions	615 sq.m
<b>Proposed</b>		A3	Restaurant/Cafe	185 sq.m
		D1	Non Residential Institutions	590 sq.m
		A1	Shop (Sluice House)	25 sq.m



<b>PARKING DETAILS:</b>	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	No change to existing. Informal parking located within depot for staff.	-
Proposed	-	-
Cycle Parking	3	14

### **OFFICERS REPORT**

#### **1. SITE DESCRIPTION:**

- 1.1 The site is Clissold Park with Clissold House located within the south-eastern portion of the park.
- 1.2 Clissold House is a Grade II\* Listed Building. The recent history of the building has led to most of it being unoccupied and needing considerable investment with the existing predominant uses being a ground floor café and the ranger station at lower ground floor. The roof and damaged parts of the building were repaired with the aid of a grant from English Heritage a few years ago but no further major investment in the building has taken place since then.
- 1.3 The park is a historic park listed grade II on the English Heritage Register of Parks and Open Spaces. The park caters for numerous recreational uses with animal hutches, an aviary, waterways, open fields, formal gardens, cycling and walking tracks creating an area of open space that caters for all.
- 1.4 The surrounding area is predominantly residential with six to ten storey residential blocks. To the east is a depot, to the south, north and west are other residential blocks.

#### **2. CONSERVATION IMPLICATIONS**

- 2.1 The site is located within the Clissold Park Conservation Area. Clissold House is statutory listed. Comments have been obtained from the Council's Conservation and Design team and English Heritage. See sections 4 and 6 below.

#### **3. HISTORY**

- 3.1 NORTH/251/96/LB – Granted 07/08/1996. Blocking up of window in north wing on Clissold House.

#### **4. CONSULTATIONS:**

Date Statutory Consultation Period Started: 25 August 2008.

Date Statutory Consultation Period Ended: 15 September 2008.

Site Notices: Yes

Press Notice: Yes

#### **4.1 Neighbours**

1181 surrounding neighbours have been consulted. 139 letters of objection, 27 letters of support and 5 neutral letters have been received. The issues raised are summarised as follows:

- Waste storage facility inappropriately located near residential;
- Increase in vermin/rats because of waste facility;
- Increase in noise, traffic and odour because of waste facility;
- Greenway Close too small/narrow to accommodate increase in traffic to depot;
- Parking problems;
- Removal of the administration office for the tennis courts unacceptable;
- Another coffee shop at the park would affect a local business;
- Concentration of play activities will increase noise and disturbance;
- Airborne mould spores from green waste;
- Potential health risks for park workers in the depot and runners in close proximity to the waste facility;
- Tennis club relocation to 3 Queen Elizabeth Walk unacceptable;
- Vehicles turning in and out of the depot;
- Decreasing parking numbers in the depot would have spill onto Greenway close;
- Renovations to Clissold House are too elaborate and are a waste of money;
- Care for trees on site including roots and crowns;
- Remove weeds from river.

#### **4.2 Statutory Consultees**

- 4.2.1 Clissold Park User Group: Does not object to the principle of the park redevelopment. Several questions are raised but are related to park management rather than planning issues. They are concerned that the Ranger Station within the existing workshops at lower ground floor of Clissold House will not receive enough head room (approx. 2.8m – 2.5m at lowest).

- 4.2.2 Stoke Newington CAAC: Raise no objection to the proposal however there is concern of the internal height of the Ranger Station and mechanical extraction to the kitchen has not been clearly depicted.
- 4.2.3 English Nature: No reply received.
- 4.2.4 Environment Agency: No reply received.
- 4.2.5 London Fire and Emergency Planning Authority (LFEPA): Access should be maintained for Fire Brigade appliances in accordance with B5 of the Building Regulations.
- 4.2.6 London Borough of Islington: No reply received.
- 4.2.7 English Heritage: No objection in principle to the development. Concern was raised regarding proposed rooftop balustrades to Clissold House and the proposed landscaping surrounding Clissold House. EH have recommended several conditions of consent to address these issues.
- 4.2.8 Ancient Monuments Society: No reply received.
- 4.2.9 GOL: No reply received.
- 4.3 Other Council Departments:**
- 4.3.1 Waste Management: No objections raised.
- 4.3.2 Planning Policy: No comments received.
- 4.3.3 Arboricultural Officer: No objection to the proposal. Recommends that the methodologies contained within the submitted three tree reports by Simon Jones Associates be attached as conditions of consent.
- 4.3.4 Sustainability and Design: Does not object to the proposal subject to conditions.
- 4.3.5 Transport: Considers the proposal will not unduly impact on the road network. Recommends a condition of consent requiring details of any ancillary car parking associated with the redevelopment be submitted to Council should the application be granted.
- 4.3.6 Building Control: No comments received.

4.3.7 Highways: No comments received.

4.3.8 Crime Prevention Officer: No comments received.

4.3.9 Pollution Group: No objection to the proposal. A concern has been raised however about the noise of the proposed waste compactor. A condition requiring a noise report and further details is recommended prior to the occupation and use of the compactor.

## **5. Relevant Policies:**

5.1 EQ1 'Development Requirements', EQ12 'Protection of Conservation Areas', EQ13 'Demolition in Conservation Areas', EQ16 'Protection of Listed Buildings', EQ17 'Alterations to Listed Buildings', OS2 'Open Spaces and Parks', OS4 'Protection of Character of Open Spaces and Parks', OS5 'Development Affecting Open Spaces and Parks' of the Hackney Unitary Development Plan 1995, and London Plan Policies 4B.1 'Design Principles for a Compact City', 4B.11 'London's Built Heritage', 4B.12 'Heritage Conservation'.

## **5.2 National Guidance and Other Relevant Planning Policies**

PPG15 Planning and the Historic Environment

## **6. OFFICERS COMMENT:**

### **6.1 Proposal**

6.1.1 Listed Building Consent, Conservation Area Consent and Full Planning Permission are sought to:

- Refurbish Clissold House (Grade II\* Listed). Uses within the building will be café, function rooms, retail, and ancillary park facilities (Ranger station). Works will include the repair and alteration to external walls, re-roofing, internal alterations creating a new layout, installation of a new lift, kitchen/servery area and public WC facilities;
- Demolish two existing toilet blocks, one aviary, two small sheds and five existing gates within a conservation area (Clissold Park Conservation Area);
- Refurbish the existing Sluice House and establish a retail use within it (approx. 25 sq.m. in area);
- Erect a new aviary, a butterfly dome, five new gates, a storage shed.
- Extension to the 'New River' water body;
- Construction of two new pedestrian bridges;

- Development of a Multi-Use Games Area (MUGA) and skate park;
- Relocation of the waste storage to the existing depot accessed from Greenway Close and a green waste composting area near 3 Queen Elizabeth Walk; and
- Site wide tree works and landscaping works.

### **6.1.3 Considerations**

The main considerations relevant to this application are:

- The principle of the development;
- Design, appearance, conservation implications and proposed uses and refurbishment of Clissold House;
- Sustainability;
- Multi Use Games Area (MUGA) and skate park;
- Tree works;
- Accessibility;
- Relocation of waste facilities to existing depot area to the north (accessed from Greenway Close); and
- Consideration of representations.

Each of these considerations is discussed in turn below.

## **6.2 Principle of development**

- 6.2.1 The principle of refurbishing Clissold House to bring it back into use, restore the historic fabric of the building, and the provision of several recreation and educational facilities throughout the park are considered acceptable and in accord with those policies listed above under section 5.0.

## **6.3 Design, Appearance, Conservation Implications and Proposed Uses and Refurbishment of Clissold House**

### **6.3.1 Demolition within a Conservation Area**

- 6.3.2 Before commencing consideration of the design and appearance of the proposed development, the application site's designation as part of a conservation area (Clissold Park Conservation Area) requires the Local Planning Authority to assess proposals to demolish any building in the conservation area against the criteria set out in Planning Policy Guidance (PPG) 15: Planning and the Historic Environment, which indicates that the general presumption should be in favour of retaining buildings that make a positive contribution to the character and appearance of a conservation area. The criteria are, in essence, the

condition of the building and the cost of its repair and maintenance in relation to its importance and the value derived from its continued use; the adequacy of efforts to retain the building in use, and the merits of alternative proposals for the site.

6.3.3 It is considered that the existing structures to be demolished/removed on site being:

- Two existing brick toilet blocks (toilets relocated within Clissold House and within existing Bowling Pavilion);
- An aviary (new aviary built and relocated further south within the park);
- Two small wooden sheds; and

Do not make a positive contribution to the character and appearance of the conservation area, on account of their lack of architectural merit and their diminutive scale. The demolition of these buildings is therefore considered acceptable.

6.3.4 The Council's Sustainability and Design Team (SDT) also support the demolition/removal of these structures and they consider that the removal of such structures will not detrimentally harm the appearance and functionality of the park as a whole.

6.3.5 Five Replacement Gates

6.3.6 The proposal involves the replacement of five existing gates to the park, those being:

- Green Lanes North Gate;
- Green Lanes White House Gate;
- Southern Entrance – Robinson Crusoe Gate;
- Church Street New River Gate; and
- Church Street Pleasure Grounds Gate.

The proposed gates exhibit a finial column detail on either side of the gate with a very utilitarian gate structure as the centerpiece. Whilst the finial detailing is welcomed and ties in well with the existing vertical railings of the parks curtilage treatments, the gate itself is somewhat disappointing. The design of these gates are an important feature to the park as they provide the first impression of the park upon entry. With minor amendments to the gate design, enhancement of the entrance areas and conservation area could be achieved.

6.3.7 Therefore, whilst it is considered that the proposed gates would not accord with UPD policy EQ12 – Protection of Conservation Areas in

that it would not enhance the conservation area, a minor change to the design could potentially enhance the entrances to the park. A condition of consent is recommend should permission be granted, notwithstanding the gate details submitted, requiring a new design for these entrance gates be submitted to and approved by the Council prior to any works associated to the entrance to Clissold Park commences.

#### 6.3.8 Clissold House

6.3.9 Clissold House is a Grade II\* listed building. The current proposals have been reviewed by the Council's SDT and English Heritage, both of whom welcome the proposed refurbishment.

6.3.10 The recent history of the building has led to most of it being unoccupied and needing considerable investment. The roof and damaged parts of the building were repaired with the aid of a grant from English Heritage a few years ago but no further major investment in the building has taken place since then. Clissold House was also identified by English Heritage in their publication *Mansions at Risk in Public Parks (2003)*.

6.3.11 The overall approach to the repair and restoration of the building fabric is considered acceptable.

6.3.12 The uses associated with the refurbishment (Ranger station, café, function rooms, retail and public WC facilities) are considered acceptable providing a focal point to Clissold Park and making use of a valuable asset to the park in the form of the historic building. In particular, the reinstatement of the original entrance hall at first floor level will provide access to the notable existing staircase and the relocation of the café and ancillary functions, including kitchen and storage, to the ground floor is supported and will enable the restoration of the original suite of rooms at first floor for function use. The location of the café and other public uses on the ground floor will also enable an improved relationship with the surrounding gardens.

6.3.13 The two contemporary elements of the proposal are the insertion of a lift in the building and the remodelling of the former garden room. With regard to the lift, the location is well chosen and enables the insertion of the lift with minimal impact on the rest of the building and is therefore considered acceptable. The changes to the garden room, including the removal of the curved wall, is considered acceptable given the overall benefits gained from the alterations (better storage capacity and internal circulation), and would not damage the architectural interest of the building.

- 6.3.14 English Heritage (EH) and the Council's SDT have raised concerns regarding the materials and appearance of the proposed safety balustrade on the roof (depicted on elevation plans 455A D-06 Rev A, 455A D-07 Rev A, 455A D-08 Rev A, and 455A D-09 Rev A). A condition is recommended requiring full details of this proposed balustrade, to be submitted and approved prior to commencement of works, should planning permission be granted.
- 6.3.15 The submitted plans provide little information whether there will be mechanical ventilation to the kitchen of the café located within Clissold Park. Should there be any provide, details of which should be submitted to the Council and EH for approval. A condition to this effect is recommended.
- 6.3.16 Further conditions are suggested by both EH and SDT. These are recommended as conditions of consent should the application be granted planning permission.
- 6.3.17 The Clissold Park User Group and Stoke Newington CAAC have both raised concerns whether the Ranger Station would have adequate floor to ceiling height once fitted out. A condition of consent is recommended should the application be granted requiring cross sections indicating the floor to ceiling height and the floor layout of the Ranger Station to ensure an adequate space for future workers/occupiers.
- 6.3.18 Immediate Setting of Clissold House
- 6.3.19 The immediate setting of Clissold House affects how it is read in the context of the wider park environment and can either add or detract to its historic form. This is reflected in PPG15 and therefore the treatment of the immediate environs of Clissold House is paramount to ensuring an acceptable scheme.
- 6.3.20 Both EH and the Council's SDT have no reservation regarding the overall park landscaping strategy, however, concern has been raised regarding the landscaping treatment of the immediate setting of Clissold House. In particular, reference has been made to a rectilinear area of York stone slab paving immediately surrounding the house coupled with the Resin Bonded Gravel and Tarmac paths that link to this proposed new area of paving (plan 2631/L/201). This multitude of materials converging towards the focal point of the park, being Clissold House, could detrimentally affect the setting of the building within the wider park environment. A condition of consent is recommended should the application be approved requiring that,



notwithstanding the information shown on the submitted plans, full details of the hard landscaping treatment in the vicinity of Clissold House shall be submitted to and approved in writing by English Heritage and the Local Planning Authority prior to development commencing.

6.3.21 Sluice House

6.3.22 The existing Sluice House is located adjacent to the Green Lanes White House Gate on the western edge of Clissold Park.

6.3.23 The building is a single storey brick building with a pitched slate roof. It is currently empty and in a state of disrepair. The proposed refurbishment of this building to create a small retail kiosk (25 sq m) will make good the structure using materials to match, whilst providing an active presence to this part of Clissold Park and is therefore considered acceptable.

6.3.24 Bowling Pavilion

6.3.25 The existing bowling pavilion is located near the centre of the park to the west of Clissold House. The building itself is circa 1930 and is considered a typical pavilion with a central verandah and hipped roof with lower side wings also displaying hipped roofs. The building is clad with a dark red brick with clay roof tiles. There have been some additions, such as the steel security door, that detract from the original building fabric. This coupled with the semi derelict state of the building, it currently contributes little to the wider park environment.

6.3.26 The proposed works to the Bowling Pavilion will be to relocate public WC's into the structure and accommodate an interpretation centre to provide information to the public relating to the park and its history.

6.3.27 These works will make good a historic structure on the park and contribute visually to the park environment and is therefore considered acceptable. The introduction of the interpretation centre will attract foot traffic to this portion of site and with this increased use would improve security and surveillance.

6.3.28 Rebuilding the Aviary and Animal Facilities and the Construction of a New Butterfly Dome

6.3.29 These three structures are proposed to be built within the southern portion of the 'Animal Enclosures' area of Clissold Park, to the south of the New River.

- 6.3.30 The aviary and animal facilities will be simple single story structures clad with timber on a concrete slab foundation. These structures are diminutive in stature and replace existing such structures that are to be demolished (see section 6.3.1 above). The obvious benefit of rebuilding these structures is relocating them to the same area within the park all being related uses. These buildings are considered to fit within the wider park environment and are directly related to the existing animal enclosures on site.
- 6.3.31 The proposed butterfly dome will be 3.8m in height and constructed from a polycarbonate shell. This is a contemporary structure to be introduced to the park. However, due to its location within the Animal Enclosures section of the park, it is considered acceptable and provides some visual interest and variation to the park including a new feature for park users to enjoy.
- 6.3.32 The Council's Sustainability and Design Team (SDT) have no objections regarding the proposed new structures and consider them appropriate and acceptable.
- 6.3.33 Proposed Bridges and Extension to the 'New River'
- 6.3.34 The two proposed foot bridges to the New River will be constructed from stainless steel and hard wood. These bridges will provide visual interest and permeability to this portion of the park. The submitted elevations provide little detail with regard to the bridges and whilst the location of the bridges is accepted, it is recommended that prior to construction of these bridges, full details and materials should be submitted to the Council for approval. A condition of consent to this effect is recommended.
- 6.3.35 The New River extension will provide additional wetland to the park and through the construction works will provide the opportunity to drain and clean the existing New River. Overall, this will improve not only the visual interest to this portion of the park but also the quality of wetland. The proposed New River extension is therefore considered acceptable.
- 6.3.36 Summary
- 6.3.37 It is considered that the abovementioned proposals are acceptable and would enhance the character and appearance of the Clissold Park Conservation Area save the proposed five new entrance gates to the park, the roof balustrade on Clissold House and the immediate landscaping surrounding Clissold House. As these elements have

been addressed via recommended conditions of consent, the overall proposal is thereby considered to be in general accordance with planning policies saved in the Hackney UDP (1995) as well as those in the London Plan (Consolidated with Alterations since 2004), and PPG15.

#### **6.4 Sustainability**

- 6.4.1 The buildings on site will incorporate the maximum economic use of recycled/recyclable materials and those from sustainable sources. All light fittings will use low energy lamps. All rainwater will be stored for use as non-portable water. Urinals will be 'waterless', WC cisterns will be low capacity/dual flush in specific locations and wash basins in public areas will have spray taps on sensors and/or timers. Green waste recycled and reused on site. These measures are considered acceptable and accord with London Plan Policy 4A.3 – Sustainable Design and Construction.

#### **6.5 Multi Use Games Area (MUGA)**

- 6.5.1 The proposal includes a redevelopment of the existing play area to incorporate a multitude of recreation types within the eastern portion of the site. A formal pitch area, skate/wheel park, an equipped playground and associated landscaping form the Multi Use Games Area (MUGA). The proposal is a substantial upgrade to what is currently existing and will provide a wider variety of uses within the same area. The proposal also incorporates grassed earth bunds (2.5 – 3 metres in height approximately) near the sites boundary with Queen Elizabeth's Walk.
- 6.5.2 The proposed upgrade of existing formal recreation facilities in the same location within the park to provide a MUGA is considered to be acceptable.
- 6.5.3 The MUGA carries on the premise of Clissold Park in providing a multitude of activities for all ages within the one location.
- 6.5.4 There is a potential for increased noise directly related to the use of the MUGA. This will be directly linked to the popularity of the facility and the numbers using it at any one time. However, it is considered that as this portion of the site is currently being used for formal recreation and that there is the provision of the earth bund to screen the play area from Queen Elizabeth Walk coupled with the separation distance of over 30 metres between the MUGA and surrounding residential properties, there is satisfactory mitigation to make any increase in noise indiscernible to what is currently occurring on site.

- 6.5.5 A condition of consent is recommended requiring full details of all surface treatments, play equipment and cross sections of the MUGA and earth bunds to be submitted to the Council prior to any works on the MUGA. This is to ensure that quality play equipment is provided and that the layout of the MUGA is acceptable.

## **6.6 Tree Works**

- 6.6.1 The submitted tree survey and report identifies 936 trees on the park of which 86 are proposed to be removed and a multitude to have pruning works undertaken on them. 18 of the 86 trees are already dead with the remainder to be removed in declining health.
- 6.6.2 The Council's Tree Officer has viewed the submitted tree survey, report on trees, and schedule of tree works completed by Simon Jones Associates and agrees with the recommendations suggested within them regarding all tree works.
- 6.6.3 Overall, the removal of the dead and/or dying trees is supported with other tree maintenance considered acceptable. It is considered that the recommendations of the three Simon Jones Associate tree reports be reflected as conditions of consent should the application be granted.
- 6.6.4 Furthermore, whilst it is accepted that those trees to be removed either pose a hazard due to their state of health or provide little by way of visual amenity, the cumulative affect of removing approximately 9% of the tree cover on the park must be mitigated by replanting throughout the park. No replanting schedule has been submitted with the application. Therefore, a condition of consent is recommended requiring a full replanting schedule upon completion of the park alterations should the application be approved.

## **6.7 Accessibility**

- 6.7.1 The proposal involves the installation of a lift into Clissold House and fully accessible WC's throughout the park. It is considered that these measures are acceptable and will enable accessibility to these facilities for those persons with disabilities. A condition of consent is recommended should the application be approved for the provision and implementation of the proposed accessible facilities.

## **6.8 Relocation of Waste Facilities to Existing Depot Area to the North (Accessed from Greenway Close)**

- 6.8.1 The relocation of the waste facilities to the existing depot to the north is to remove the current waste facility directly in the centre of the park and reinstate this area to usable park land. The waste storage device proposed is a sealed compactor (Portakrush 500 model). The location of the compactor will be adjacent to the boundary with Greenway Close, on existing hard standing and screened from the street by existing vegetation. The compactor would require emptying up to twice a week.
- 6.8.2 The removal of the existing waste facility will allow a large portion of the central park to be reinstated and open views to Clissold House from the west.
- 6.8.3 The new compactor is considered a sanitary solution to store waste on site considering the unit is sealed, lowering the risk of vermin infestation and odour.
- 6.8.4 The proposed location of the compactor is considered to not adversely impact the street scene due to existing vegetative screening nor the visual amenity of the park as it is to be located within the existing depot on the site and is screened from the park by existing single storey buildings.
- 6.8.5 The compactor will generate noise with predicted noise levels submitted to the Council's Pollution Team. A condition of consent has been recommended by the Pollution Team should the application be granted, prior to commencement of the scheme, requiring accurate noise testing to ensure the compactor operates at 10dB below the existing background level at any time.
- 6.8.6 The current use of the depot to store/park park equipment and vehicles would ensure that there is no introduction of a new noise source through the servicing of the compactor. However, the frequency of park vehicle visits to the depot during the day may increase including the need to empty the compactor twice a week.
- 6.8.7 Therefore, it is recommended that should the application be granted, the use of the compactor, including unloading and loading of the compactor be restricted to certain hours during the week and weekend to not cause undue nuisance to the surrounding residential environment with the recommended condition above (6.7.5) be worded to include any vehicular noise.
- 6.8.8 The Council's Transportation Team (TT) have viewed the proposal and do not raise an objection to the development on the proviso that all vehicular movements when unloading the compactor are done on

site. A condition to this effect is recommended should the application be approved including evidence of turning circles for these vehicles within the site.

## **6.9 Consideration of Representatives**

6.9.1 Representations have raised the following issues (in italic font). A response to each is followed directly below.

6.9.2 *Waste storage facility inappropriately located near residential.*

6.9.3 See section 6.7 above.

6.9.4 *Increase in vermin/rats because of waste facility;*

6.9.5 See section 6.7.3 above.

6.9.6 *Increase in noise, traffic and odour because of waste facility.*

6.9.7 See section 6.7 above.

6.9.8 *Greenway Close too small/narrow to accommodate increase in traffic to depot.*

6.9.9 See section 6.7 above.

6.9.10 *Parking problems.*

6.9.11 The proposal make no changes to existing parking situations. Upon site inspection, the only long term parking visible on site was within the depot area. The Council's Transportation Team have viewed the proposal and do not consider there to be any traffic implications.

6.9.12 *Removal of the administration office for the tennis courts unacceptable.*

6.9.13 It is considered that this is not a material planning consideration and is a park management/administration issue.

6.9.14 *Another coffee shop at the park would affect a local business.*

6.9.15 Trade competition is not a material planning consideration. The only additional retail unit is the 25 sq m Sluice House.

6.9.16 *Concentration of play activities will increase noise and disturbance.*

- 6.9.17 See section 6.5 above. Furthermore, by having the MUGA in this portion of the site, it safeguards the openness of the remainder of the park.
- 6.9.18 *Airborne mould spores from green waste.*
- 6.9.19 The proposed green waste/composting bins will be located to the north-west of the park behind the ex-park keepers dwelling located at 3 Queen Elizabeth Walk. It is located some 40-50m away from the nearest residential dwellings. Little detail is provided regarding the type of composting bins/containers are to be used. Full details of these are recommended to be submitted as a condition of consent should the application be approved.
- 6.9.20 *Potential health risks for park workers in the depot and runners in close proximity to the waste facility.*
- 6.9.21 See section 6.7 above.
- 6.9.22 *Tennis club relocation to 3 Queen Elizabeth Walk unacceptable.*
- 6.9.23 This proposal is not mentioned within the application documents.
- 6.9.24 *Vehicles turning in and out of the depot.*
- 6.9.25 A condition has been recommended under section 6.7 above requiring all vehicular turning and movements to be undertaken on site. This will minimise disturbance to Greenway Close. The compactor will require emptying twice a week, to which the applicant has indicated would not occur at an unacceptable hour. A condition to this effect is also recommended under section 6.7.7 of this report.
- 6.9.26 *Decreasing parking numbers in the depot would have spill onto Greenway close.*
- 6.9.27 The depot currently has no formal car parking laid out, so it is difficult to ascertain the exact numbers of vehicles on site. However, upon site visit it was evident that the proposed location of the compactor would be in the place of an existing shipping container, and therefore not reduce the amount of car parking occurring within the depot.
- 6.9.28 *Renovations to Clissold House are too elaborate and are a waste of money.*

6.9.29 The renovations are welcomed to restore a listed building at risk back to a respectable state of repair. Monetary issues are not a material planning consideration.

6.9.30 *Care for trees on site including roots and crowns.*

6.9.31 See section 6.6 above.

6.9.32 *Remove weeds from river.*

6.9.33 See section 6.3.33 above. Furthermore, the proposed bridge works and New River extension will require draining of the river and de-silting. This would in turn clean up the existing river environment.

## **7.0 CONCLUSION**

7.1 Planning permission is sought to refurbish Clissold House, demolish several out buildings and undertake a multitude of works throughout the park itself (see section 6.1.1 above for a breakdown of works).

7.2 Overall, for the reasons discussed above, the proposed development is considered to accord with national, strategic and Unitary Development Plan Policies. Accordingly, approval is recommended subject to conditions.

## **8 RECOMMENDATION A:**

**8.1 That permission be GRANTED, subject to the following conditions:**

### **8.1.1 SCBO – In accordance with plans**

The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

### **8.1.2 SCB1N - Commencement within three years**

The development hereby permitted must be begun not later than three years after the date of this permission.



REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

**8.1.3 SCM2 - Materials to be approved**

Details, including samples, of all materials to be used on the external surfaces of any building on site shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8.1.4 SCD2 - Provision of access and facilities**

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

**8.1.5 SCT1 - Landscaping**

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any tree work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

**8.1.6 NSC – Tree Works**

- a) All tree works are to be done in accordance with the British Standard Recommendations for Tree works, BS 3998:1989.

- b) Climbing irons or spikes are not to be used whilst pruning trees; they may only be used for the sectional removal of trees.
- c) Pruning shall be undertaken following the principles of good arboricultural practice as stated in AAIS Arboriculture Research Note 48, Definition of the Best Pruning Position. Where aerial growth is to be removed, great care shall be taken not to leave a stub which may provide a food basis for both fresh wound parasites and decay fungi and not to cut back into or beyond the branch.
- d) Final pruning cuts should be made at a vbranch fork or at the main stem. Where the branch collar can be detected the final pruning cut should be made back to but not into the collar. When the branch collar cannot be discerned the angle of the final pruning cut should be a mirror image of the angle formed by the branch bark ridge. The final cut wound surface shall be smooth and sound and the cut should have been performed in one continuous cutting operation or movement without damaging surrounding tissues.
- e) All arisings are to be removed from site, which is to be left neat and tidy as found.
- f) Care must be taken that the fround next to retained trees does not become compacted as a result of tree sugery operations. No vehicles or equipment such as tractors, timber lorries, cranes or excavators shall be driven o parked beneath the crowns of any trees to be retained as this could cause soil compaction and consequent root death.

REASON: To ensure all tree works are carried out to an acceptable standard.

#### **8.1.7 NSC – Pollution Control**

- i) The rating level of the noise emitted from the proposed compactor and park vehicles used in loading the compactor located within the existing northern depot shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS 4142:1997.
- ii) Development shall not commence until details of a scheme complying with the above noise level has been submitted to and approved in writing by the Local Planning Authority.
- iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity.

REASON: To safeguard the amenities of the adjoining premises and the area generally.

**8.1.8 NSC – Hours of Operation for Waste Compactor**

The proposed waste compactor shall only be operated, loaded and unloaded between the hours of:

7:30am – 6:00pm : Monday to Friday

10:00am – 6:00pm : Saturdays and Sundays

REASON: To safeguard the amenities of the adjoining premises and the area generally.

**8.1.9 NSC – Vehicular Movements**

All vehicular/truck movements to load and unload the compactor located within the northern depot shall be made wholly within the application site. Details of turning circles shall be submitted to and approved in writing by the Local Planning Authority before the compactor is first used.

REASON: To safeguard the amenities of the adjoining premises and the area generally.

**8.1.10 NSC - Wheel washing facilities**

Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details approved by the Local Planning Authority prior to the commencement of works on site.

REASON: In the interest of highway safety.

**8.1.11 NSC – Demolition Method Statement**

Full details including a structural engineer's drawings and/or method statement indicating the proposed method or ensuring the safety and stability of the building fabric throughout the period of demolition (at lower ground level to Clissold House) shall be submitted to and approved in writing by the Local Planning Authority on advice from English Heritage prior to the commencement of any building works to Clissold House.

REASON: To ensure all care is taken during partial demolitions to Clissold House.

**8.1.12 NSC – Clissold House – Room G7**

Full details and method statement of the removal of brick divisions and stone shelves in room G7 of Clissold House, together with design,

layout and fit-out of the proposed kitchen shall be submitted to and approved in writing by the Local Planning Authority on advice from English Heritage prior to the commencement of any building works to Clissold House.

REASON: To ensure all care is taken during partial demolitions to Clissold House and that any fit-out is sympathetic to the historic fabric of Clissold House.

#### **8.1.13 NSC – Clissold House – Glazing Detail**

Full details of replacement glazing at the lower level of Clissold House shall be submitted to and approved in writing by the Local Planning Authority on advice from English Heritage prior to the commencement of any building works to Clissold House.

REASON: To ensure all materials are sympathetic to the historic fabric of Clissold House.

#### **8.1.14 SCL2 – Works to match existing**

All new works, and works of making good to the retained fabric, whether internal or external, shall be finished to match the original work with regard to the methods used and to material, colour, texture and profile, and in the case of brickwork, facebond and pointing.

REASON: To ensure that the special architectural and historic interest of this building is safeguarded / and that the proposal does not detract from the character and appearance of the area / this part of the conservation area.

#### **8.1.15 SCL3 – Details to Match Existing**

- i) The new joinery work shall match exactly the materials, dimensions and profiles of existing original work, except where otherwise shown in the drawings hereby approved.
- ii) All new external rainwater and soil pipes shall be formed in metal and painted black.
- iii) All new partitions shall be scribed around the existing ornamental plaster mouldings.

REASON: To ensure that the works approved are carried out in a satisfactory manner which safeguards the special historic and/or architectural interest of the building. To ensure that the special architectural and historic interest of this building is safeguarded / and that the proposal does not detract from the character and appearance of the area / this part of the conservation area.

#### **8.1.16 SCL4 – Brickwork to be approved**

Sample panels of brickwork, indicating the colour, texture, facebond and pointing shall be resubmitted to and approved by the Local Planning Authority before the relevant parts of the work are commenced.

REASON: In order that the works approved are carried out in a satisfactory manner which safeguards the special historic and architectural interest of the building.

**8.1.17 SCL6B – Original features to be retained**

All existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors, staircase balustrading shall remain undisturbed in their existing position and shall be fully protected during the course of works on site, unless specifically authorised otherwise on the drawings hereby approved.

REASON: To ensure that those features which contribute to the special architectural and historic interest of the building are retained.

**8.1.18 SCL10 – Archaeological investigation**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: To safeguard the archaeological interest of the site, which is within an Area of Archaeological Priority.

**8.1.19 SCD1 - Level access**

A level access shall be provided to all ground floor areas hereby approved before the use is first commenced.

REASON: In order to ensure that people with disabilities are able to gain proper access to the development.

**8.1.20 SCD2 – Provision of access and facilities**

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

**8.1.21 SCI3 – No roof plant**

No roof plant (including all external enclosures, machinery and other installations) shall be placed upon or attached to the roof or other external surfaces of the building.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

**8.1.22 NSC - External ventilation**

Full details of mechanical ventilation equipment from kitchen areas, bathroom areas and any air conditioning units must be submitted for approval by the Local Planning Authority on advice from English Heritage, in writing, before the commencement of works on Clissold House, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences. Mechanical ventilation equipment from kitchen areas, bathroom areas and any air conditioning units must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of park users as a result of fume or odorous discharge.

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

**8.1.23 NSC – Roof Balustrade to Clissold House**

Notwithstanding the information depicted on plans 455A D-06 Rev A, 455A D-07 Rev A, 455A D-08 Rev A, and 455A D-09 Rev A, full details of the safety balustrade on the roof of Clissold House shall be submitted to and approved in writing by the Local Planning Authority, on advice from English Heritage, prior to the commencement of any building works to Clissold House.

REASON: To ensure any new elements added to Clissold House do not detract from the historical fabric of the Listed Building.

**8.1.24 NSC – Landscaping Immediately Surrounding Clissold House**

Notwithstanding the information shown on the submitted plans, full details of the hard landscaping treatment in the immediate vicinity of Clissold House shall be submitted to and approved in writing by the Local Planning Authority on advice from English Heritage prior to the commencement of any building works to Clissold House.

REASON: To ensure the setting of Clissold House does not detract from the historical fabric of the Listed Building.

#### **8.1.25 NSC – Entrance Gates**

Notwithstanding the information shown on the submitted plans, full details of the five new entrance gates shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any building works to the entrances to Clissold Park.

REASON: To ensure any new curtilage treatment to Clissold Park enhances the Clissold Park Conservation Area.

#### **8.1.26 NSC – Green Waste/Composting Unit**

Notwithstanding the information shown on the submitted plans, full details of the green waste bins and layout located next to 3 Queen Elizabeth Walk (former park keepers residence) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any building works to the entrances to Clissold Park.

REASON: To ensure the facility is presented in an acceptable manner to minimise the risk of adverse health and amenity effects.

#### **8.1.27 NSC – Multi Use Games Area (MUGA)**

Notwithstanding the information shown on the submitted plans, full details of the MUGA including the following matters (but not limited to):

- Play equipment;
- Surface treatments; and
- Cross-sections of earth bunds.

shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any building works to the MUGA.

REASON: To ensure the facility is presented in an acceptable manner to minimise the risk of adverse health and amenity effects.

#### **8.1.28 NSC – Ranger Station**

Notwithstanding the information shown on the submitted plans, full details of the Ranger Station (Rooms G27, G26, and G25 of plan 455A D-02 Rev A) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any building works on Clissold House. These details shall include, but are not limited to, cross section depicting floor to ceiling heights and floor layout of the three rooms.

REASON: To ensure an acceptable level of amenity to future workers/occupiers of the Ranger Station.

**10. REASONS FOR APPROVAL**

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission:

EQ1 'Development Requirements', EQ12 'Protection of Conservation Areas', EQ13 'Demolition in Conservation Areas', EQ16 'Protection of Listed Buildings', EQ17 'Alterations to Listed Buildings', OS2 'Open Spaces and Parks', OS4 'Protection of Character of Open Spaces and Parks', OS5 'Development Affecting Open Spaces and Parks' of the Hackney Unitary Development Plan 1995, and London Plan Policies 4B.1 'Design Principles for a Compact City', 4B.11 'London's Built Heritage', 4B.12 'Heritage Conservation'. PPG15 Planning and the Historic Environment

**11. INFORMATIVES**

The following informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.8 Soundproofing
- SI.19 Health, Safety and Welfare at Work
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultations with TWU

NSI.1 The hours of construction work on site that are audible at the nearest noise sensitive premises shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday and at no time on Sundays & public holidays except by written permission of the Council or where the works are approved under section 61 Control of Pollution Act 1974.



NSI.2 The best practice detailed within the Building Research pollution control guides Parts 1 to 5 for controlling particles, vapour and noise pollution from construction sites must be followed throughout the enabling works, demolition and construction phase of the development.

NSI.3 Your attention is drawn to the need to comply with the provisions of the Regulatory Reform (Fire Safety) Order 2005 where applicable. The provision of satisfactory means of escape in the event of a fire is the concern of the London Fire and Emergency Planning Authority as fire authority, and information relating thereto may be obtained from the Fire Safety Department, 210 High Street, East Ham, E6 3RS.

NSI.4 The applicant is advised that it is an offence under the Wildlife and Countryside Act 1981, amended by the Countryside and Rights of Way Act 2000, to:

- Kill, injure or take any wild birds;
- Damage or destroy nests that are in use or are being built;
- Take or destroy eggs.

Car must be therefore be taken that none of these offences are committed whilst undertaking the above works. If trees or hedges are to be felled or pruned between March and August, they should first be inspected carefully for nests; if found, and the proposed works are no necessary to preserve public health or safety, felling or pruning should be delayed until young birds have flown.

NSI.5 The applicant is advised that prior to undertaking any tree works, a check should be made for any evidence of bat occupancy. This should be done either by a detailed visual inspection, or if necessary through consultation by a qualified ecologist. Should a tree be found to be supporting a bat roost, it should only be felled or pruned if necessary for safety reasons. Where tree surgery is carried out, cuts will be made as far above any likely hole or crack in the bark which has potential to support a roosting bat, and crown thinning or reduction will be minimised.

*Sue Fletcher*

Signed.....

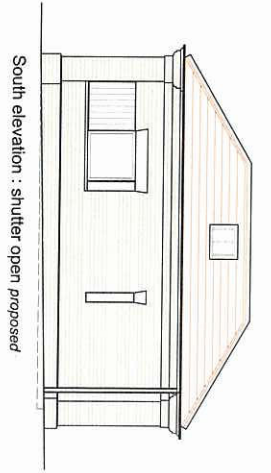
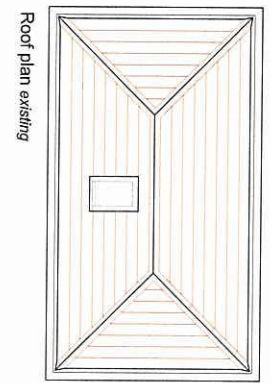
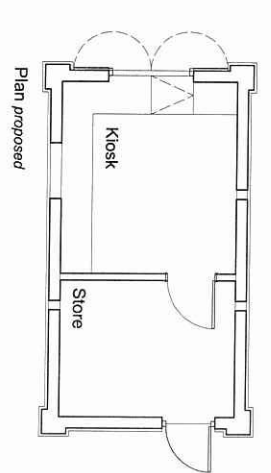
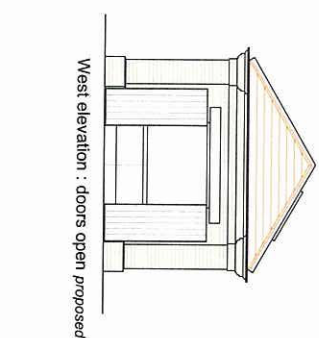
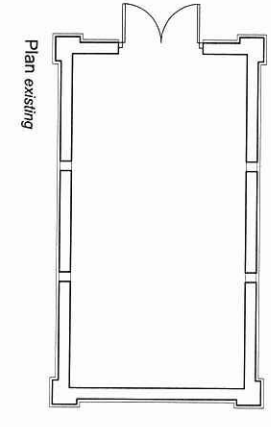
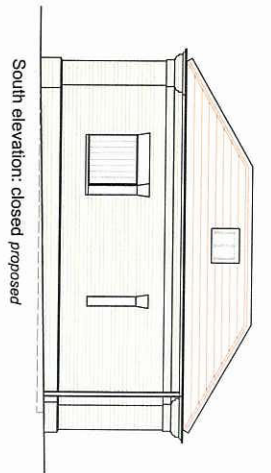
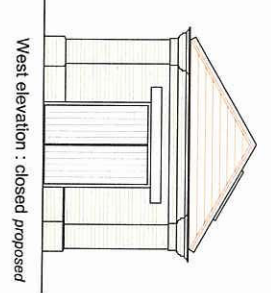
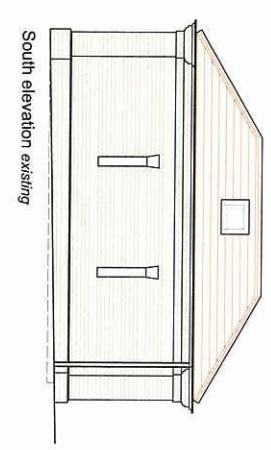
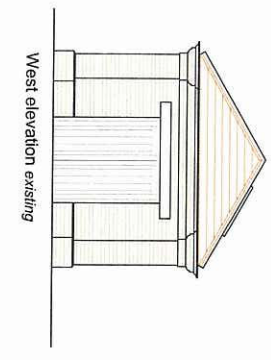
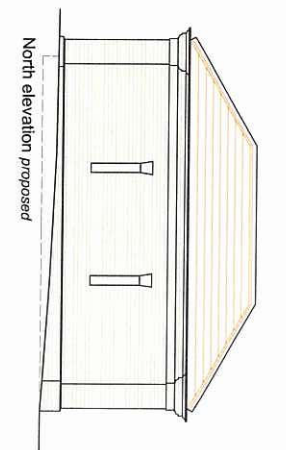
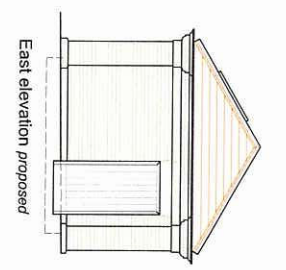
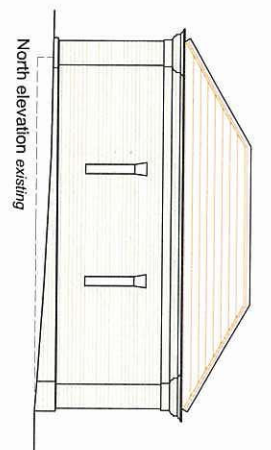
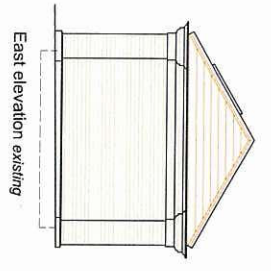
Date: 10 November 2008

**Fiona Fletcher-Smith  
CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION  
DIRECTORATE**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP and the London Plan	Anthony Traub (ext. 7219)	263 Mare Street, E8 3HT



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Materials:  
 Walls: existing stock brickwork cleaned + repaired  
 Windows: steel framed as existing  
 Doors: hardwood boarded with steel edgings and frames  
 Roof: existing slates repaired/replaced

revision p1

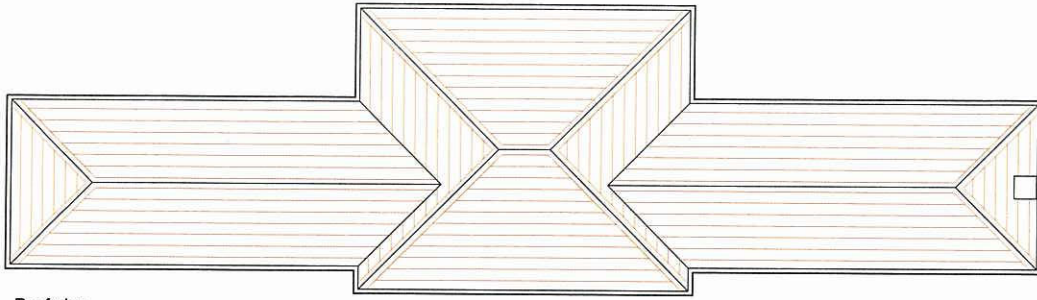
date 18.07.08

RANDALL SHAW BILLINGHAM  
 Architects Energy Consultants Planners  
 Unit B13 3 Bradbury Street London N16 8JN  
 Tel 020 7503 3250 Fax 020 7503 3625

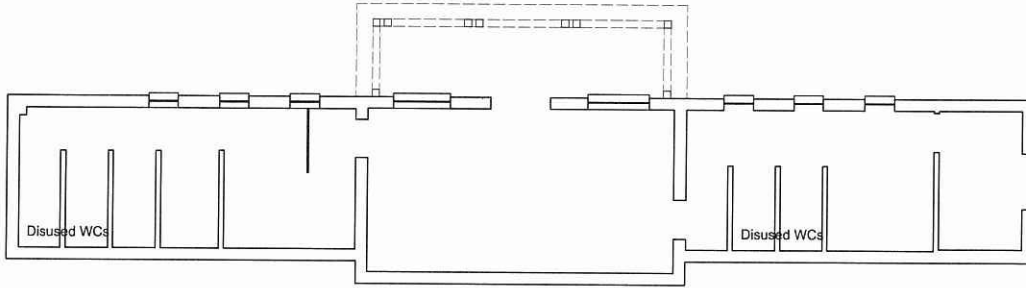
job title Clissold Park  
 dwg title sluice house  
 status planning submission

scale 1:100 @ A3 dwn kr  
 date 07/08 chk bs  
 dwg no 189/p1 rev p1

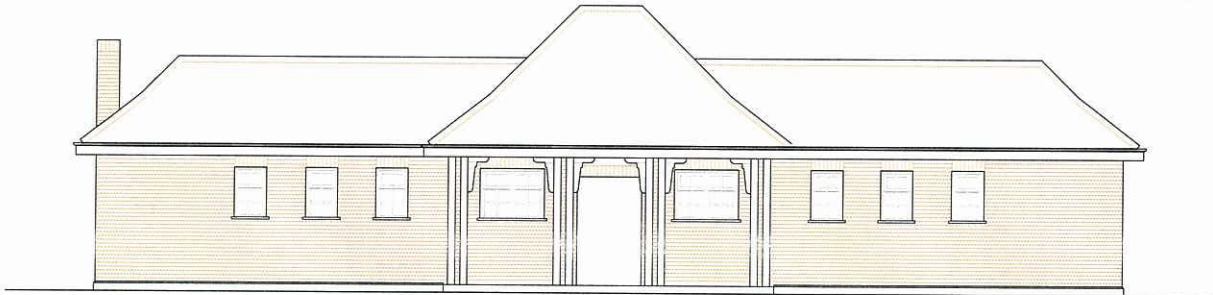
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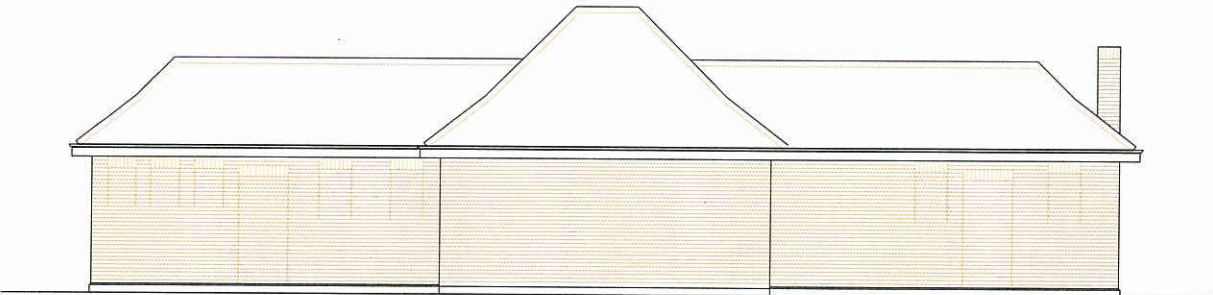
Roof plan



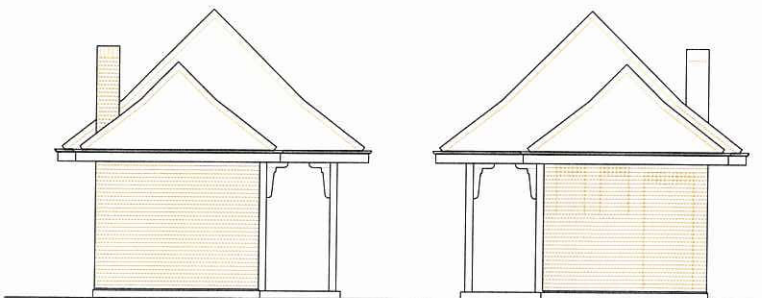
Plan as existing



West elevation



East elevation

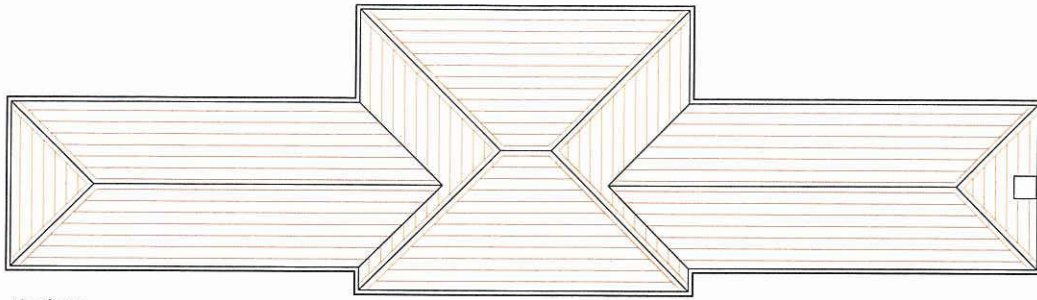


North elevation

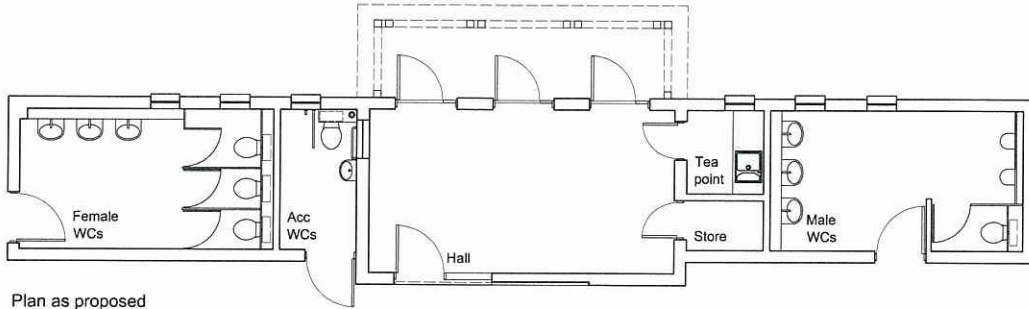
South elevation

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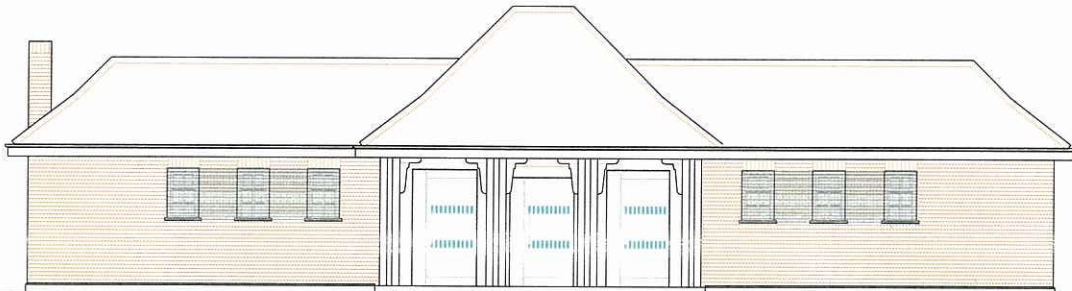




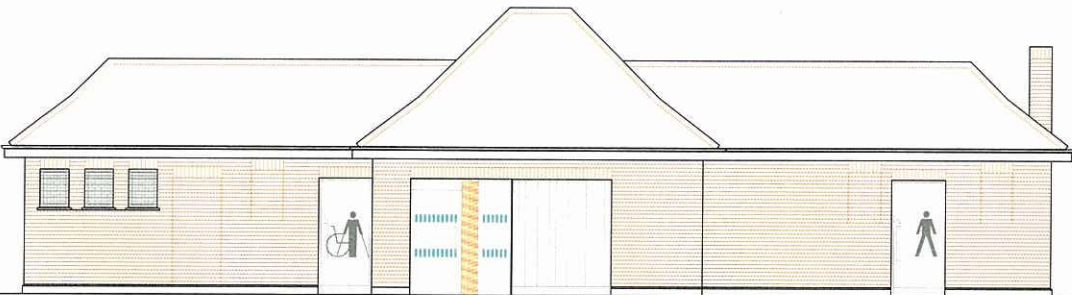
Roof plan



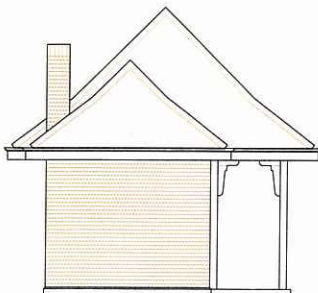
Plan as proposed



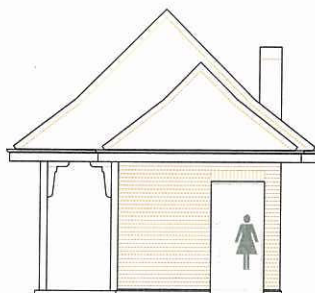
West elevation



East elevation



North elevation



South elevation

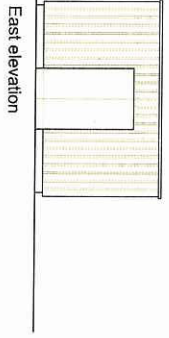
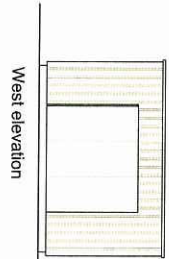
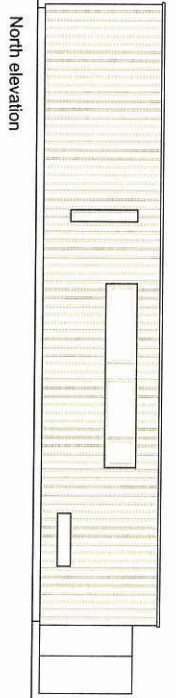
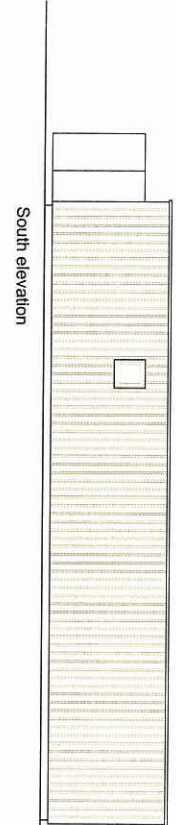
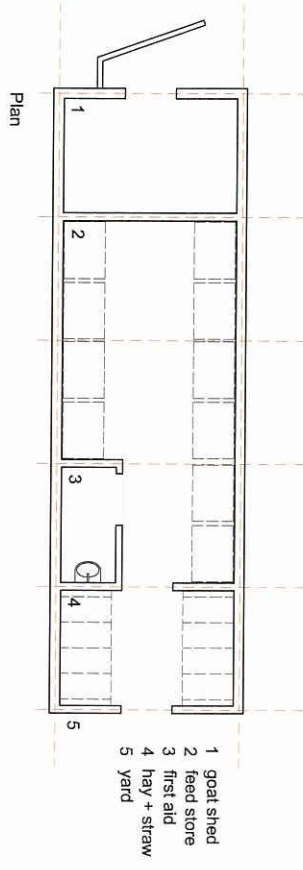
**Materials:**

- Walls: existing brickwork cleaned + repaired
- Windows: steel or aluminium framed hardwood
- Doors: fully glazed
- Shutter: hardwood boarded in steel edging
- Roof: existing clay tiles replaced including bonnet hips

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**Materials:**

- Walls:** board-on-board cladding, untreated unfinished sawn larch or sweet chestnut
- Windows:** stained softwood
- Doors:** solid core flush ply-faced
- Roof:** single-ply membrane
- Floor:** ground-bearing concrete slab, min 60% GGBS aggregate



revision p1

date 18.07.08

**RANDALL SHAW BILLINGHAM**  
Architects Energy Consultants Planners  
Unit B13 3 Bradbury Street London N16 8JN  
Tel 020 7503 3250 Fax 020 7503 3625

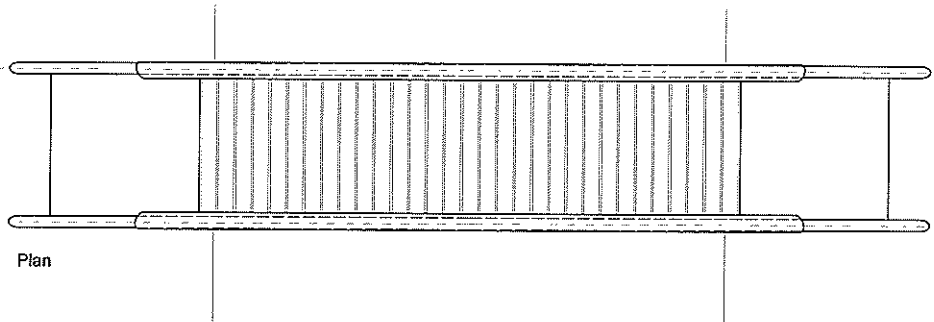
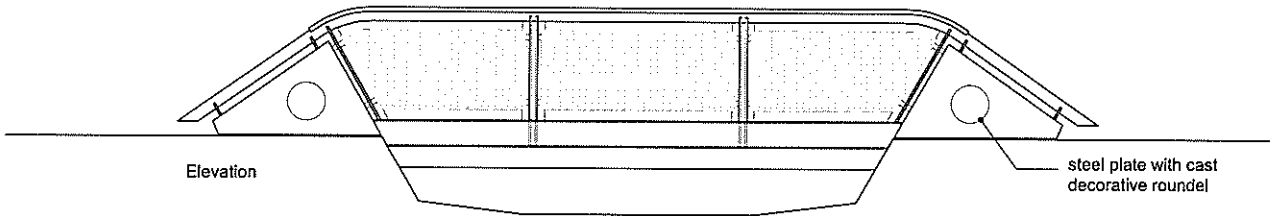
job title Clissold Park  
dwg title animal shed | as proposed  
status planning submission

scale 1:100 @ A3 dwn kr  
date 07/08  
dwg no 189/p4  
chk bs  
rev p1

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Materials:

- Handrail: oiled sustainable hardwood, to asymmetric curved profile, on tubular steel rail
  - Balustrade: uprights paired steel angles
  - Infill panels: stainless or galvanized steel architectural
  - Main beams: mesh in matching steel frame
  - Floor: 230 x 90mm steel channels sustainable hardwood boards with carborundum anti-slip inserts; chequerplate steel end plates
- all steel work finished with proprietary paint system



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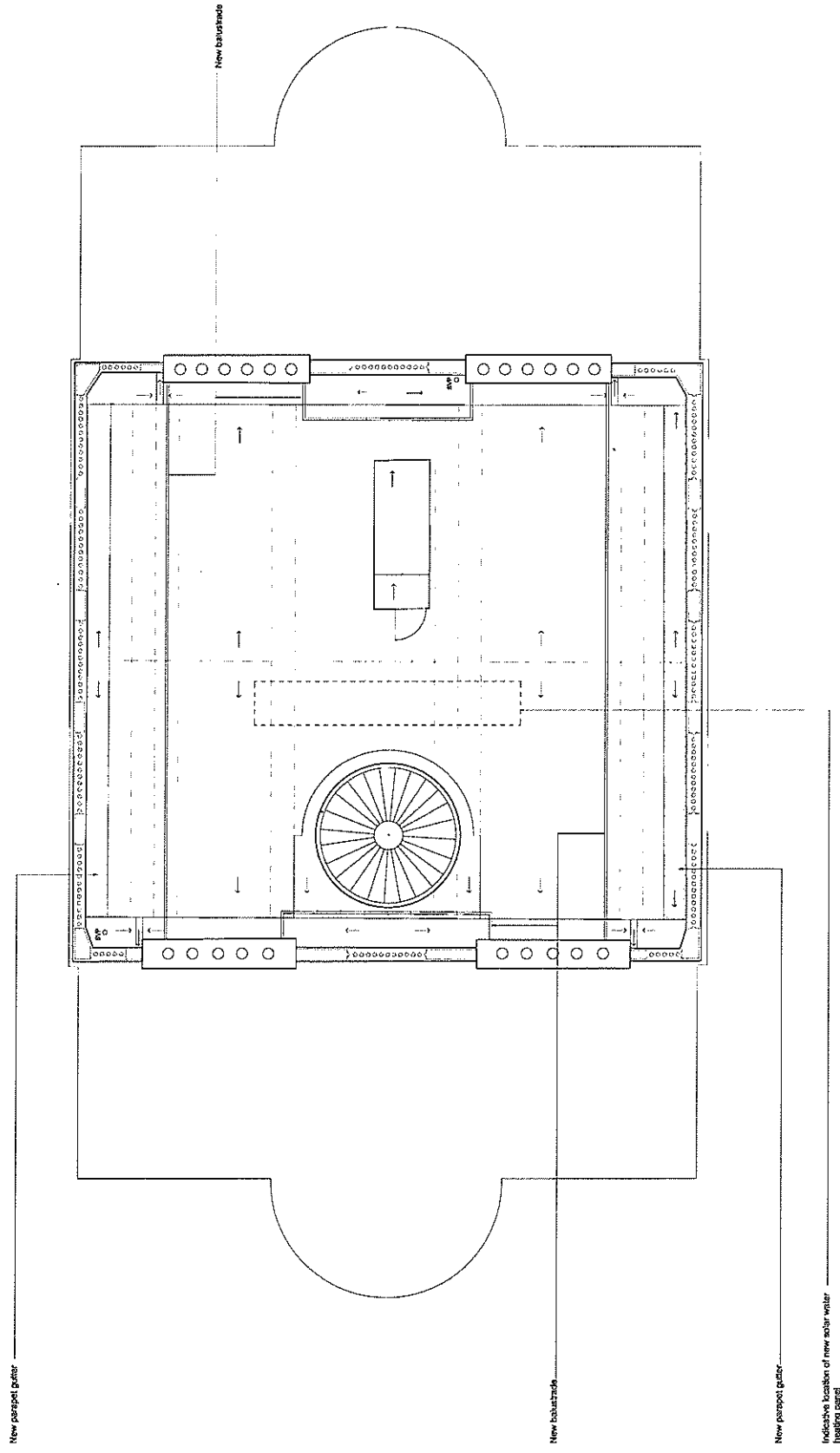


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**D** DO NOT SCALE FROM THIS DRAWING  
 ALL DIMENSIONS SHALL BE TAKEN FROM THE CENTERLINE OF THE ROOF SHEET UNLESS OTHERWISE NOTED. THE ARCHITECT SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE DIMENSIONS SHOWN ON THIS DRAWING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE DIMENSIONS SHOWN ON THE FIELD. THE ARCHITECT SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE DIMENSIONS SHOWN ON THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE DIMENSIONS SHOWN ON THE FIELD.



Remove existing zinc roofing sheet.  
 Re-roof entire second floor roof, including parapet gutters and abutments roof, using copper sheet on new boarding on existing rafters.  
 Provide flashing to raise level as necessary. Cut back exp. rafters below new parapet gutters to lower level.



DATE: 11/09/03  
 DRAWN BY: RGA

**FOR PLANNING**

Client Name  
 Chisold House

Project Name  
 Central Roof Plan as proposed

Scale  
 455A D:05 A

Date  
 12/08/01 11:00/03 JUN 2006  
 RICHARD GRIFFITHS ARCHITECTS  
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

01 CENTRAL ROOF PLAN  
 SCALE: 1/2" = 1'-0"

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

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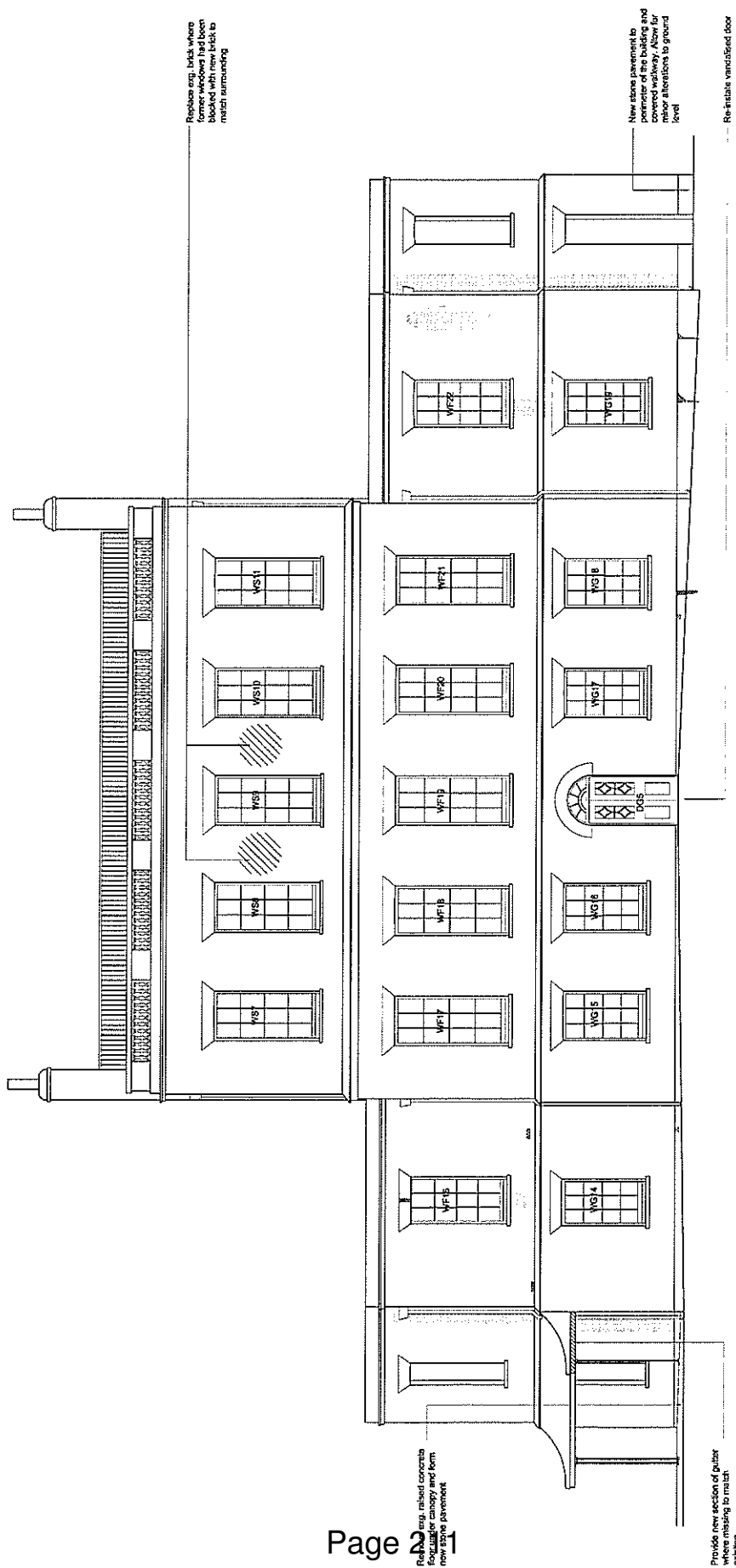


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 DRAWING TO BE USED IN CONNECTION WITH A CONTRACT FOR THE CONSTRUCTION OF THE WORK SHOWN THEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

-  New brickwork to match surrounding
-  Area to be repaired
-  Other repair to existing fabric






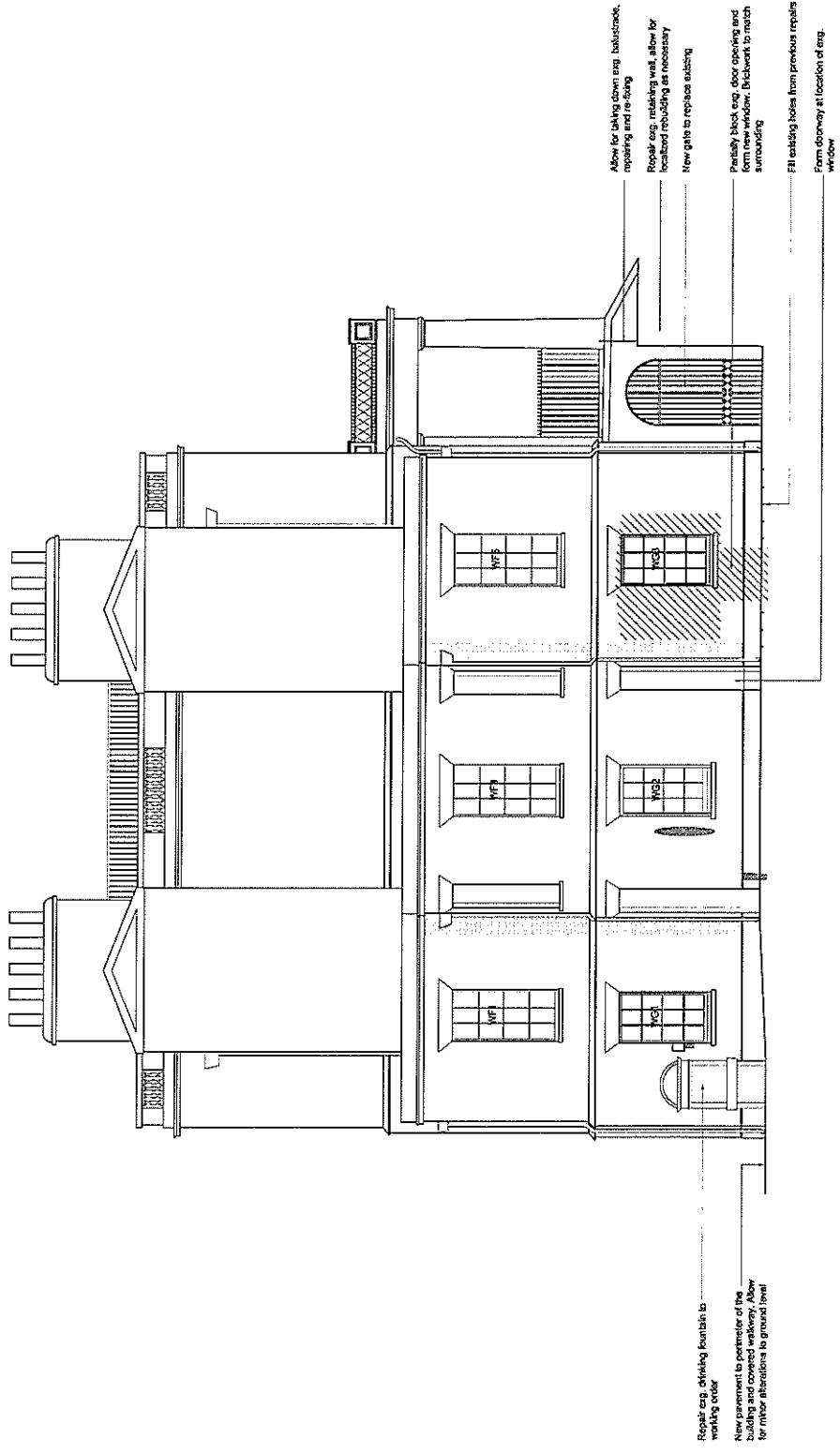
01 EAST ELEVATION  
 SCALE 1/8" = 1'-0" (1:200)

FOR PLANNING  
 Richard Griffiths Architects  
 455A D - 09 A  
 1508 A1, 1109003 July 2009  
 RICHARD GRIFFITHS ARCHITECTS  
 8 MARKET STREET, 2ND FLOOR, MANCHESTER, M1 1PL  
 TEL: 0161 275 1500 FAX: 0161 275 1501  
 WWW: WWW.RICHARDGRIFFITHS.CO.UK

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-  New brickwork to match surrounding
-  Area to be repaired
-  Other repairs to existing fabric

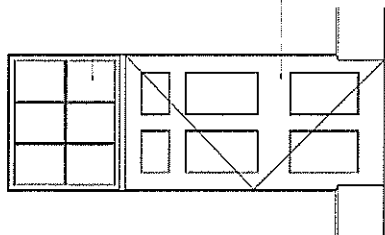


01 NORTH ELEVATION  
 SCALE 1:250 A1: 1300x900

Architect: RICHARD GRIFFITHS ARCHITECTS  
 455A D-08  
 1588/11, 11/09/03 July 2000  
 North Elevation as proposed  
 Classic House  
 FOR PLANNING

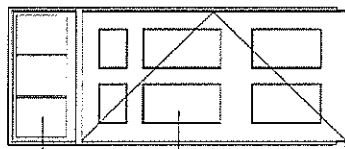
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 AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RICHARD GRIFFITHS ARCHITECTS. THIS DRAWING IS THE PROPERTY OF RICHARD GRIFFITHS ARCHITECTS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RICHARD GRIFFITHS ARCHITECTS.

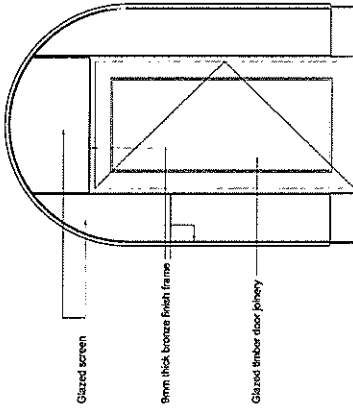


Replace exp. glass to firelight with 6mm laminated glass  
 Curved firelight with 6mm laminated glass  
 New softwood door joinery with glazed upper four panels with softwood boards to lower panels  
 Painted softwood door joinery with solid panels

01 D62 SCALE 1:20 @ A1

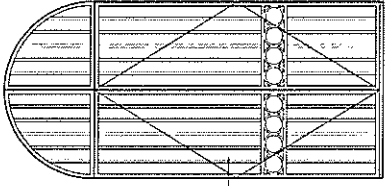


02 D54 SCALE 1:20 @ A1



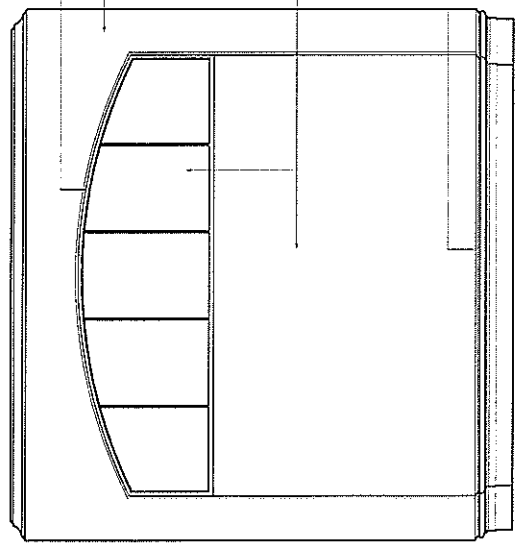
Glazed screen  
 9mm thick bronze finish frame  
 Glazed timber door joinery

03 D616 SCALE 1:20 @ A1



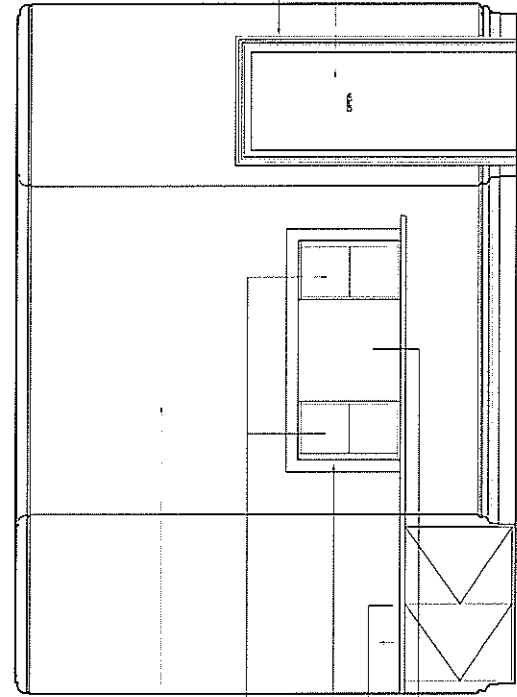
New mild steel gates and fence

04 NEW GATE TO COVERED WALKWAY SCALE 1:20 @ A1



Line of eng. archway  
 Eng. wall  
 Eng. chimney breast  
 Form new opening for service hobs to existing chimney breast  
 New screen formed by glazework on skirwork with glazed upper section opening  
 Painted timber surround to new opening  
 New hardwood worktop  
 Recessed false wall for metal hobset board  
 New section of skirting to new screen to match existing

05 NEW SCREEN BETWEEN F1 AND F9 SCALE 1:20 @ A1



Recess eng. archway with new archway to match DF 10  
 Remove eng. door

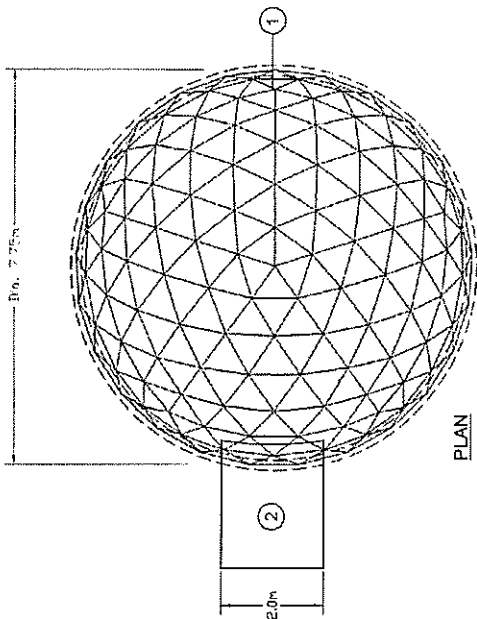
06 INTERNAL ELEVATION OF SOUTH WALL IN F9 SCALE 1:20 @ A1

FOR PLANNING  
 Richard Griffiths Architects  
 ELEVATIONS  
 Proposed  
 455A  
 D-11  
 15/06/21  
 July 2008  
 RICHARD GRIFFITHS ARCHITECTS  
 15/06/21  
 15/06/21

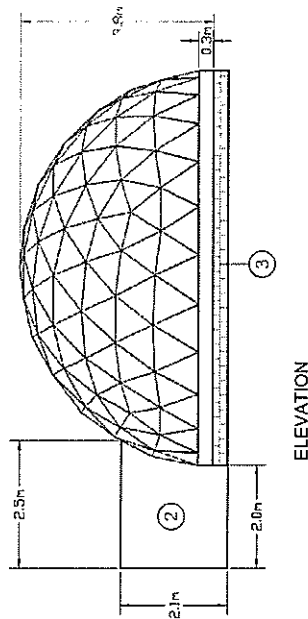
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**Legend**

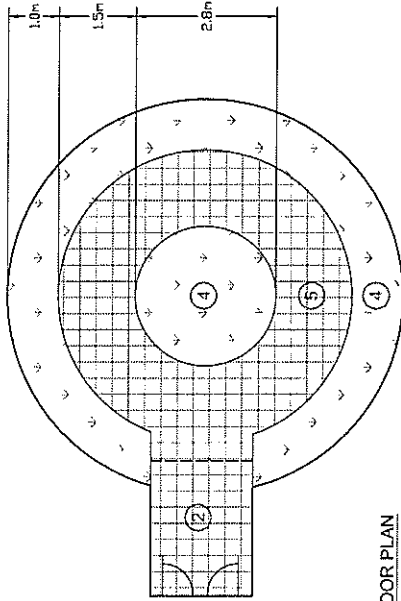
Solardome Supplier:  
 Solardome Industries Ltd  
 Hammerley Enterprise Park  
 Eastleigh  
 Hants, SO50 7DJ  
 Tel: 0845 450 2155  
 Contact: Andy Price



**PLAN**



**ELEVATION**



**FLOOR PLAN**

KEY	DESCRIPTION
1.	SD4B type Solardome: Solardome Industries Ltd 4mm solid polycarbonate shell
2.	Gray powdercoated (RAL 9006) metal work. Double door entrance lobby to match dome.
3.	Transparent PVC flap door to inside. Solid timber doors to outside.
4.	300mm ht engineering brick plinth wall on conc. footing to engineers specification.
5.	Shrub planting. Precast conc paving flags, cast to radius. Entrance paving square.

REV	DESCRIPTION	DATE
A	Final Application	20/07/08
.	Pre Planning working	19/07/08

**LDADESIGN**

London  
 T 020 74571478

LANDSCAPE  
 URBAN  
 ENVIRONMENT  
 ECOLOGY

Clissold Park  
 Hackney  
 Butterfly Dome

DATE	July 2008	DRAWN	DDH
SCALE	1:100	CHECKED	SPY
STATUS	Final	APPROVED	SPY

Drawn: MFD  
 26/11/002

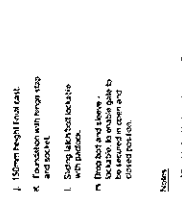
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- Legend
- a. Existing granite pier
  - b. Existing auger
  - c. 600mm RBF horizontal bar
  - d. 400mm S15 (or S16) steel vertical railing with flange
  - e. 25mm GNS (or S14) vertical railing
  - f. 40x18mm steel PL
  - g. 40x20mm steel angle (base step & lock in height)
  - h. 80x10mm steel strap hinge
  - i. 40x15mm RBF horizontal bar
  - j. 150mm high brick wall
  - k. Foundation with hinge step and base PL
  - l. Slung up anchor bolts in concrete
  - m. New pedestal
  - n. New cast concrete base to be secured in open and closed position

- Notes
- a. All cast steel to be galvanized, treated and red primed and two coats of black paint to match existing
  - b. See drawings required for these items prior to fabrication
  - c. Width of steel double rail gates as follows:  
Church St - New River Gate - 3.4m  
Green Lanes - New River Gate - 3.4m  
Southwark Gate - New River Gate - 2.6m  
(MS as existing width)



LDADesign

Architect  
LDA  
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

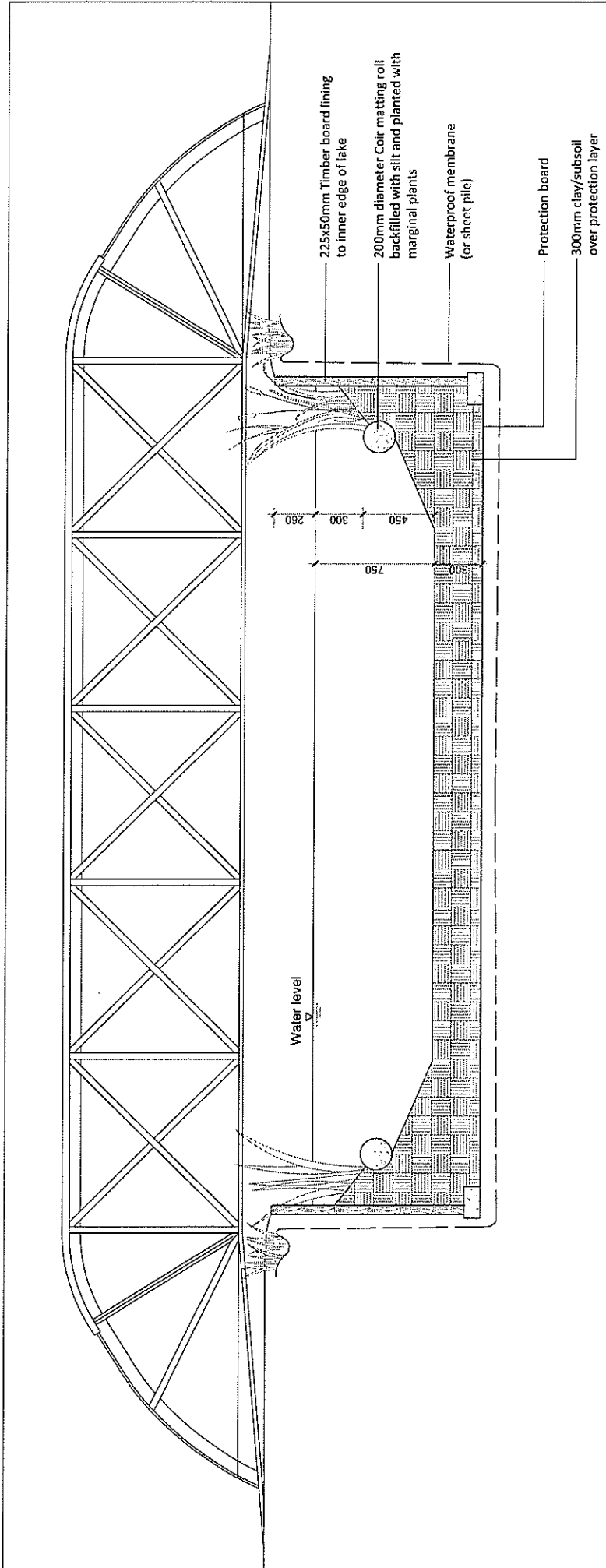
1 Green Lanes White House Gate Plan  
Scale - 1:10

2 Green Lanes White House Gate Elevation  
Scale - 1:10

3 Church St Pleasure Grounds Gate Plan  
Scale - 1:10

4 Church St Pleasure Grounds Gate Elevation  
Scale - 1:10

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A Planning Application  
 For Planning Control  
 REF: 20/27/08  
 DATE: 18.07.08  
 DESCRIPTION: JPP DATE

London  
 T 020 74671413

**LDADESIGN**  
 LANDSCAPE  
 URBAN  
 ENVIRONMENT  
 ECOLOGY

**Clissold Park**  
**Orthogonal Bridge Section**

DATE: July 2008  
 DRAWN: DL  
 SCALE: 1:25 SAK  
 CHECKED: SPW  
 STATUS: Final  
 APPROVED: SPW  
 FIG. NO: 2631/001

1 Clissold Park Orthogonal Bridge Section  
Scale - 1:25

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## Planning Sub-Committee – 19/11/2008

<b>ADDRESS:</b> 112 Homerton High Street, London, E9 6JF	
<b>WARD:</b> Chatham	<b>REPORT AUTHOR:</b> John Kaimakamis
<b>APPLICATION NUMBER:</b> 2008/2388  <b>DRAWING NUMBERS:</b> C634/001 Rev B, C634/100 Rev N, C634/101 Rev M, C634/102 Rev N, C634/103 Rev M, C634/104 Rev P, C634/105 Rev D, C634/200 Rev H, C634/201 Rev K, C634/202 Rev J, C634/203 Rev F, Schedule of Area Changes, List of changes to Planning Approved Drawings.	<b>VALID DATE:</b> 19/09/2008
<b>APPLICANT:</b> Family Mosaic Housing Association Globe House 8 Curtain Road London EC21 3ND	<b>AGENT:</b> ID Partnership Midlands 27 Spon Street Coventry CV1 3BA
<b>PROPOSAL:</b> Section 73 application to vary condition 2 (Minor alterations to building) and vary condition 9 (by removing the requirement of marking of 1 parking bay for people with disability) of planning permission 2006/2589 dated 15.05.2007 (for the construction of a five-storey building consisting of 18 units (4 x 1 bed, 9 x 2 bed, 3 x 3 bed, 2 x 4 bed) together with the provision of 353m <sup>2</sup> of retail (Class A1) floorspace at ground floor level.	
<b>RECOMMENDATION SUMMARY: Conditional Approval subject to a Section 106 Legal Agreement</b>	

### ANALYSIS INFORMATION

#### ZONING DESIGNATION:

CPZ	YES
Conservation Area	NO
Listed Building (Statutory)	NO
Listed Building (Local)	NO
DEA	YES

LAND DETAILS:	USE	Use Class	Use Description	Floorspace
<b>Existing</b>		Sui Generis	Petrol Station	503.3 m <sup>2</sup>
		A1	Shop	43.7 m <sup>2</sup>
<b>Proposed</b>		A1	Retail	353 m <sup>2</sup>
		C3	Residential	1239 m <sup>2</sup>

RESIDENTIAL DETAILS:	USE	Residential Type	No of Bedrooms per Unit				
			1	2	3	4	5+
Existing		None					
Proposed		Flat	4	9	3	2	0
<b>Totals</b>		<b>(Total = 18)</b>					

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

### OFFICERS REPORT

#### **1. SITE DESCRIPTION:**

- 1.1 The site lies on the south side of Homerton High Street on the corner of Rosina Street. The site is vacant and was previously occupied by a single-storey petrol filling station with an ancillary shop (Sui Generis).
- 1.2 The surrounding area contains a mix of uses with light industry, office, warehouses and places of worship on the south side of the High Street. To the east of the application site is an ambulance building adjoined by a large four-story warehouse building. On the opposite side of Rosina Street to the west are retail units at ground floor with residential accommodation above. To the north lie four and five storey blocks of housing at the Bannister Estate. Homerton High Street itself is a red route and a busy through route for traffic in the eastern part of Hackney.
- 1.3 In terms of policy, the site lies within the Homerton High Street Defined Employment Area (DEA) and forms part of a wider industrial hinterland located around Digby Road to Barnabas Road. The neighbouring site 92-109 Digby Road is safeguarded for Class B1/Class B2 development in the Unitary Development Plan.

#### **2. CONSERVATION IMPLICATIONS:**

- 2.1 The site is not located in a Conservation Area and does not adjoin any listed building.

#### **3. RELEVANT PLANNING HISTORY:**

- 3.1 15/05/2007: Planning permission Granted for the construction of a five-storey building consisting of 18 units ( 4 x 1 bed, 9 x 2 bed, 3 x 3 bed, 2 x 4 bed) together with the provision of 353m<sup>2</sup> of retail (Class A1) floorspace at ground floor level (Ref: 2006/2589).



- 3.2 09/09/2008: Section 73 application (Ref: 2008/1434) to vary condition 3 to allow minor alteration to building relating to previously approved scheme (ref: 2006/2589) withdrawn.

**4. CONSULTATIONS:**

- Date Statutory Consultation Period Started: 26<sup>th</sup> September 2008
- Date Statutory Consultation Period Ended: 17<sup>th</sup> October 2008

**4.1 Neighbours**

- 80 surrounding occupiers have been consulted and two letters of objection have been received, however no grounds of objection have been listed in the representations.

**4.2 Council Departments:**

**4.2.1 Traffic and Transport:**

**Disabled Parking:**

LBH Transportation has agreed to waive the requirement for an onsite disabled parking place for residential use on the basis of the site constraints i.e. the provision of an onsite disabled parking place would result in the loss of ground floor retail floorspace. The parking place at the end of the red route in Rosina Street is not a formal disabled parking place as suggested by the applicant and is therefore not approved as disabled parking provision for 112 Homerton High Street. The conditions in Rosina Street is not favourable to providing an on street disabled parking place where indicated on the approved ground floor plan.

**Loading Provision:**

The vehicle tracking diagram provided by the applicant demonstrates that there is sufficient turning space in Rosina Street for a transit van and therefore LBH Transportation is satisfied that servicing by transit vans will result in an adverse impact on traffic in Rosina Street and Homerton High Street. This will require making a traffic management order [TMO] to implement kerbside waiting/loading restrictions adjacent to the site in Rosina Street which will allow loading/unloading activities for 20 minutes. The cost of the TMO [approx. £3000] will be met by the applicant as part of the s278 costs relating to the development. However, there are real concerns that servicing might be carried out by large vehicles which will bring about disruptions to traffic flows in Homerton High Street and cause road safety problems [danger to pedestrians and cyclists] since these large vehicles will reverse out onto Homerton High Street on leaving the site or entering Rosina Street. LBH Transport's recommendation is that the applicant should put in place a management plan [can be part of a travel plan] for servicing, restricting servicing/deliveries to transit vans.

**4.2.2 Conservation and Design:**

This application seeks amendments to a scheme that was originally approved in 2007 (Ref: 2006/2589). The changes, which include a marginal increase in height and amended floor layouts and elevations have become necessary in order to make the scheme able to be built and have been discussed in detail with the Urban Design & Conservation Team at pre-application stage in order to keep to the appearance of the original proposal as much as possible.

The changes, as outlined in the submitted schedule do not represent an unacceptable divergence from the approved scheme and are not considered to be to the detriment of the building's overall appearance. We therefore do not wish to raise any formal objections, subject to the inclusion of all of the conditions from the approved scheme.

With regards to external materials, discussions have taken place under the previous, withdrawn scheme (Ref: 2008/1434) and agreed in principle. However, in light of the new application, we would request that a full materials schedule together with typical coloured elevations are submitted by condition for our consideration.

4.2.3 Pollution: No adverse comments.

4.2.4 Crime and Prevention Officer: No comments received.

4.2.5 Planning Policy: No comments received.

4.2.6 Waste Management: No comments received.

4.2.7 Housing: No comments received

4.3 **Statutory Consultees:**

4.3.1 London Fire and Civil Defence Authority: The Brigade is satisfied with the proposals.

4.3.2 English Heritage: Recommended that the application should be determined with local and national policy guidance and on the basis of your specialist conservation advice.

4.3.3 Transport for London: No comments received.

5. **POLICIES:**

5.1 **Hackney Unitary Development Plan 1995**

EQ1	Development Requirements
EQ48	Designing out Crime
HO3	Other Sites for Housing
E18	Planning Standards
TR19	Planning Standards

## **5.2 Other Relevant Planning Policies / Guidance**

SPG1	New Residential Development
SPG11	Access for People with Disabilities
SPD	Affordable Housing
SPD	Planning Contributions

## **5.3 London Plan Policies**

2A.1	Sustainability Criteria
2A.2	The spatial strategy for development
3A.1	Increasing London's Supply of Housing
3A.2	Borough Housing Targets
3A.3	Maximising the Potential of Sites
3A.5	Housing Choice
3A.6	Quality of New Housing Provision
3A.8	Definition of affordable housing
3A.9	Affordable Housing Targets
3A.10	Negotiating Affordable Housing
3A.11	Affordable Housing Thresholds
3B.1	Developing London's Economy
3B.3	Mixed use development
3C.1	Integrating transport and development
3C.2	Matching development to transport capacity
3C.3	Sustainable Transport in London
3C.17	Tackling congestion and reducing traffic
3C.23	Parking Strategy
4A.3	Sustainable Design and Construction
4A.4	Energy assessment
4A.7	Renewable Energy
4A.11	Living Roofs and Walls
4A.14	Sustainable Drainage
4A.20	Reducing Noise and Enhancing Soundscapes
4B.1	Design Principles for a Compact City
4B.3	Enhancing the quality of the public realm
4B.5	Creating an Inclusive Environment

## **5.4 National Planning Policies**

PPS1	Delivering Sustainable Communities
PPS3	Housing
PPG13	Transport
PPS22	Renewable energy

## **6. OFFICERS COMMENT:**

- 6.1 Planning permission has been granted by the committee for an almost identical scheme. The following amendments to that scheme are requested:
- (i) Variation to Condition 9 of planning permission 2006/2589 to remove the requirement of providing 1 parking bay for people with disability.

- (ii) Guarding height increased and introduction of a lift shaft overrun have resulted in an overall height increase of 0.58 metres. Fourth floor parapet increased in height.
- (iii) Provision of solar panels on north, south and west of roof.
- (iv) Green roof detail and detailed sedum roof at first floor level.
- (v) Dry riser added to stair lobby.
- (vi) Structural piers added to terrace windows and structural posts to terrace walls at first to fourth floor levels.
- (vii) Windows repositioned to flat 17 and bedroom 4 window reduced in size to flat 18.
- (viii) A window removed from flats 5 and 10.
- (ix) Terrace area reduced to flat 8.
- (x) Stair layout changed and window to stairwell moved.
- (xi) Internal rearrangement of residential unit floor plan layouts.
- (xii) Ground floor structural columns shown, external bike racks shown, water pump room increased in size, ramp shown to residential corridor, cleaners storage added, ramp shown to loading area, PPC panels below commercial windows and render to residential entrance area at ground floor level.

6.2 As such, the main considerations are considered to be: A) The potential impact on the amendments on the design of the building; and B) The potential impact of the amendments on Traffic and Highway Safety.

6.3 Each of these considerations are discussed in turn below:

**A. Design:**

6.4 The proposed external and internal changes to the building as identified above have been agreed with Council's Urban Design Officer, and are considered acceptable subject to the inclusion of all of the conditions from the approved scheme relating to design. The proposed amendments to the scheme would not adversely impact on the visual appearance of the scheme, and would allow for the building to comply with various building and structural requirements.

6.5 The minor increase in height would not impact on the surrounding area, as it is not materially different to the previous scheme, and would not add to a loss on amenity for any neighbouring properties.

6.6 The internal changes proposed would not impact on the visual appearance of the scheme, and have no material impact on the scheme as approved. The revised internal floor layout plans of the residential units would still meet the minimum standards for residential accommodation as shown in the Council's SPG1 on 'New Residential Development'. Further, the reduced terrace area to Flat 8 would still maintain an adequate level of amenity space for this residential unit.

**B. Traffic and Highway Safety:**

6.7 Condition 9 of the granted planning permission required the marking of 1 parking bays for people with disability and this Section 73 application seeks to remove that requirement. Council's Traffic and Transport Officers have

commented on the application and agreed to waive the requirement for an onsite disabled parking place for residential use on the basis that onsite disabled parking place would result in the loss of ground floor retail floorspace given the ground floor layout and the area required within the entrance into the site. The possibility of providing an off-site disabled car parking space has been considered by the applicants, however the Council's Transport officers have stated that the conditions in Rosina Street are not favourable to providing an on street disabled parking place where indicated on the approved ground floor plan. Given the individual circumstances of the site whereby the ground floor retail layout does not lend itself to provision of a car space and the fact that conditions in Rosina Street are not favourable for such a space, it is considered that this requirement be removed from Condition 9 of the granted planning permission.

6.8 The location of the ramp to the loading area has changed the loading bay arrangements. The Council's Transport Officers have recommended that in order to address any potential adverse impacts that a traffic management order [TMO] be made to implement kerbside waiting/loading restrictions adjacent to the site in Rosina Street which will allow loading/unloading activities for 20 minutes. The cost of the TMO [approx. £3000] will be met by the applicant as part of the s278 costs relating to the development.

6.9 However, there are additional concerns that servicing might be carried out by large vehicles which will bring about disruptions to traffic flows in Homerton High Street and cause road safety problems [danger to pedestrians and cyclists] since these large vehicles will reverse out onto Homerton High Street on leaving the site or entering Rosina Street. The Council's Transport Officers have recommended that the applicant should put in place a management plan [can be part of a travel plan] for servicing, restricting servicing/deliveries to transit vans. This could be addressed by including this requirement to the section 106 agreement.

7. **CONCLUSION:**

7.1 The proposed amendments are of a small scale in relation to the overall building previously approved, and as such they are considered acceptable.

8. **RECOMMENDATION:**

**RECOMMENDATION A:**

8.1 **On the basis of the above the proposal is considered to be acceptable and is recommended for APPROVAL subject to the following conditions:**

- (i) **The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.**

**REASON: In order to comply with the provisions of the Town and Country Planning Act 1990 as amended.**

- (ii) The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

**REASON:** To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

- (iii) During and after works of demolition the site shall be made secure by the erection of a suitable boundary enclosure, such as a hoarding, details of which shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works. In addition, the site at all times shall be maintained in an orderly and tidy condition.

**REASON:** To ensure that the site is kept in a secure and tidy condition so as to safeguard the environmental and visual amenity of the conservation area.

- (iv) All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

**REASON:** In order to ensure that people with disabilities are able to gain proper access to the development.

- (v) A level access shall be provided to all ground floor units/shops hereby approved before the use is first commenced.

**REASON:** In order to ensure that people with disabilities are able to gain proper access to the development.

- (vi) Except on day(s) of collection, all refuse and waste shall be stored in sealed containers in the refuse area shown on the plans hereby approved.

**REASON:** To ensure refuse is not left in the street in the interests of visual amenity and to reduce the likelihood of infestation.

- (vii) Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) Glass canopy at entrance to the flats;
- b) Details of all green roofs;
- c) Details of external cladding;
- d) Sample of external brickwork to be submitted.

**REASON:** To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

- (viii) No external shuttering shall be installed at the approved development without the written approval of the local planning authority.

**REASON:** In the interests of the visual amenity of the area.

- (ix) Detailed drawings/full particulars of the proposed development showing the matters set out below; including samples where appropriate must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced on site. The development shall not be carried out otherwise than in accordance with the details thus approved:
- a) All materials on external elevations, including doors and windows
  - b) Boundary treatment
  - c) Controlled entry system at common entrance, including audio and close circuit links
  - d) Secure doors to Cycle and Bin Storage areas
  - e) Communal area lighting
  - f) Down pipes and gutters shall be square in section and be fitted flush

**REASON:** In the interests of ensuring a satisfactory development at the site.

**RECOMMENDATION B:**

- 8.2 That recommendation (A) be subject to the applicant/ Landowner and its mortgages entering into a Section 106 planning obligation by means of a legal Agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the following matter to the satisfaction of the Director of Environment and Director of Law & Democratic Services:

- (i) The applicant/developer/landowner shall be required to enter into agreement to make provision for 100% affordable housing.
- (ii) The applicant/developer/landowner shall be required to enter into agreement to make a commuted sum of £ 34,033 for educational contribution based on the formula in the SPD on Planning Contribution, 23<sup>rd</sup> August 2006.
- (iii) The applicant/developer/landowner shall be required to enter into agreement to make a commuted sum of £ 2,788.50 for library contribution based on the formula in the SPD on Planning Contribution, 23<sup>rd</sup> August 2006.

- (iv) **Housing Standards – all residential units to be built to lifetime home standards and Mobility Housing standards.**
- (v) **Car Free – Retention of the development as car free and CPZ parking permits available to future residents of the site.**
- (vi) **Section 278 – Highways Act The owner will be required to enter into agreement under Section 278 of the Highways Act to pay £12,000 to the Council costs to reinstate and repair the public footway as a result of the demolition and construction process and £3,000 for the cost of implementation of a traffic management order (TMO).**
- (vii) **Improvement of the Public Realm due to the Development will increase the residential use at this corner site, and a request is made for £3,000 to improve the public highway for walking and cyclists at this junction and between this site and the route to the nearest bus stops.**
- (viii) **Sustainable Travel Plan – The submission of a Travel Plan covering both residential and business use, including servicing of the site. The contents to be included to be agreed with the Council’s Transport Officer.**
- (ix) **Payment by the landowner/developer/applicant of all the Council’s legal and other relevant fees, disbursement and Value Added Tax in respect of the proposed negotiations and completion of the proposed Section 106 Agreement.**

**INFORMATIVES:**

The following informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.27 Fire Precautions Act 2005
- SI.28 Refuse Storage and Disposal Arrangements

**Signed**

**Date 10 November 2008**

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**Fiona Fletcher-Smith  
CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION**



NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP 1995	John Kaimakamis	263 Mare Street, E8 3HT
2.	The London Plan	x8056	

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## LBH Planning Sub Committee Planning Obligations (Section 106) Quarterly Report

19<sup>th</sup> November 2008

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### 1. Introduction

#### 1.1 Planning Obligations

S106 of the Town and Country Planning Act 1991 provides that anyone with an interest in land may enter into a planning obligation enforceable by the local planning authority (LPA). It may be created by agreement or by undertaking.

Such obligations may

- Restrict development or user of the land;
- Require operations or activities to be carried out in, on, under or over the land;
- Require the land to be used in any specified way; or
- Require payments to be made to the LPA either in a single sum or periodically.

Planning obligations will be imposed as part of the decision to grant planning permission for a particular development. Normally this will be a decision of the Planning Sub-committee which will consider all aspects for the development, and the Council's planning policies when reaching its decision. It will also consider the law and Government guidance.

#### 1.2 Legal and Policy Framework

The ODPM Planning Obligations Circular 05/2005 provides guidance to local authorities in England on the use of planning obligations under section 106 of the Town and Country Planning Act 1990. The Secretary of State's guidance is that planning obligations should only be sought where they meet all the following tests. They must be:

- i. relevant to planning;
- ii. necessary to make the proposed development acceptable in planning terms;
- iii. directly related to the proposed development
- iv. fairly and reasonably related in scale and kind to the proposed development; and
- v. Reasonable in all other aspects.

The following elements of the planning obligations circular must be adhered to with respect to the allocation of funding:

- B.7 Planning obligations should never be used purely as a means of securing for the local community a share of the profits of development, i.e. as a means of securing a "betterment levy".
- B.9 Planning obligations should not be used solely to resolve existing deficiencies in infrastructure provision or to secure contributions to the achievement of wider planning objectives that are not necessary to allow consent to be given for a particular development.

The following points exemplify the recognition for a strategic approach to planning contributions;

- B.21 Where the combined impact of a number of developments creates the need for infrastructure, it may be reasonable for the associated developers' contributions to be pooled, in order to allow the infrastructure to be secured in a fair and equitable way.

B.22 In some cases, individual developments will have some impact but not sufficient to justify the need for a discrete piece of infrastructure. In these instances, local planning authorities may wish to consider whether it is appropriate to seek contributions for specific future provision.

### 1.3 Review of S106 Spend Process

A review of the Section 106 spend process has been driven by the need to fully identify all the planning obligations agreed across the borough and better apply this funding source. An Internal Audit Report of Section 106 (Nov 07) highlighted a number of areas for review. In conjunction with these findings a specific assessment of the spend process was undertaken. As a result a revised process has been adopted and is the initial stages of implementation.

Key aspects of the revised process include:

- Introduction of a s106 Governance Board to approve spend
- Introduction of a formal project appraisal
- Comprehensive performance management approach and toolkit to support this
- Strategically driven
- Project Bank to facilitate uptake, identify projects and support future negotiation
- Expansion of the s106 Team
- Greater internal and community-wide awareness of process and benefits.

## 2. Monetary Contributions

### 2.1 Headline Figures

<b>Table 1: Funds by Category</b>				
	<b>Agreed</b>	<b>Received</b>	<b>Allocated</b>	<b>Unallocated</b>
<b>Non Housing, Highways and Monitoring</b>	£22,223,714.30	£16,274,054.78	£8,093,974.00	£7,852,020.78
<b>Housing</b>	£1,730,700.00	£1,363,620.00	£220,000.00	£1,143,620.00
<b>Highways</b>	£8,278,584.76	£5,251,701.43	£1,590,718.67	£3,660,982.76
<b>Monitoring</b>	£150,304.00	£56,021.00	£45,099.00	£5,190.00
<b>Total</b>	<b>£32,383,303.06</b>	<b>£22,945,397.21</b>	<b>£9,949,791.67</b>	<b>£12,661,813.54</b>

## 2.2 Contributions by head of terms

**Table 2: Non Housing and Highways Fund Summary**

	<b>Agreed</b>	<b>Received</b>	<b>Allocated</b>	<b>Unallocated</b>
Child Play Area	369,754.00	249,037.00	0.00	249,037.00
Community Facilities	3,667,418.00	3,640,372.00	2,767,714.00	872,658.00
Ecological Management	50,000.00	50,000.00	0.00	50,000.00
Education and Training	9,946,097.64	5,813,121.16	1,498,545.00	4,238,576.16
Employment and Job Creation	2,713,409.22	2,468,409.22	2,169,623.00	298,786.22
Environmental Improvements	3,279,308.30	2,377,091.40	1,097,459.00	1,027,572.40
Open Space and Nature				
Conservation	185,106.14	128,200.00	0.00	128,200.00
Other	124,000.00	121,000.00	115,633.00	5,367.00
Play Space	150,000.00	150,000.00	0.00	150,000.00
Public Transport	1,358,250.00	921,453.00	210,000.00	711,453.00
Public Arts	85,000.00	60,000.00	35,000.00	25,000.00
Recreation	3,300.00	3,300.00	0.00	3,300.00
Health Facilities	92,071.00	92,071.00	0.00	92,071.00
School Fund	200,000.00	200,000.00	200,000.00	0.00
<b>Total</b>	<b>£22,223,714</b>	<b>£16,274,055</b>	<b>£8,093,974</b>	<b>£7,852,021</b>

**Table 3: Housing Fund Summary**

	<b>Agreed</b>	<b>Received</b>	<b>Allocated</b>	<b>Unallocated</b>
Housing	1,730,700.00	1,363,620.00	220,000.00	1,143,620.00
<b>Total</b>	<b>£1,730,700.00</b>	<b>£1,363,620.00</b>	<b>£220,000.00</b>	<b>£1,143,620.00</b>

**Table 4: Highways Fund Summary**

	<b>Agreed</b>	<b>Received</b>	<b>Allocated</b>	<b>Unallocated</b>
Highways	8,278,584.76	5,251,701.43	1,590,718.67	3,660,982.76
<b>Total</b>	<b>£8,278,584.76</b>	<b>£5,251,701.43</b>	<b>£1,590,718.67</b>	<b>£3,660,982.76</b>

## 2.3 Funded Projects

Projects funded to date are listed below;

**Table 5: Funded Projects Summary**

Project/Intervention	Directorate	Amount Approved	Project Status	Existing Head of Terms	Agreement/ Development Site	S.106 No.	Project purpose
<b>Benyon Court Youth Project</b>	Children Services	14,500.00	<b>Complete</b>	Environmental Improvements	Southgate Road 6-24, London N1	1014/06.07.01	Renovate premises on Benyon Court to open a youth project for young people who are identified as being at risk in the local area.
<b>Brook Primary Fresh start</b>	Learning Trust	94,570.00	<b>Complete</b>	Education and Training	Marcon Place, E7 London E8	722/26.01.04	To provide match funding to secure final approval for DfED Fresh Start scheme. Improve the facilities of the school.
<b>Circus Space (Affordable Workspace for Hackney)</b>	Regeneration	202,110.00	<b>Complete</b>	Employment and Job Creation	Maxwell House, Worship Street, London EC2	715/27.07.87	To provide new workspace in the borough to meet the business and training needs of SME's working in the cultural and creative industries, including incubator units, move on and second stage workspaces and multi user office and ICT facilities.
<b>Comet Children's Centre</b>	Learning Trust	175,000.00	<b>Live</b>	Education and Training	Enfield Road, Edith Cavell School, London N1	301/06.12.04	To redevelop Comet Nursery School with a view to increasing the number of places. Project will allow for the development of a childminder network, more services for parents.
		200,000.00			Adelaide Wharf & 118 -120 Queensbridge Road, E2 8PD	1285/23.12.05	
<b>Dalston Culture House (Affordable Workspace for Hackney)</b>	Regeneration	93,000.00	<b>Complete</b>	Employment and Job Creation	Maxwell House, Worship Street, London EC2	715/27.07.87	To provide office and workshop space for growing local membership of Dalston Culture House. Acquisition and redevelopment of the upper two storeys of 11 Gillett St.
<b>De Beauvoir Nursery</b>	Learning Trust	35,000.00	<b>Live</b>	Community Facilities	Tottenham Road 58-80 & Caretakers House, Land between 79 & 83 Balls Pond Road, Former De Beauvoir School, (part of playground & nursery school), London	1061/24.01.03	To develop and extend the nursery provision, making separate secure access for parents and young children and designing a new outdoor play area.

**Table 5: Funded Projects Summary**

					N1.		
<b>Aske Gardens</b>	(Parks) Community Services	20,000.00	<b>Complete</b>	Environmental Improvements	Buttesland Street 50, Hoffman Square, London N1 6DH	167/23.06.03	Improve green space situated in borough. Replacement of shrubs and lawn area and the repair of gate pillars. Enhance safety in the parks.
<b>Well Street, St Thomas' Square and Cassland Square Development</b>	(Parks) Community Services	100,000.00	<b>Complete</b>	Environmental Improvements	Cassland Road, Former Cassland Road School, London E9	209/14.01.02	To improve the physical environment, work includes edging to beds and pathways, repair of the pathways, repair to fencing and walls installing an irrigation system and planting,
<b>Hackney Construction Recruitment Centre</b>	Regeneration	348,534.20	<b>Live</b>	Education and Training	Appold Street 9 , 62-90 Worship Street, 11-16 Snowden Street, 9-14 Vandy Street, 7 Finsbury Market & part of 8 Finsbury Market, Alabaster Buildings, Appold Street, (Broadgate West) London EC2	113B/06.03.98	To work with unemployed local people and the construction industry to place local people in construction vacancies. Will also support Construction Employment Manager at LBH.
		382.80			(Broadgate West) Appold Street 9, Worship Street 62-90, Snowden Street 11-16, Vandy Street 9-12 &14 and Alabaster Buildings, Appold Street, London EC2	113C/06.03.98	
					(Broadgate West) Appold Street 9, Worship Street 62-90, Snowden Street 11-16, Vandy Street 9-12 &14 and Alabaster Buildings, Appold Street, London EC3	113A/21.08.97	
<b>Haggerston Park - BMX track</b>	(Parks) Community Services	40,000.00	<b>Live</b>	Community Facilities	Dawson Street 2, London E2	269/29.06.04	To carry out repair works and create a BMX track.
<b>Hothouse (Phase 2)(Affordable Workspace for Hackney)</b>	Regeneration	250,000.00	<b>Complete</b>	Employment and Job Creation	Maxwell House, Worship Street, London EC2	715/27.07.87	To provide accessible ground floorspace for public uses, café, conference/meeting space linked to seminar/exhibition space. ICT creative design wing, rooftop sculptural terrace.

**Table 5: Funded Projects Summary**

<b>Improvements to Harrington Hill Primary School</b>	Learning Trust	65,000.00	<b>Live</b>	School Fund	Leeside and Middlesex Wharves, Latham's Yard (Unilateral Undertaking)	671/17.05.04	Reorganisation of school to increase capacity.
<b>Institute of International Visual Arts (Sense of Place) Affordable Workspace for Hackney)</b>	Regeneration	100,000.00	<b>Complete</b>	Employment and Job Creation	Maxwell House, Worship Street, London EC2	715/27.07.87	To provide two new workspaces, flexible, cultural and creative SME workspace.
<b>Queensbridge Sports and Community Centre</b>	Regeneration	70,000.00	<b>Complete</b>	Community Facilities	Holly Street Estate, Land bounded by Middleton Road/Queensbridge Road/Jacaranda Road/Holly Street & Celadine Drive, London E8	461B/23.05.00	Refurbishment of Queensbridge Sports and Community Centre.
<b>Shoreditch Park Play Ground and Children's Area</b>	(Parks) Community Services	72,680.00	<b>Live</b>	Environmental Improvements	Gopsall Street 26-36, London N1	411A/08.02.02	To improve the physical environment and usability of the park including; lighting installation, new pathways, pathway resurfacing, fencing repair and painting, artwork installation, bulb and tree planning, furniture installation and pitch improvements.
		16,563.00			Pitfield St	0	
		200,000.00			New North Rd/Imber St & Poole St (land bounded by), Former Gainsborough Studios, London N1.	760/07.07.00	
<b>Southwold Reorganisation</b>	Learning Trust	135,000.00	<b>Live</b>	Education and Training	Leeside and Middlesex Wharves, Latham's Yard (Unilateral Undertaking)	671/17.05.04	To provide innovative teaching spaces for the separate teaching of year 5 and 6 to improve reaching and learning environment.
<b>Space Triangle (Affordable Workspace for Hackney)</b>	Regeneration	36,000.00	<b>Live</b>	Employment and Job Creation	Maxwell House, Worship Street, London EC2	715/27.07.87	To expand the provision of affordable quality workspace for creative and cultural businesses. Refurbishment to the existing Triangle footprint and additional space, new IT media suite and new networking hub.



**Table 5: Funded Projects Summary**

<b>The Premises Studios (Affordable Workspace for Hackney)</b>	Regeneration	30,000.00	<b>Complete</b>	Employment and Job Creation	Maxwell House, Worship Street, London EC2	715/27.07.87	A new recording studio, comprising a combination of refurbished and newly built workspace with state of the art recording equipment.
<b>Tysen Primary School lift installation</b>	Learning Trust	50,000.00	<b>Complete</b>	Education and Training	St Anne's convent, 77 Manor Road, N16	1247/29.04.05	Project aims to provide full access to all areas of the school, expanding opportunity for use of space.
<b>Woodberry Down Training Centre</b>	Hackney Homes	100,000.00	<b>Live</b>	Education and Training	Crown Place 30, EC2A	2486/31.5.06	To deliver accredited construction training to residents from WD. Initially 3 courses will be offered, working towards City & Guilds qualification and CSCS card.
<b>Abney Park Cemetery</b>	Community & Leisure	69,965.80	<b>Complete</b>	Education and Training	Appold Street 9 , 62-90 Worship Street, 11-16 Snowden Street, 9-14 Vandy Street, 7 Finsbury Market & part of 8 Finsbury Market, Alabaster Buildings, Appold Street, (Broadgate West) London EC2	113B/06.03.98	To provide additional training places for local people in NVQ Level 1 & 2 Environment and Conservation Studies, and to set up and run a training programme in construction restoration and upgrading of the park and its facilities.
		25,034.20			Shepherdess Walk 135, London N1	1011/24.08.98	
<b>Youth and Community Apprenticeship Training Programme</b>	Community & Leisure	100,000.00	<b>Live</b>	Education and Training	Shepherdess Walk10 -22 and 11 underwood St, London N1	1010/17.04.98	To provide training for local people in principles and practices of youth and community work.
<b>2012 Olympics Job Brokerage</b>	Regeneration	10,000.00	<b>Approval Stage 3: Cabinet</b>	Employment and Job Creation	Marcon Place	722/26.01.04	To match jobs created from the Olympics to local unemployed in Hackney; primarily construction opportunities but across all sectors. To provide additional support and training to applicants and employers,
		100,000.00			29-53 Chatham Place	1275/02.11.05	

**Table 5: Funded Projects Summary**

		50,000.00			Southgate Road	1286/05.08.05	
		30,000.00			Shepherdess Walk	2375/28.4.06	
		40,000.00		Education and Training	Gillett St	1267/09.09.05	
<b>Frampton Park Youth Facility</b>	Community & Leisure	107,475.00	<b>Approval Stage 2: CPRP</b>	Education and Training	Nightingale Estate, part of Phase 7B & 7C, Land bounded at North by Kenninghall Road, west by Rendlesham Road, east by Muir Road, EC 8BU	1287/16.11.05	Renovate the premise to facilitate the operation of the Hackney youth Parliament, the Young Grant Makers and the delivery of health and sex education programmes.
<b>Lauriston School Expansion</b>	Learning Trust	138,000.00	<b>Approval Stage 2: CPRP</b>	Education and Training	Lea Bridge Road	0077/15.03.07	To add value and scope to the new Lauriston Primary School building, by providing space and facilities for SEN pupils beyond what is required by the DCSF guidance and DDA. Once built, Lauriston School will also be a key setting within the borough for offering a wide range of services to the whole community, including those with mobility difficulties.
<b>Hackney Wick Masterplan</b>	Regeneration	25,000.00	<b>Live</b>	Other	Felstead Street, E9	/25/07/06	Funding specifically identified to support the Masterplan of the Hackney Wick area. The masterplan will feed into the Olympic legacy.
<b>De Beauvoir Estate Improvement</b>	Hackney Homes	100,000.00	<b>Complete</b>	Environmental Improvements	6-24 Southgate Road	1286/05.08.05	To upgrade the 13 bin chambers to brick build.