



PLANNING SUB - COMMITTEE

Wednesday, 10th June, 2009

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

Gifty Edila
Corporate Director of
Legal and Democratic
Services

Contact: Emma Perry
Democratic Services Officer
Tel: 020 8356 3338
Email: Emma.Perry@hackney.gov.uk

The press and public are welcome to attend this meeting

AGENDA

Wednesday, 10th June, 2009

ORDER OF BUSINESS

Title	Ward	Page No
1. Appointment of Chair		
2. Appointment of Vice-Chair		
3. Apologies for Absence		
4. Members to agree the order of business		
5. Declarations of Interest		
6. Minutes of the Previous Meeting		(Pages 1 - 66)
7. Old School Site, Woodberry Grove, London, N4	Brownswood;	(Pages 67 - 156)
8. 12-32A Hertford Road, 27-31 Downham Road and 305 Kingsland Road, London, N1 and E8	De Beauvoir;	(Pages 157 - 226)
9. 30 Benthall Road, London, N16 7BX	Hackney Downs;	(Pages 227 - 240)
10. 57-63, 67-71 Kingsland Road, London, E2 8AG	Haggerston;	(Pages 241 - 260)
11. 231 Evering Road, London, E5 8AL	Hackney Downs;	(Pages 261 - 276)
12. 2-6 Phipp Street, London, EC2A 4PA	Haggerston;	(Pages 277 - 322)
13. 241 City Road, London, EC1V 1JQ	Hoxton;	(Pages 323 - 330)
14. Arch 189-222 The Railway Arches, Morning Lane, London, E9 6LG	Chatham;	(Pages 331 - 340)
15. Digby Road/Berger Road, Homerton, London, E9 5SB	Chatham;	(Pages 341 - 430)
16. 102-108 Clifton Street, London, N1 6AD	Haggerston;	(Pages 431 - 446)

17. 3-8 and Jack Dunning Community Hall, Furrow Lane, London	Chatham;	(Pages 447 - 450)
18. Appeals Summary - September 2008		(Pages 451 - 456)
19. Appeals Summary - October 2008		(Pages 457 - 462)
20. Appeals Summary - November 2008		(Pages 463 - 470)
21. Delegated Decisions - February-May 2009		(Pages 471 - 602)

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

The Hackney website contains a full database of meeting agendas, reports and minutes. Log on at: www.hackney.gov.uk

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

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.

How to have your say at the Planning Sub-Committee

Planning in Hackney

If there are proposals to build a block of flats in your area or someone in your street wants an extension they will more than likely have to get planning permission from the council. Hackney, like all councils have to let you know if a planning application has been received and you live close by. Where a development will have an impact on more people, Hackney often consults widely.

This gives as many residents as possible the chance to tell us what they think.

The majority of planning applications either for extensions to a home, new shop fronts, advertisements and similar minor development, are decided by Planning Officers.

The Planning Sub-Committee makes the decisions on larger planning applications that:

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

Planning Sub-Committee members use these meetings to make sure they have all the information they need and hear both sides before making a decision. This leaflet explains how the Planning Sub-Committee works and how you can have your say.

The Planning Sub-Committee

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

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

Meetings are held in public at Hackney Town Hall and they usually start at 6.30pm on the first Wednesday of the month. Agendas are available at www.hackney.gov.uk/your-council or from the Committee Officer a week before the meeting.

All Planning Sub-Committee members will keep an open mind on applications and it is advised that you don't contact any of the councillors before a meeting.

The meetings are necessarily formal because the Chair and members want to listen to everyone and have the chance to ask questions so that they can fully understand the issues.

Those speaking, either for or against a proposal, are generally given five minutes to get their points across. If there is more than one person on each side you will be asked to divide the five minutes between you or nominate a spokesperson. The Committee Officer will help groups speaking on the same item to coordinate presentations.

How the Meeting Works

The Sub-Committee will normally consider agenda items in turn. If there are a lot of people for an item they might bring it forward.

At the beginning of each meeting the Chair will explain how the meeting works and what can and can't be taken into account when making decisions. The meeting usually happens like this:

- The Chair introduces the item,
- The Planning Officer introduces their report to the Sub-Committee and informs them of any relevant additional information received after they publicised their report. The officer will also give their recommendations,
- Registered objectors speak for up to five minutes,
- Registered supporters speak for up to five minutes,
- Sub-Committee members can ask questions and discuss the item. They will ask council officers for further clarification if they need it,
- The recommendation – including any supplementary conditions or recommendations proposed by the Sub-Committee - is put to the vote. If the vote is split the Chair has the casting vote,
- A final decision is announced.

The Sub-Committee has strict guidance for making decisions and they can only be based on:

- National Planning policies set out by Government,
- Regional Planning policy, London Plan 2008, set out by the Greater London Authority,
- 'Saved' Hackney Unitary Development Plan policies,
- Council's policies outlined in the Hackney's emerging Local Development Framework
- Other 'material consideration' such as the planning history of a site and other development nearby the site.

Having Your Say

If you have something to say about a planning application there are three ways to do it:

Write to us

You can write to the council by making what are known as written representations.

This is where you have the opportunity to:

- tell us in detail what impacts the development will have in your community,
- let us know why you support or object to a planning application.

To make sure your representations are considered and included on the agenda they should be submitted within 21 days from the date you were notified of the application.

Where you have made representation or have asked to be notified, we will let you know the date of the Sub-Committee meeting relevant to that application.

Whether you are speaking at the meeting or would just like to come along, please arrive at least 15 minutes before the start as the agenda can sometimes change.

Speak at a meeting

If you made a written representation you can register to speak at a meeting. Just contact the Committee Officer by phone on 020 8356 3338 or email democraticserviceteam@hackney.gov.uk by 4.00pm on the working day before the meeting.

Photographs and illustrative material can be presented at the meeting if it has been verified by the Planning Officer beforehand. It must be delivered to the Planning Sub-Committee Officer no later than 4.00pm on the working day before the meeting.

Please note that new representations cannot be presented at the meeting. Only in exceptional cases will the Sub-Committee consider additional representations submitted after the agenda and reports have been published. If any significant new

information comes to light after the 21 days of consultation, let the Planning Officer know and they may refer to it in their presentation to the Sub-Committee.

Contact your local councillor

As long as they are not sitting as a member of the Planning Sub-Committee they may agree to speak for you at a meeting. Please contact the Members' Support Team on 020 8356 3350 to find out how to contact your local councillor.

How to Contact Us

For more information you can contact the Committee Officer by:

Phone: 0208 356 3338

Email: democraticservicsteam@hackney.gov.uk

Write:

Democratic Services Team

Hackney Council

Hackney Town Hall

Mare Street

London E8 1EA

On-Line: www.hackney.gov.uk/your-council

Other Information

Leaflet 1 – How to Have Your Say on Planning Applications

Leaflet 3 – Planning Service Charter

Leaflet 4 – Pre-Application Advice for Planning Applications

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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 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 Gifty Edila, Corporate Director of Legal and Democratic Services, on 020 8356 3265 or email Gifty.Edila@hackney.gov.uk

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