

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY, 1ST JULY, 2009

Councillors Present:	Councillor Vincent Stops in the Chair Cllr Barry Buitekant, Cllr Michael Desmond (Vice-Chair), Cllr Ian Sharer, Cllr Linda Smith and Cllr Katie Hanson
Apologies:	Cllr Simon Tesler and Cllr Jessica Webb
Officers in Attendance	Ian Bailey (Senior Planning Officer), Robert Brew (Team Leader, Majors Team), Peter Flockhart (Interim Principal Lawyer, Planning), Graham Loveland (Interim Assistant Director, Planning), John McRory (Interim Major Applications and Appeals Manager), Femi Nwanze (Head of Development Management), Fred Raphael (Senior Technical Engineer), Ray Rogers (Sustainability & Design Manager), Russell Smith (Senior Planning Officer), John Tsang (Interim Team Leader) and Emma Perry (Democratic Services Officer)

1 **APOLOGIES FOR ABSENCE**

- 1.1 Apologies for absence were received from Councillors Tesler and Webb.
- 1.2 An apology for lateness was received from Councillor Smith.

2 **MEMBERS TO AGREE THE ORDER OF BUSINESS**

- 2.1 The order of business remained as per the agenda.

3 **DECLARATIONS OF INTEREST**

- 3.1 There were no declarations of interest.

4 **MINUTES OF THE PREVIOUS MEETING**

- 4.1 The Chair, on behalf of Members, took the opportunity to thank Rosemary Lansdowne (Principal Solicitor) for all of the support she had given the Sub-Committee during her time at the Council and wished her all the best for the future. He welcomed Peter Flockhart to the meeting, who was her replacement.
- 4.2 **RESOLVED** – that the minutes of the meeting held on 10 June 2009 be APPROVED, as a true and accurate record, subject to the following amendments:-

Wednesday, 1st July, 2009

- Paragraph 7.5, third bullet point, should state 'Berkley Homes have acquired', instead of required.
- Paragraph 7.7, addition of a further sentence – 'The Chair requested confirmation that this would be the final alteration to the height of the building and the agent confirmed that there would be no further alterations.

5 FORECOURT OUTSIDE 1 READING LANE, LONDON, E8 1DR

Installation of 12 N^o cycle racks to the forecourt of the property fronting Reading Lane (6 x racks on the western end, 6 x racks on the eastern end).

(Councillor Smith arrived during the discussion of the item and therefore did not take part in the vote).

- 5.1 The Planning Officer introduced the report, as set out within the agenda.
- 5.2 Reference was made to paragraph 4.5 of the report which stated that complaints had been received on the enforcement case. The Planning Officer confirmed that there was not an enforcement case and that this was a typing error.
- 5.3 The Chair wished to clarify whether the bollards detailed in the photo on page 77 of the report were to remain and the Planning Officer confirmed that these would remain, for security purposes.
- 5.4 The Chair asked whether any other potential locations had been investigated, such as in the Town Hall Square and the highways officer stated that this would be looked into in the future.

Unanimously RESOLVED that:

Planning permission be GRANTED, subject to the following conditions:

1. Commencement within 3 years (SCBN1)

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. Development only in Accordance with Submitted Plans (SCBO)

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.

INFORMATIVES

The following Informative should be added:

REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan 1995/London Plan 2008 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', EQ14 'Alterations and Extensions of Buildings in Conservation Areas' and 4B.1 'Design Principles for a Compact City'

- SI.1 Building Control
- SI.7 Hours of Building Works

6 65, 71, 73, 75 SCRUTTON STREET & 45 CURTAIN ROAD, LONDON, EC2A 4JP

- (1) Redevelopment of the site to provide a part 6, part 3 storey building comprising an 81 bedroom hotel (4,444sqm) with ancillary facilities and 3,071sqm of office (B1) floorspace.
 - (2) Conservation area consent for demolition of existing building.
- 6.1 The Planning Officer introduced the report, as set out within the agenda. Reference was made to the addendum which provided information on hotel training opportunities, green roof, servicing and delivery, and disabled parking.
- 6.2 Reference was made to paragraph 6.3.6 of the report, which provided details on the use of the bar/dining area of the hotel. It stated that a condition was recommended that the bar/dining area be closed to non-guests after 23:30 hours, in order to safeguard the amenities of nearby residents. This was **AGREED**.
- 6.3 Concern was raised regarding the increasing number of hotel spaces being applied for and whether this was covered by policy. The Planning Officer explained that this development was deemed an appropriate use in this economic area and that the planning service was happy to let the market decide, subject to demand.
- 6.4 Discussion took place surrounding the parking issue, as Members raised concern that Parking Services had advised that the disabled parking bays could not be accommodated in Scrutton Street and that Traffic and Transportation had advised that site constraints would make it unfeasible to provide off street disabled parking. They had stated that this was considered acceptable as there was sufficient kerb side capacity for drop off/pick up on the surrounding roads immediately adjacent to the site.
- 6.5 Members felt that this was inadequate and that an alternative solution should be found.
- 6.6 The agent stated that they would be happy to have further discussions with the highways department and the applicant in finding a solution for this problem. It was suggested that a clause could be added within the Section 106 agreement for best endeavours to be made to negotiate a resolution to the disabled parking bay issue and that a parking management plan also be implemented. This was **AGREED**.
- 6.7 Members requested that the streetlamps be placed on the building. 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. 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

Prior to the commencement of development details of the design and location of 100sqm of photovoltaic panels to be submitted to and approved by the Local Planning Authority. The development to be carried out in accordance with the approved details.

REASON: To secure mitigation of climate change measures.

5. NSC

Prior to the occupation of the development details of a gas fired micro CHP shall be submitted to and approved by the Local Planning Authority. The approved micro CHP to be installed within the development prior to occupation.

REASON: To secure mitigation of climate change measures.

6. SCM9 - No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the 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.

7. SCI4 – Roof plant (Details to be approved)

Full details of all the roof plant enclosures (plans, sections, front and rear elevations, etc.) shall be submitted to 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 safeguard the appearance of the property.

8. NSC

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 which will minimise possible dust pollution to neighbouring properties.

9. NSC

Where fixed plants such as air conditioning are proposed then I recommend the following:

- (i) The rating level of the noise emitted from the fixed plants 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.***
- (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 residential amenities of nearby occupiers.

10. NSC

Prior to the occupation of the development a Delivery and Servicing Management Plan for the hotel use shall be submitted to and approved in writing by the Local Planning Authority. Delivery and servicing to be carried out only in accordance with the approved Delivery and Servicing Management Plan.

REASON: To ensure that the development does not adversely impact upon the surrounding highway.

11. NSC

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: Important archaeological remains may exist on this site. Accordingly 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 PPG16.

12. SCH10 – Secure bicycle parking

13. SCH14 – Closure of existing access

14. 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
- Ground floor elevations and signage of the building
- 1:20 typical sections through all elevations

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. SCD1 - Level access

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

REASON: To ensure satisfactory access to the development.

16. 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: To ensure satisfactory access to the development.

17. The bar/dining area shall be closed to customers between the hours of 23:00 and 07:00 unless those customers are staying overnight in one of the hotel rooms hereby approved.

REASON: To safeguard the residential amenities of nearby occupiers.

B) The above recommendation be subject to the applicant, the landowners and their mortgagees enter 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 Interim Assistant Director (Planning) and the Interim Head of Legal Services:

1. The owner shall be required to enter into agreement under Section 278 of the Highways Act to pay the Council 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 LBH Estimate or Payment.
2. The owner shall be required to enter into agreement under Section 278 of the Highways Act to pay Transport for London 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.
3. The owner must provide a Travel Plan (for the hotel and employment use) to be agreed by the Council's Transportation Officer, towards achieving sustainable travel targets, including the services of a Travel Plan Coordinator. The Travel Plan must be in place by the first year of occupancy and the developer must provide the sum of £1500 in the first year for yearly monitoring by LBH for 5 years.
4. Demolition and Construction Management Plan to be submitted at least 6 weeks prior to the commencement of works on site. The Demolition and Construction Management Plan shall include the following: Demolition Method Statement; Construction Method Statement; Construction Logistics Plan; and Site Waste Management Plan.
5. Considerate Constructors Scheme.
6. The payment by the landowner of a contribution of £6,474.00 towards library facilities.
7. Construction Industry and Removing Barriers to Work: Appendix 1 (page 65) includes the relevant section 106 agreement clauses with regard to Local Labour in Construction while the Local Training in Construction formula can be found on page 66.
8. Removing Barriers to Work: provision for the use of local labour for construction of the development in the form of 25% on-site employment, including the facilitation of apprentices and adult improvers for a defined period.
9. The payment by the landowner of a contribution of £1918.80 towards open space.
10. The development to be built to BREEAM standards and achieve an 'excellent' rating.

Wednesday, 1st July, 2009

11. The business occupier(s) should be excluded eligibility for local parking permit/ contract, by the developer enters into a S106 'Car Free' agreement with TfL.
12. Payment of £100,000.00 towards sustainable transport initiatives in the area on the basis that the proposal will generate an increase in non-car trips (walking and cycling) in the surrounding streets. The s.106 sustainable transport contributions will be put towards, but not restricted to, accessibility improvements schemes in the area [including footway improvements in Christina Street and Scrutton Street], street-lighting, improving links to the walking and cycle network in the area, increased cycle parking on the public highway for visitors, public realm improvements, etc.
13. The developer/ operator of the proposal to submit a Delivery & Servicing Plan (DSP), as referred in the London Freight Plan, for TfL's and LBH's approval prior to occupation of the site; and to adhere to the Plan further to occupation.
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.
15. Disabled parking – management plan. The developer/operator to use reasonable endeavours to secure 2 on-street disabled parking bays for users of the premises and to submit a disabled parking management plan setting out how this will be achieved and if it is not achieved, what measures will be taken to ensure the availability of disabled parking for users of the site.
16. The owner shall provide street lighting on the structure of the development, unless otherwise agreed in writing.

C) Conservation Area Consent be GRANTED, subject to the following conditions:

1. SCB2- Commencement

The development hereby permitted must be begun no 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.

2. NSC

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: Important archaeological remains may exist on this site. Accordingly 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 PPG16.

3. NSC1 – Works of demolition

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission reference 2009/0844 is granted 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 appearance of the Kingsland and Regents Canal Conservation Areas.

D) That in the event of the Section 106 Agreement referred to in Recommendation B not being completed by 15 July 2009, the Interim Assistant Director (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 open space contributions, would be likely to contribute to pressure and demand on the Borough's open space provision contrary to policies to the provisions of Supplementary Planning Document: Planning Contributions (2006) and policy 3A.21 of the London Plan (2008).
2. The proposed development, in the absence of a legal agreement for securing a BREEAM 'excellent' standard building would make an inadequate contribution towards the mitigation of climate change.

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, EQ40 Noise Control, EQ41 Development Close to Existing Sources of Noise, EQ42 Air Pollution, EQ48 Designing Out Crime, H03 Other Sites for Housing, E12 Office Development, E14 Access and Facilities for People with Disabilities, E15 Training, E18 Planning Standards, TR19 Parking standards, ACE7 Hotel Development, ACE8 Planning Standards, SPG1 New Residential Development, SPG6 Hotels, SPG11 Access for People with Disabilities, SPD Planning Contributions.

The following policies contained 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, 2A.2 The spatial strategy for development, 2A.3 London's Sub-Regions, 2A.4 The Central Activities Zone, 2A.5 Opportunity Areas, 2A.6 Areas for Intensification, 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.13 Special Needs and Specialist Housing, 3A.17 Addressing the needs of London's Diverse Population, 3A.25 Higher and Further Accommodation, 3B.1 Developing London's Economy, 3B.2 Office demand and supply, 3B.3 Mixed use development, 3B.8 Creative Industries, 3B.11 Improving employment opportunities for Londoners, 3C.1 Integrating transport and development,

Wednesday, 1st July, 2009

3C.2 Matching development to transport capacity, 3C.3 Sustainable Transport in London, 3C.4 Land for Transport, 3C.9 Increasing the capacity, quality and integration of public transport to meet London's needs, 3C.11 Phasing of Transport Infrastructure Provision and Improvements, 3C.17 Tackling congestion and reducing traffic, 3C.18 Allocation of street space, 3C.19 Local transport and public realm enhancements, 3C.20 Improving Conditions for Buses, 3C.21 Improving Conditions for Walking, 3C.22 Improving Conditions for Cycling, 3C.23 Parking strategy, 3D.7 Visitor Accommodation and Facilities, 4A.1 Tackling climate change, 4A.2 Mitigating climate change, 4A.3 Sustainable design and construction, 4A.4 Energy assessment, 4A.5 Provision of Heating and Cooling Networks, 4A.6 Decentralised Energy: Heating, Cooling and Power, 4A.7 Renewable Energy, 4A.8 Hydrogen Economy, 4A.9 Adaptation to Climate Change, 4A.10 Overheating, 4A.11 Living Roofs and Walls, 4A.12 Flooding, 4A.13 Flood Risk Management, 4A.14 Sustainable Drainage, 4A.15 Rising Groundwater, 4A.16 Water Supplies and Resources, 4A.17 Water Quality, 4A.18 Water and Sewerage Infrastructure, 4A.19 Improving air quality, 4A.33 Bringing contaminated land into beneficial use, 4B.1 Design principles for a compact city, 4B.2 Promoting World Class Architecture and Design, 4B.3 Enhancing the quality of the public realm, 4B.5 Creating an inclusive environment, 4B.8 Respect Local Context and Communities, 4B.9 Tall Buildings – Location, 4B.10 Large scale buildings – design and impact, 4B.16 London View Management Framework, 4B.18 Assessing Development Impact on Designated Views, 5A.1 Sub-Regional Implementation Frameworks, 5C.1 The Strategic Priorities for North East London, 5C.3 Opportunity Areas in North East London, 5G.1 The Indicative CAZ Boundary, 5G.2 Strategic Priorities for the Central Activities Zone, 5G.3 Central Activities: Offices, 5G.5 Predominantly Local Activities in the Central Activities Zone, SPG Industrial Capacity, SPG View Management Framework, SPG Accessible London: achieving an inclusive environment, SPG Land for Transport Functions, SPG Sustainable Design and Construction, SPG Planning for Equality and Diversity in London, BPG Wheelchair Accessible Housing, Mayor's Economic Development Strategy, Mayor's Transport Strategy, Sub-Regional Development Framework – East 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.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultation with Thames Water
- SI.34 Landscaping
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing
- SI.50 S106 Agreement

NSC Approval is not granted for the disabled parking bays and servicing delivery bay as shown on the submitted drawings

7 UNIT 11, ANGEL WHARF, SHEPHERDESS WALK, LONDON, N1 7JL

Change of use of unit 11 from Class A3 (restaurants and cafes) to a dual use Class A3 or Class B1 (Business).

7.1 The Planning Officer introduced the report, as set out within the agenda. He added that the hours of operation would be conditioned between 7am – 11pm, Monday – Sunday. This was **AGREED**.

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

Unanimously RESOLVED that:

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

1. 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.

2. Hours of Operation

The A3 use hereby permitted shall only be carried out between the hours of 0700 to 2300 Mondays to Sundays.

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

8 UNITS 3-6 ANGEL WHARF, SHEPHERDESS WALK, LONDON, N1 7JL

Change of use of units 3, 4, 5, & 6 from class B1 (Business) to a dual use class B1 (Business) / D1 (Non-residential institutions) to include the following uses only: Clinics, except those treating alcohol or drug addiction or dependency; or mental health problems; Health Centres; Day Centres; Art Galleries; Museums; Libraries; and Non-residential education and training centres.

POST SUBMISSION REVISIONS: Following the submission of the application the proposal has been altered to exclude certain D1 uses. A list of the excluded uses can be found in section 6 of this report.

8.1 The Planning Officer introduced the report, as set out within the agenda.

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

RESOLVED that:

Planning permission be GRANTED, subject to the following conditions:

1. 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.

2. Hours of operation

The D1 uses hereby permitted shall only be carried out between the hours of 0700 to 2300 Mondays to Sundays.

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

3. Amendment to Travel Plan

Revision of the Travel Plan required by planning permission 2005/2375 as part of the yearly review in the event that any of the commercial units are occupied by an approved D1 use. The revision to include the requirements of any D1 uses including any requirements for drop off/pick up.

REASON: To reduce the reliance on the private car by promoting more sustainable forms of the transport.

9 SENATE HOUSE, TYSSEN STREET, DALSTON, E8 2ND

Erection of four and five storey buildings to facilitate a mixed use development of 27 residential units (3 x 1 bed, 14 x 2 bed, 6 x 3 bed, and 4 x 4 bed) and 595 sqm of commercial floorspace (Class B1) and associated landscaping, cycle parking, and refuse/recycling storage.

AMENDMENTS:

- Letter dates 26th May 2009 changing the use class of the commercial floor space. On the application form it stated A1 and B1 flexible. The applicant requested this be changed to B1 only.
- Letter dated 4th June 2009 providing amended plans (stated above under 'drawing numbers') amending some façade and materials treatments, in line with comments received by the Council's Sustainability and Design Team.

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

- 9.1 The Planning Officer introduced the report, as set out within the agenda. It was explained that this application had come back to committee as the applicant had now changed the use class of the commercial floor space from A1 and B1 flexible to B1 only. The development would also be 100% affordable.
- 9.2 Tim Gaskell, agent, was in attendance to answer any questions that arose.

- 9.3 The Chair raised concern about the loss of employment space and questioned whether the £75,000 being offered by the applicant towards an employment scheme, affordable workspace and/or business support project was appropriate for the amount of employment space being lost in a key employment area. He also wished to clarify whether the protection of mixed use developments were covered within the London Plan.
- 9.4 The Planning Officer explained that the development was still a mixed use scheme and that the London Plan did not cover loss of employment space and therefore the scheme was in accordance with policy.
- 9.5 The Interim Assistant Director (Planning) also acknowledged that there was limited policy that covered the loss of employment space and that the Council were currently awaiting the adoption of the Core Strategy. His understanding was that the Core Strategy would focus on the quality of employment space being offered, as opposed to the quantity being provided.
- 9.6 The Chair accepted that there would be an improvement in the quality of workspace provided, but felt that there would be a significant loss of employment space in the heart of Hackney's only major town centre.
- 9.7 The Agent explained that in order to make the scheme financially viable in the current economic climate, they had now taken out the basement and made the development 100% affordable, with split tenures. He added that they had the contractor and funds in place.
- 9.8 In response to a query regarding how the figure of £75,000 was reached, it was explained that there was a formula that was used and that the Council had to take into consideration that it was Housing Corporation money and also the current economic climate.
- 9.9 Reference was also made to the estimated highways contribution detailed within the Section 106 agreement, as Members wished to know who would pay any extra money. The Principal Solicitor explained that this would be subject to negotiations with the developer.
- 9.10 In response to a request for clarification regarding the quality of commercial floor space being provided, it was explained that the current scheme provided a higher quality of floor space than before, incorporating glazed frontages, lightwells, floor level units and a flexible space.

(Councillor Stops abstained from the vote).

RESOLVED that:

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

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.

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.

3. SCM2 - Materials to be approved

Details, including samples, of all materials to be used on the external surfaces of the building and boundary walls 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. SCN1 – Soundproofing

Full particulars and details of provisions for soundproofing between the B1/B1 use and residential units shall be submitted to and approved by the Local Planning Authority, in writing, before the commencement of works on site, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences.

REASON: In order to minimise the transmission of noise between and within units in the interests of providing satisfactory accommodation.

5. 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.

6. SCT1 - Landscaping

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 including the overall layout of the proposed communal roof terrace; 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.

7. SCR3 - Mobility standards

Ten-percent of all housing units proposed must be designed to mobility standards and be in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest in providing satisfactory and convenient housing accommodation for persons with disabilities.

8. SCS5 - Waste

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.

9. SCH10 - Cycle spaces

Provision for 29 cycles. Both residential and commercial cycle spaces should be separated and clearly signposted. The spaces are to be secure. Details of which are to be submitted to and approved by the Local Planning Authority, in writing, before the commencement of works on site, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences.

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

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.

11. 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, in writing, before the commencement of works on site, 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 residents 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.

12. NSC - External Fixed Plant Items

Any external fixed plant items must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of residents. As such they shall be designed to operate at a cumulative noise level of LAeq Tr, measured or predicted at 1 metre from the façade of the nearest noise sensitive premises and shall be a rating level of 10dB(A) below the background noise level of LAF90.

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

13. NSC - Noise Levels

Upon completion of the development, internal noise levels must comply with BS 8233:1999. A validation noise report demonstrating that this has been achieved must be submitted for approval by the Local Planning Authority prior to occupation of the residential units.

REASON: To ensure that the amenity of the future occupants of the residential units is protected.

14. NSC - Dust emissions

An environmental plan demonstrating how dust emissions from the site, traffic and plant during the construction phase will be controlled shall be submitted to and agreed by the Local Planning Authority in writing, and implemented, prior to any works commencing on site.

REASON: To ensure that the development is not prejudicial to the health of environment and prospective occupiers.

15. NSC - Highway works

The development hereby permitted will not be implemented until/unless the owner of the site has entered into a legal agreement with the Local Planning Authority for works to Ramsgate St and/or Tyssen St pursuant to a Section 278 Highways Act 1980 and provided a copy of the same to the Local Planning Authority.

16. Renewable energy

Full details of 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.

17. Layout of Commercial Units

Full details of the layout/fitout of the commercial floorspace within the ground floor levels fronting Tyssen Street shall be submitted to the Local Planning Authority and approved in writing prior to the occupation of any commercial floorspace on site.

REASON: To ensure the size and layout of the commercial floorspace is appropriate.

18. Crossrail Condition

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/or other structures, including piling (both temporary and permanent), below ground level (the Foundation Works) which accommodate:

- i) the proposed location of the Chelsea-Hackney Line structures and tunnels;
- ii) the ground movement arising from the construction of structures, and tunnels;
- iii) 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 Crossrail Limited; 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.

B) 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 Interim Assistant Director (Planning) and the Interim Head of Legal Services:

1. Securing 100% of the residential units as affordable housing with a tenure mix of 16 units social rented and 11 units intermediate housing.
2. Contribution of £83,469.83 towards education and libraries.
3. Contribution of £1,697.40 towards open space.
4. Contribution of £75,000.00 towards an employment scheme, affordable workspace and/or business support project.
5. The signing of a Section 278 legal agreement under the Highways Act for works to the public highway and securing £37,270.00 to fund these works.
6. Contribution of £9,240 towards sustainable transport initiatives.
7. The provision of a Green Travel Plan to all residents and commercial lease holder/employees on occupation of the site.
8. The development is to be car free.
9. Commitment to the Council's local labour and construction initiatives (25% on site employment).
10. 20% reduction in carbon emissions through the use of renewable energy sources and use of low energy technology.
11. Considerate Contractor Scheme – the applicant to carry out all works in keeping with the National Considerate Contractor Scheme
12. Achievement of a minimum Level 3 under the Code for Sustainable Homes with best endeavours to achieve Level 4.
13. B1 to shell and core prior to occupation of any residential unit.
14. B1 office space to be rated BREEAM 'excellent'.
15. Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the negotiations and completion of the proposed Section 106 Agreement.

C) That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 7 July 2009, the Interim Assistant Director (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 policy HO3 of the Hackney UDP (1995), policies 3A.7 and 3A.8 of the London Plan (2004), the LDF Planning Contributions SPD (2006), 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 and CS2 of the Hackney UDP (1995), the LDF Planning Contributions SPD (2006) and policy 3A.21 of the London Plan (2004).
3. The proposed development, in the absence of a legal agreement for securing open space contributions, would be likely to contribute to pressure and demand on the borough's existing open spaces, contrary to policies EQ1 and OS5 of the Hackney UDP (1995), the LDF Planning Contributions SPD (2006) and policy 3D.8 of the London Plan (2004).
4. The proposed development, in the absence of a legal agreement for a Green Travel Plan, would be likely to lead to an adverse impact on local traffic and pedestrian flow and the unsustainable use of transport contrary to policies ST3, ST31, ST32, ST33, TR6 and TR19 of the Hackney Unitary Development Plan and policies 3C.16 of the London Plan 2004.
5. The proposed development, in the absence of a legal agreement for securing best endeavours to use local labour on-site, would be likely to harm the employment opportunities in the Borough contrary to policies ST3, EQ1, E15 and E18 of the Hackney Unitary Development Plan.

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
- H03 - Other sites for housing
- E12 - Office Development
- E14 - Access and Facilities for People with Disabilities
- E18 - Planning Standards
- TR19 - Planning Standards

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 The applicant is advised that they will be required to enter into a Section 61 agreement under the Control of Pollution Act 1974 with the Pollution Section before commencing work on site in order to control noise and vibration from the demolition/construction work.

NSI.4 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.5 There is a Thames Water main crossing the development site which may need to be diverted at the developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

NSI.6 Crossrail Limited (25 Canada Square, Canary Wharf, London E14 5LQ) has indicated its preparedness to provide guidelines in relation to the proposed location of the Chelsea-Hackney Line structures and tunnels, ground movement arising from the construction of the running tunnels, and the noise and vibration arising from the use of the running tunnels. Applicants are encouraged to discuss the guidelines with the Chelsea-Hackney Line Engineer in the course of preparing detailed design and method statements. Please contact the Crossrail switchboard on 020 3023 9100 for guidance.

10 **SOUTH MARSH, HACKNEY MARSHES, HOMERTON ROAD, LONDON, E9 5PF**

Erection of part 1, part 2 storey building to provide changing room facilities with associated café, office and education room and associated car parking and landscaping (including green roof).

- 10.1 The Planning Officer introduced the report, as set out within the agenda. He stated that the site was located within the Kings Park ward and not Haggerston ward, as shown on the report.
- 10.2 Reference was made to the addendum which stated that the application had been referred to the GLA and that the GLA's first stage response had been received on the 25 June 2009. The conclusion of their response was detailed within the addendum.
- 10.3 A response had also been received from the Hackney Marshes Users Group on the 25 June 2009. The HMUG objected to the proposals until the objections and concerns detailed in the addendum had been addressed.
- 10.4 Reference was made to the loss of trees as a result of the development, and in response the Planning Officer stated that the re-planting scheme proposed was deemed adequate.
- 10.5 Bus stop No. 35256 on Lee Conservancy Road was likely to be used in connection with this development. TfL therefore requested mitigation to bring this stop up to full accessibility standards. A contribution of £5,000 was therefore requested. This was **AGREED**.
- 10.6 Kate Matthews, Nicola Baker (Assistant Director Culture), Kalpesh Intuala and Mike Woolner spoke in support of the scheme, their comments are summarised as follows:-
- East Marsh would be temporarily used as a car park for the Olympics.
 - Due to change of plans, changing rooms now need to be re-provided in the South Marsh building.
 - A range of measures were proposed to try and help integrate the building in with the marshes, including the use of sustainable materials, green roof, security and protection.
 - The proposed development was 400sqm smaller than the previous proposal.
 - The new development will help promote sports and education opportunities.
 - High quality scheme.
- 10.7 Reference was made to the use of steel and whether this was lightening safe. The architect explained that the steel would weather over time and samples would be tested to ensure they were satisfactory. He also confirmed that the steel would be lightening safe.
- 10.8 In response to a question regarding the proposed management of the facility, the Assistant Director Culture explained that the Council would go out to tender and that the facility would not form part of the contract with Greenwich Leisure.
- 10.9 With regard to the potential educational use of the facility, it was explained that the Council would be working with the Learning Trust and the youth service to formalise an agreement for the use of the facility for educational purposes.

Wednesday, 1st July, 2009

- 10.10 Members wished to clarify that the facility would not be exclusively used by the Learning Trust and that other providers would not be excluded from using it. The Assistant Director Culture explained that the Council did not agree to an exclusive agreement with the Learning Trust and so other providers would be free to use the facility.
- 10.11 Discussion took place surrounding the landscaping and the conservation and design team's comments detailed in paragraph 4.8.1 of the report. In response, the Planning Officer explained that on balance they found that it was necessary to provide parking in the proposed location and that it helped to have this screened. A large amount of re-planting would also be undertaken.
- 10.12 Members wished to have details of drainage and for a condition to be added in order to find a solution to the permeability of the car park. This was **AGREED**.
- 10.13 Councillor Buitekant wished to confirm that if granted, the application would be going to the Planning Inspectorate for their consent, as it related to development on common land. The Planning Officer confirmed that this was correct.

(Councillor Buitekant abstained from the vote).

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 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. 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. Ground surface treatment to be approved

Wednesday, 1st July, 2009

Full details of all ground surface treatment to the site shall be submitted to and approved, in writing, 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 the satisfactory development of the site

5. NSC – Landscaping details 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.

6. Tree/ hedgerow protection

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

REASON: To safeguard the visual amenity and ecology of the site.

7. Bat survey

Prior to the commencement of demolition works on site a Bat Survey shall be conducted and the findings submitted to and approved in writing by the Local Planning Authority. The development to be carried out in accordance with any recommendations made in the approved survey report.

REASON: To safeguard protected species and the ecology of the site.

8. Bird survey

Prior to the commencement of any scrub or tree removal on site a breeding bird survey shall be conducted (if scrub or tree removal is to take place between March – August); and the findings submitted to and approved in writing by the Local Planning Authority. The development to be carried out in accordance with any recommendations made in the approved survey report.

REASON: To safeguard protected species and the ecology of the site.

9. Plant survey

Prior to the commencement of development a full invasive plant survey should be undertaken to assess the extent of giant hogweed, Japanese knotweed and

Himalayan balsam. The findings of the survey to be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the wildlife and ecology of the site

10. Excavations left overnight to be covered or filled

During construction works and excavations left overnight to be filled or securely covered or fitted with ramps to ensure that any trapped mammals can escape.

REASON: To protect wildlife during construction.

11. Green roofs

Details (including planting specifications) of the bio diverse, substrate-based green roof (75mm minimum depth) as shown on the approved plans, to be submitted to and approved in writing by the local planning authority, prior to occupation of the development. 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, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building.

12. NCS – Lighting Strategy

A detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. All external lighting within the application site to be in accordance with the approved lighting strategy unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the ecology and visual appearance of the Metropolitan Open Land and adjacent River Lea corridor.

13. SCM9 - No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the 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.

14. SCI4 – 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 other than as shown on the approved drawings and/or details.

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. 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.

16. SCH8 – Parking for people with disabilities

No part of the development shall be occupied until 18 car parking spaces shall be marked out for use by persons with disabilities and retained permanently for use by the vehicles of people with disabilities.

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

17. SCH2 – Loading/ Unloading within the Site/ Building

No loading or unloading of goods, by vehicles arriving at or departing from the premises shall take place otherwise than within the site.

REASON: To assist in ensure that the Public Highways is available for the safe and convenient passage of vehicles and pedestrians.

18. 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.

19. SCH5 – Provision of parking, turning and unloading space

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.

20. SCH9 - Marking parking areas

Before the use hereby permitted first commences, appropriate markings shall be used to delineate all car parking spaces and service areas within the site/development as shown on the permitted plans, and such marking is to be retained permanently.

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway.

21. SCH11 - Adequate visibility to Entrance

Adequate visibility shall be permanently retained at a height of 0.6 metre from footpath level for a distance of 1.5 metres along the back edge of the footway on both sides of the permitted points of vehicular access, in accordance with the permitted plans.

REASON: To provide adequate indivisibility for drivers and pedestrians in the interests of road safety.

22. Construction Traffic Management

Details of the construction traffic route and a construction traffic management plan shall be submitted to the local authority in accordance with the details contained in the transport statement, prior to the commencement of construction works on site.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s)

23. NSC

Provision for 106 cycles within a covered secure facility. Details of which are to be submitted to and approved by the local planning authority, in writing, and subsequently installed in a satisfactory manner, before the development is first occupied/ use commences.

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

24. NSC

A parking management plan shall be submitted prior to occupation/use detailing all marking, signage, security and management measures to be implemented.

REASON: To ensure that parking operations are implemented and maintained in accordance with the approved plans.

25. NSC

A full travel plan shall be submitted in accordance with the details contained in the transport statement hereby approved. Details of which are to be approved by the local planning authority, in writing, before the development is first occupied/ use commences.

REASON: In order to ensure that the development is implemented in accordance with the approved travel plan.

26. Bio-diesel boilers

Prior to the occupation of the development 4 equally sized oil firing boilers firing B100 biodiesel shall be installed and connected.

REASON: To secure the sustainable design and construction of the development.

27. BREEAM

Prior to the commencement of development a full BREEAM Assessment shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To secure the sustainable design and construction of the development.

28. Hours of operation

The café/restaurant hereby approved shall only be open to members of the public between the hours of 09.00 and 17.00 in British wintertime and 09.00 and 20.00 in British summertime.

REASON: To safeguard the residential amenity of nearby occupiers.

29. 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.

- Ground and first floor plans incorporating the recommendations of the Design Appraisal Report.
- Site layout plan incorporating the recommendations of the Design Appraisal Report and the recommendations of the Boroughs Secure by Design Officer.

REASON: To ensure that the development is fully accessible to all and provides security by design.

- 30.** The development shall not commence until a specification for drainage including on and off-site works has been submitted to and approved by the Local Planning Authority, and no works resulting in discharge of foul or surface water from the site shall be commenced until the approved drainage works have been completed to the satisfaction of the Local Authority.

REASON FOR APPROVAL

The following reason for approval is given:

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, EQ21 Metropolitan Open Land, EQ31 Trees, OS1 Enhancing Metropolitan Open Land, OS2 Open Space and Parks, OS4 Protection of Open Space and Parks, OS5 Development Affecting Open Spaces and Parks, OS7 Sportsgrounds and Playing Fields, OS16 Development and Areas of Nature Conservation Importance.

The following policies contained 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: 4A.3 ('Sustainable design and construction'); 4B.1 ('*Design principles for a compact city*'); 4B.3 ('*Enhancing the quality of the public realm*'); 4B.5 ('Creating an inclusive environment'); 3D.14 ('*Biodiversity and nature conservation*'); 3D.15 ('*Trees and woodland*'). 4A.1 ('*Tackling climate change*'); 4A.5 ('*Provision of heating and cooling networks*'); 4A.7 ('*Renewable Energy*'); 3C.23 ('*Parking strategy*'); 3C.2 ('*Matching development to transport capacity*'); 3C.20 ('*Improving conditions for buses*'); 3C.21 ('*Improving conditions for*

walking’); 3C.22 (‘Improving conditions for cycling’); 3C.25 (‘Freight strategy’) and 3C.2 (‘Matching development to transport capacity’).

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
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultation with Thames Water
- SI.34 Landscaping
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing
- NSC The applicant is reminded that prior construction the applicant is required to contact the councils Highways section on 0208 356 8346 regarding the carrying out of highways works to the proposed access and footway along the frontage of the site.

11 87 - 95 CURTAIN ROAD, LONDON, EC2A 3BS

Demolition of 87-95 Curtain Road and erection of an 8-storey building plus basement to provide 720sqm of A1 (Retail) and/or A3 (Restaurant), 2204sqm of B1(a) (office) and 8 residential units (1x1-bed, 5x2-bed and 2x4-bed).

POST SUBMISSION AMENDMENTS:

- Minor revision to the lower floors of the Curtain Road elevation to address design with regards to the location and prominence of service doors and building entrances;
- Revision to the ground floor plan to include commercial waste store, and;
- Revision to the upper floor family size units (4-beds) to provide separate kitchen from living rooms.

- 11.1 The Planning Officer introduced the report, as set out within the agenda.
- 11.2 Reference was made to the addendum, which outlined an additional letter of objection received from an occupier of a live/work unit to the 2nd floor of 47-49 Charlotte Road and the Planning Officer’s response to this.
- 11.3 A verbal objection had also been received from the South Shoreditch Community and Residents Association, objecting to paragraph 6.2.7 of the report, which stated that there were no night time economy uses at adjacent or opposite buildings at this part of Curtain Road, which the Planning Officer confirmed was incorrect, as the adjacent property was in use as a drinking establishment. He referred to the committee report, which recommended a condition which would limit opening hours of any A3

Restaurant Use to 11pm. This was **AGREED**.

- 11.4 Additional comments had also been received from South Shoreditch CAAC objecting to the proposal, which were detailed within the addendum, along with the response from the Planning Officer.
- 11.5 The Planning Officer informed the Sub-Committee that the applicant had submitted a revised Energy Statement and Sustainability Statement, which looked to address the errors and concerns outlined in the Sustainability and Climate Officer's comments, as detailed in pages 224-225 of the report. This had been reviewed and was acceptable.
- 11.6 Yuli Toh (architect) spoke in support of the scheme, her comments are summarised as follows:-
- High quality development proposed.
 - Gave an overview of the vision which drove the design of the building and how the use of materials and daylight/sunlight had driven this vision.
 - Worked closely with the structural engineer in the design of the building.
 - The daylight/sunlight studies had found no adverse impacts on neighbouring properties.
 - The development offered natural ventilation.
 - Sustainable and car-free development.
 - Air/heat pump systems proposed, with renewable energy generated on-site. 20% reduction in carbon dioxide emissions.
- 11.7 In response to a request for rain water harvesting, the architect explained that it was not viable for this particular scheme as it would only be a micro-scheme.

Unanimously RESOLVED that:-

A) Planning permission be GRANTED for Conservation Area Consent (ref 2009/0917), subject to the following conditions:
--

1. Commencement:

The development hereby permitted must be begun no 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.

2. Works of demolition:

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission reference 2009/0914 is granted 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 appearance of the Kingsland and Regents Canal Conservation Areas.

3. Highways:

The footway and carriageway on the Curtain Road must not be blocked during the demolition of the buildings. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian, or obstruct the flow of traffic on Curtain Road.

REASON: To ensure the proposal does not result in an unacceptable impact to the Transport for London Road Network (TLRN).

B) Permission be GRANTED for Full Planning Permission (ref 2009/0914), subject to the following conditions:

1. 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. Commencement:

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. All materials to be approved:

Full details, including samples, of the materials to be used on the external surfaces of the building, including glazing, and ground surfaces (to the space to the front of the 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.

4. 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
- The design and materials (including sample) of the privacy screen to the east of the sixth and seventh floor terrace

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, and to

ensure that the proposal does not detrimentally impact on the amenities of adjacent residents.

5. 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. 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.

7. Soundproofing:

Full written details, including relevant drawings and specifications of the proposed works of sound insulation against airborne noise to meet $D'nT,w + Ctr$ dB of not less than 55 between commercial and residential units shall be submitted to and approved in writing by the local planning authority.

REASON: In order to safeguard the amenities of future occupiers of the site.

8. Ventilation for A3 uses:

Detailed plans and a specification of the appearance of and the equipment comprising a ventilation system for the A3 use hereby approved, 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 to 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.

REASON: To safeguard the amenities of the occupiers of proposed dwellings, amenity of adjoining premises and the area generally.

9. Dust Mitigation:

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 which will minimise possible dust pollution to neighbouring properties.

10. Secured by Design:

The development shall achieve a Certificate for 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.

11. No roof plant:

Other than the area of roof indicated for plant on drawing 301_PL_747 Rev A hereby approved, no plant, machinery and other installations shall be placed upon or attached to the roof or other external surfaces of the building.

REASON: In the interests of maintaining an acceptable appearance of the building.

12. Construction Methods Statement:

Full details of a work method statement including measures to control and minimise noise and dust emissions, and details of measures for the disposal of materials from the site, during demolition and construction, shall be submitted to, and approved by, the Local Planning Authority prior to any work commencing on the site. The development, including disposal of materials from the site, shall in all respects be carried out in accordance with the approved details.

REASON: In order to safeguard the amenities of neighbouring properties and the area generally.

13. Transport Construction Plans:

Full details of a Construction Management Plan and Construction Logistics Plan, shall be submitted to and approved by the Local Planning Authority, in consultation with TfL. The Plans should provide details on the proposed temporary highway and traffic management measures required during the course of demolition, construction, routing of construction vehicles, types of vehicles expected and their frequencies and expected times of arrivals & departures. In addition, a programme of the work should also be submitted to enable TfL to assess the likely highway and traffic to the TLRN resulting from the construction of the proposal.

REASON: To ensure the proposal does not result in an unacceptable impact to the Transport for London Road Network (TLRN).

14. Transport Delivery Plan:

Full details of a Delivery & Servicing Plan (DSP) shall be submitted to and approved by the Local Planning Authority, in consultation with TfL. The Plan should provide details of rationalised servicing activities for the site; including,

where possible, that servicing activities should be planned to be undertaken outside the peak periods in accordance with the existing on-street restrictions.

REASON: To ensure the proposal does not result in an unacceptable impact to the Transport for London Road Network (TLRN).

15. Footways:

All doors opening onto the public highway footway on Curtain Road must be designed to open inward and must not encroach upon the footway, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the proposal does not result in an unacceptable impact to the Transport for London Road Network (TLRN).

16. Waste storage within the premises:

Except on days of collection, all refuse and waste shall be stored in sealed containers in the refuse areas shown on the plans hereby approved.

REASON: In the interests of the appearance of the street and the amenity of adjoining occupiers.

17. 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.

18. Hours of Operation:

The A3 use hereby approved to the ground and basement floor may only be carried out between 0900 hours and 2300 hours on any day.

REASON: In the interest of adjoining residential amenity.

19. No subdivision of Retail/Restaurant unit:

The ground and basement Retail/Restaurant unit hereby approved must not be sub-divided unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of adjoining residential amenity and to allow the full impact of this development to be assessed by the Local Planning Authority.

20. No signage to the frontage:

Notwithstanding the plans hereby approved no shop signs or signage shall be attached to the outside of the building without the prior written consent of the Local Planning Authority.

REASON: In the interest of the visual amenity of the area and architectural quality of the development.

21. Cycle Parking:

Details shall be submitted to and approved by the Local Planning Authority of the provision of secure cycle parking to accord with Transport for London's Cycle Parking Standards for the residential, office and retail/restaurant uses. No part of the development shall be occupied until the cycle parking as agreed has been provided, and at no time shall the cycle parking be removed, unless otherwise agreed in writing.

REASON: To provide appropriate facilities for cyclist and therefore to encourage sustainable form of transport to the development.

C) That the above recommendation (B) 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 Interim Assistant Director (Planning) and the Interim Head of Legal Services:

- Payment by the landowner/developer of an education and libraries contribution of £42,210.94 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.
- Payment by the landowner/developer of an open space contribution of £2,448.52 towards the supply and quality of open space in the immediate locale.
- The landowner/developer covenants to ensure that the residential development is retained as car free with the exception of those who are certified disabled.
- All residential units to be built to Lifetime Home standards.
- Commitment to the Council's local labour and construction initiatives (25% on site employment).
- 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.
- Achievement of a Level 3, and best endeavours to achieve Level 4, rating under the proposed Code for Sustainable Homes and achievement of a BREEAM 'Very Good' rating for the office element.
- 20% reduction in carbon emissions across the whole site through the use of renewable energy sources and use of low energy technology.
- Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
- At least 10% of units provided shall be wheelchair accessible.
- The applicant is advised that they will be required to enter into a highways Section 278 legal agreement with TfL.

- Submission and agreement of a Travel Plan for the office and retail/restaurant.
- Provision to allow the placement of street lighting on the proposed buildings where appropriate.

D) That in the event of the Section 106 agreement referred to in Recommendation C not being completed by 21st July 2009, the Interim Assistant Director (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 educational contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to Policies EQ1 and CS2 of the Hackney Unitary Development Plan, Planning Contributions SPD (2006), and Policy 3A.24 of the London Plan.

REASONS FOR APPROVAL

For Conservation Area Consent (ref: 2009/0914):

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: EQ12 – Protection of Conservation Areas; South Shoreditch SPD.

For Full Planning Permission (ref: 2009/0917):

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; EQ48 - Designing out Crime; HO3 – Other sites for Housing; ho16 – Housing for People with Disabilities; TR19 – Planning Standards; SPG1 New Residential Development; SPD Affordable Housing; SPD Planning Contributions; South Shoreditch SPD.

The following policies contained 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; 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.11 – Affordable Housing Thresholds; 3B1 – Developing London's Economy; 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.20 – Reducing Noise and Enhancing Soundscapes; 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 to Conservation Area Consent (ref 2009/0917):

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.27 Fire Precautions Act 2005

NSC – It must be noted that Transport for London will not permit construction vehicles to access/egress the site by undertaking reverse movement to/from the public highway on Curtain Road.

NSC – It must be noted that Transport for London has advised that no refuse containers or construction materials shall be kept on the footway or carriageway of Curtain Road at all times. The footway and carriageway on the Curtain Road must not be blocked during the construction and maintenance of the proposal. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian, or obstruct the flow of traffic on Curtain Road.

The following Informatives should be added to Full Planning Permission (ref 2009/0914):

- 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 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultations with Thames Water

NSC – Thames Water will aim to provide customers with a minimum pressure at head of 10m head (approx 1 bar) and a flow rate of 9 litres/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.

NSC – Servicing for the proposal should be undertaken in accordance with existing on-street restrictions.

NSC – It must be noted that Transport for London will not permit construction vehicles to access/egress the site by undertaking reverse movement to/from the public highway on Curtain Road.

NSC – It must be noted that Transport for London has advised that no refuse containers or construction materials shall be kept on the footway or carriageway of Curtain Road at all times. The footway and carriageway on the Curtain Road must not be blocked during the construction and maintenance of the proposal. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian, or obstruct the flow of traffic on Curtain Road.

NSC – The development of the site is likely to damage archaeological remains. The applicant should therefore submit proposals in the form of an

archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

12 326 – 330 GREEN LANES, LONDON, N4 1BX

Demolition of existing building and erection of a five-storey building to be used as a hostel (use class sui generis) containing twenty-eight self-contained units.

(Councillor Sharer left the meeting after the discussion of the previous item).

12.1 The Planning Officer introduced the report, as set out within the agenda. A series of site photos were also displayed at the meeting, for Members' information.

12.2 Councillor Middleton spoke in objection to the scheme, on behalf of residents, her comments are summarised as follows:-

- Felt that the hostel would increase the level of anti-behaviour in the area.
- The development was not in keeping with the surrounding area, was too dense and out of character.
- Surrounding residents had not been adequately informed of the application.

12.3 The agent was in attendance to answer any questions that arose. He confirmed that the materials to be used would be render, to fit in with the adjacent building. The building would also have a green roof, rain water harvesting and achieve a 20% reduction in carbon dioxide emissions. He added that the materials were conditioned to come back for approval.

12.4 Concern was raised about the amenity area detailed on page 296 of the report and that this could be used as a car park. The Sub-Committee requested that a condition be imposed for this area to be fenced off and not able to be parked on. This was **AGREED**.

12.5 In response to a question regarding the management of the property, the agent explained that it would be run by an experienced hostel operator, providing modern self-contained rooms, with common rooms and a reception area. There was also less rooms than in the current hostel and it was proposed to offer a 24 hour reception.

Unanimously RESOLVED that:-

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. 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. SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

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 person with a disability.

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

7. SCH10 – Secure bicycle parking

Internal lockable space shall be made available within the curtilage of the building for the secure parking of twelve bicycles before the first occupation of the development, and retained in perpetuity.

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

8. NSC1 – Non-standard condition

A biodiverse, substrate-based extensive green roof (75mm minimum depth) is to be established on the roof of the proposal. Full details thereof shall be submitted and approved in writing by the local planning authority, prior to occupation. 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, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building.

9. NSC2 – Non-standard condition

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.

10. NSC3 – Non-standard condition

The building shall only be used as a hostel for referrals from Hackney Council or other local authorities, and shall not be used as any other type of hostel or any other use without the prior approval, in writing, of the local planning authority.

REASON: In order that the use is restricted to the particular type of hostel proposed, in the interest of maintaining control over the distribution and location of hostels in accordance with local and regional planning policies.

11. NSC4 – Non-standard condition

The building shall achieve a twenty per-cent reduction in carbon dioxide emissions and achieve a BREEAM (Multi-Residential) rating of 'Very Good', with certification to that effect submitted to the local planning authority and acknowledged in writing prior to occupation of the building.

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

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; HO15 - Residential Hostels.
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.3 - Maximising the potential of sites; 3A.6 - Quality of new housing provision; 3A.13 - Special needs and specialist housing; 3A.16 - Loss of hostels, staff accommodation and shared accommodation; 3C.2 - Matching development to transport capacity; 3C.17 - Tackling congestion

Wednesday, 1st July, 2009

and reducing traffic; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 - Renewable energy; 4A.11 - Living roofs and walls; 4A.14 - Sustainable drainage; 4A.16 - Water supplies and resources; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.3 - Enhancing the quality of the public realm.

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

NSI.1 All materials submitted pursuant to the discharge of condition 3 of this approval 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 2008/2019, 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 Your attention is drawn to Sections 324 to 326 of the 1985 Housing Act in relation to preventing overcrowding of the hostel space hereby approved.

13 HACKNEY CUSTOMER SERVICE CENTRE (U/C), HILLMAN STREET, LONDON, E8 1DY

Variation of condition 1 (development in accordance with submitted plans) of planning permission granted on 30 October 2007 under reference 2007/0238, to permit development in accordance with revised plans (incorporating changes to the electricity substation location, fourth-floor balustrades, roofing and cladding details, and additional photovoltaic panels).

13.1 The Planning Officer introduced the report, as detailed within the report.

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

Unanimously RESOLVED that:-

Planning permission be GRANTED under Section 73 of the Town and Country Planning Act 1990, subject to the following conditions:

1. SCB0 – Development in accordance with approved 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. 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.

3. SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

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. SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, 28 car parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities close to the entrance to the building.

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

5. SCH10 – Secure bicycle parking

Space shall be made available for the secure parking of 212 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 interest of relieving congestion in surrounding streets and improving highway conditions in general.

6. NSC1 – Non-standard condition

The building shall achieve and retain a minimum BREEAM rating of 'Very Good'.

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

7. NSC2 – Non-standard condition

An implementation plan/statement with the following details shall be prepared in conjunction with the Council's Travel Plan Officer, submitted to the Local Planning Authority and approved in writing prior to occupation of the development hereby approved.

- a) Details of how the London Borough of Hackney Travel Plan will incorporate the Customer Service Centre
- b) Details of drop-off provision on Reading Lane outside the Town Hall Assembly Hall entrance and of measures to prevent queuing for drop-off.

REASON: To help ensure that the development hereby approved does not have an adverse effect on traffic circulation.

REASONS FOR APPROVAL

- 1. The following policy contained in the Hackney Unitary Development Plan (1995) is relevant to the approved development/use and was considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ12 - Protection of Conservation Areas; EQ18 - Setting of Listed Buildings.
- 2. The following policy in the London Plan (Consolidated with Alterations since 2004) is relevant to the approved development/use and was considered by this Council in reaching the decision to grant planning permission: 4B.1 - Design principles for a compact city; 4B.3 - Enhancing the quality of the public realm; 4B.10 - Large-scale buildings – design and impact.

14 10 SHACKLEWELL ROAD, LONDON, N16 7TA

Demolition of existing buildings and erection of a six-storey building and a part-two-, part-three-, part-four-, part-five-storey building, containing a total of twenty-seven residential units (nine one-bedroom units, eleven two-bedroom units, two three-bedroom units and five four-bedroom units), together with associated access and landscaping works.

POST-SUBMISSION REVISIONS: Rear block set back further to the west to allow wider external corridor; revisions to room sizes; increase in carbon-dioxide-emissions reduction from ten per cent to twenty per cent.

14.1 The Planning Officer introduced the report, as set out in the agenda. It was explained that this proposal had been approved by the Sub-Committee on 6 May 2009. However, although the report referred to the development as being car-free, a Section 106 head of terms to that effect had been mistakenly omitted from both Recommendation B and the addendum. Accordingly, the car-free head of terms was now listed within the report and the proposed development was unchanged from the application previously approved in May 2009.

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

(Councillor Desmond abstained from the vote).

RESOLVED that:-

A) 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, except units B_6 (drawing PL_202 rev. P2) and B_8 (drawing PL_203 rev. P2), 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. SCM6 – Materials to be approved

Details, including samples, of all materials to be used on the external surfaces of the building, boundary walls, gates and ground surfaces (including drainage arrangements) shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls, gates 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. SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces 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. SCH10 – Secure bicycle parking

Lockable space shall be made available within the site for the secure parking of thirty-two bicycles, before the first occupation of the development.

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

7. SCH14 – Closure of existing access

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

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

8. CLS1 – Main contaminated land condition

With reference to paragraphs (1)-(5) below, work shall be completed and reporting produced by a competent person/company in line with CLR11 (published by the Environment Agency) and other current best practice guidance. All reporting must be provided in both a paper and electronic format. Both the Pollution Section and local planning authority must receive verbal and written notification at least five days before investigation, remediation and development works commence.

(1) Before any remediation work, enabling works or development commences at the site a desk study report including full details of Site reconnaissance, and a report containing full details of site investigation and risk assessment work shall be produced to the satisfaction of and approved in writing by the Pollution Section.

(2) Before any remediation work, enabling works or development commences at the site a remediation-strategy report shall be produced to the satisfaction of and approved in writing by the Pollution Section. The remediation-strategy report shall incorporate an options appraisal, implementation and verification plans and include comprehensive details of groundworks and development works to be completed at the site. The remediation-strategy report shall clearly distinguish between remediation to be completed before development commences and remediation to be completed during and/or after development.

(3) Before any development commences a verification report for remedial works that shall take place pre-development shall be produced to the satisfaction of and approved in writing by the Pollution Section. The verification report must also include full details of a watching brief kept by the developer and their on-site agents including documented observations and photographs of the remediation.

(4) Before occupation/use commences a final verification report for remedial works that will take place during enabling works and development shall be produced to the satisfaction of and approved in writing by the Pollution Section. The verification report must also include full details of a watching brief kept by the developer and their on-site agents including documented observations and photographs of the remediation and groundworks phases of the enabling works and development.

(5) Any post-remedial monitoring reports shall be produced as specified within the remediation report, or as otherwise required by the Pollution Section.

Any additional, or unforeseen contamination encountered shall be immediately notified to the Pollution Section and local planning authority, and dealt with as

agreed with the Pollution Section. Occupation/use of the development shall not commence until this condition has been discharged in writing by the local planning authority following the satisfactory supply of information in line with stages (1)-(5) and upon completion of any other works required by the Pollution Section and/or local planning authority. Subject to written approval by the Pollution Section and/or local planning authority, the condition may be varied, or discharged in agreed phases.

REASON: To protect the end users of the development, any adjacent land user(s) and the environment from contamination in line with Planning Policy Statement 23 (published by the Office of the Deputy Prime Minister).

9. NSC1 – Non-standard condition

A biodiverse, substrate-based extensive green roof (100mm minimum depth) is to be established on the roof of the proposal. Full details thereof shall be submitted and approved in writing by the local planning authority, prior to occupation. 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.

10. NSC2 – Non-standard condition

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.

11. NSC3 – 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.

12. NSC4 – Non-standard condition

Provision is to be made within the site for seven 1100-litre Euro bins (five for residual waste and two for co-mingled recycling), with details of the interior (configuration of receptacles) and exterior (detailed design and facing material) of the bin store to be submitted to the local planning authority and approved in writing prior to first occupation of the site.

REASON: In the interest of encouraging recycling provision and upholding the Council's sustainability objectives.

13. NSC5 – Non-standard condition

Details of the internal reconfiguration of units B_6 (drawing PL_202 rev. P2) and B_8 (drawing PL_203 rev. P2) showing single bedrooms of a minimum

Wednesday, 1st July, 2009

width of 2.13 metres, with all other habitable rooms remaining compliant with the minimum standards set out in SPG1: New Residential Development, shall be submitted to the local planning authority and approved in writing before construction of the development hereby approved commences.

REASON: In the interests of providing an acceptable standard of living accommodation within these units.

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 Interim Assistant Director (Planning) and the Interim Head of Legal Services:

1. Provision of forty-eight per cent affordable housing (on a per-unit basis), comprising one one-bedroom flat, one two-bedroom flat and one four-bedroom flat as intermediate units, and three one-bedroom flats, three two-bedroom flats, one three-bedroom flat and three four-bedroom flats for social rental.
2. Payment by the landowner/developer of £4288.20 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).)
3. Payment by the landowner/developer of £74,779.36 as a financial contribution towards education facilities in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006), with child yield information based on the GLA 'DMAG Briefing Note' 2005/25 (updated in May 2006), using Wandsworth survey data as the best available proxy for inner London.)
4. Payment by the landowner/developer of £1,300.73 as a financial contribution towards open space in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
5. The developer is required to pay, under Section 278 of the Highways Act (1980), £54,041.00 to reinstate and improve the highway and footway adjacent to the boundary of the site.
6. Provision by the landowner/developer for the use of local labour on site during the construction phase.
7. 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.
8. Twenty-six of the twenty-seven residential units to be built to Lifetime Homes standard and to achieve Code for Sustainable Homes level 3, with all reasonable endeavours to achieve level 4.

Wednesday, 1st July, 2009

9. Achievement of a twenty per-cent reduction minimum in carbon emissions through the use of renewable energy sources and use of low-energy technology.
10. The applicant is to carry out all works in accordance with the National Considerate Constructors Scheme.
11. Provision for all units to be adaptable for wheelchair-users.
12. For all contracts with a value in excess of £5 million, payment by the landowner/developer of £3750.00 towards the cost of NVQ training (to secure more skilled employment for the construction industry sector).
13. The developer is required to arrange with London Borough of Hackney Parking Service the provision of and payment for two on-street disabled parking spaces.
14. The developer is required to pay a contribution of an amount to be agreed with the Council's Traffic and Transport team towards sustainable transport initiatives in the area, to be put towards, but not restricted to, accessibility improvements schemes in the area (including footway improvements in Shacklewell Road), street-lighting, improving links to the walking and cycle network in the area, public realm improvements, etc.
15. Provision for the right of future residents of this development to store bicycles within their flats to be safeguarded, and prevention of any future management company from prohibiting bicycles being brought into the building.
16. No entitlement (unless the holder of a disabled person's badge) to a resident's parking permit.

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; HO3 - Other Sites for Housing; CS3 - Retention and Provision of Community Facilities; 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.3 - Maximising the potential of sites; 3A.5 - Housing choice; 3A.6 - Quality of new housing provision; 3A.9 - Affordable housing targets; 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes; 3A.11 - Affordable housing thresholds; 3C.2 - Matching development to transport capacity; 3C.17 - Tackling congestion and reducing traffic; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 - Renewable energy; 4A.11 - Living roofs

and walls; 4A.14 - Sustainable drainage; 4A.16 - Water supplies and resources; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.3 - Enhancing the quality of the public realm.

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 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 2008/2628, 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.

15 THE CITY ACADEMY (U/C), HOMERTON ROW, LONDON, E9 6EB

Variation of condition 9 (secure bicycle parking) of planning permission ref. 2007/2226 to reduce the number of cycle parking spaces from 220 to 130, of which 50 will be in place on opening, with the remaining 80 to be provided within three years.

- 15.1 The Planning Officer introduced the report, as set out within the agenda and explained that the consultation dates given in 4.1 and 4.2 of the report were incorrect.
- 15.2 Mr Emmerson (Headteacher, City Academy) was in attendance to answer any questions that arose.
- 15.3 The Chair wished to confirm that the land had been allocated for the cycle spaces and the Sub-Committee was assured that it had been.
- 15.4 Mr Emmerson explained that the application had come back to committee as if the Academy was to provide 220 cycle spaces, as previously agreed, they would have to lose some trees and playground space. He added that it was unlikely that pupils would use a bike, as the majority of them lived within half a mile of the school.

- 15.5 In response to a question asking whether there was any space available for potential future cycle spaces, it was explained that there was some potential space, if felt necessary. Mr Emmerson added that they had undertaken a student survey where concerns had been raised about the potential reduction in playground/amenity space.
- 15.6 It was expected that there would be 200 pupils in total in the first year and 40 members of staff. The number of pupils was then expected to rise by approximately 180 a year. By completion, the City Academy was expected to eventually have approximately 1,250 pupils and 80 permanent and 80 support staff.
- 15.7 Members again raised concern about the small number of cycle spaces being offered in relation to the expected number of pupils and staff, however it was again reiterated that the majority of pupils lived within half a mile radius.

Unanimously RESOLVED that:-

A) Permission be GRANTED, subject to the following conditions:

1. 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.

2. SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

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. SCH3 – Containment of parking

No parking of vehicles arriving at or departing from the premises shall take place other than within the curtilage of the premises.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s).

4. SCH5 – Provision of parking, turning and unloading space

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.

5. SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, four car-parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities close to the entrance to the building.

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

6. SCH10 – Secure bicycle parking

Secure, covered parking shall be provided for fifty bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), before use of the development commences, with a further eighty spaces to be provided before the expiry of the school's third year of operation, details of the siting and appearance of all such bicycle-parking provision to be submitted to the local planning authority and approved in writing before use of the development commences.

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

7. SCH11 – Adequate visibility

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.

8. NSC1 – Non-standard condition

The building shall achieve a minimum BREEAM rating of 'Very Good', and certification to that effect shall be submitted to the Local Planning Authority and acknowledged in writing prior to occupation of the building.

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

9. NSC2 – Non-standard condition

The applicant shall enter into a s278 agreement with Transport for London (TfL) to pay a contribution (to be specified by TfL) towards the estimated cost of highway works (including an upgrade of the existing zebra crossing, as well as making good any damage to footpaths on Urswick Road and Homerton High Street resulting from construction).

REASON: In the interests of making good the highway following construction of the development hereby approved.

10. NSC3 – Non-standard condition

The applicant shall enter into a separate s278 agreement with the Council and pay £172,424.00 towards works to Homerton Row, Fenn Street, Furrow Lane and the pedestrian passageway connecting Homerton Row and Homerton High Street.

REASON: In the interests of making good the highway following construction of the development hereby approved.

11. NSC4 – Non-standard condition

A school travel plan (STP) based upon – and including – a travel survey must be produced and submitted to the local planning authority within the first year of operation.

REASON: In order to establish demand for cycling and form a basis for providing an appropriate level of cycle-parking.

12. NSC5 – Non-standard condition

An updated school travel plan (STP) must be produced and submitted to the local planning authority before the expiry of the school's third year of operation, to include annual travel surveys taken since the first STP following the school's opening, and setting out where additional cycle-parking facilities will be provided.

REASON: In order to establish demand for cycling and form a basis for providing an appropriate level of cycle-parking.

REASONS FOR APPROVAL

1. The following policy contained in the Hackney Unitary Development Plan (1995) is relevant to the approved development/use and was considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements.
2. The following policy in the London Plan (Consolidated with Alterations since 2004) is relevant to the approved development/use and was considered by this Council in reaching the decision to grant planning permission: 3A.24 - Education facilities and 3C.22 - Improving conditions for cycling.

16 APPEAL SUMMARY – DECEMBER 2008

16.1 The report was **NOTED**.

Wednesday, 1st July, 2009

Duration of the meeting: 18:30 – 21:00

Signed

.....
Chair of the Planning Sub-Committee

Contact:

Emma Perry

0208 3563338

Emma.Perry@hackney.gov.uk