

ADDRESS: St Marys Old Church, Stoke Newington Church Street London N16 9ES	
APPLICATION NUMBER: 2008/1099 DRAWING NUMBERS: E/001, E/002, E100, E101, E/102, E/103, E/200, E/201, E/202, E/203, E/300, E/301, E/302, E/303, D/100, D/101, D/102, D/103, D/300, D/301, P/002- P1, P/100, P/100a, P/100b, P/100c, P/100d, P/100e, P/101, P/102, P/103, P/200, P/201-P1, P/203-P1, P/204-P1, P/300, P/301, P/302, P/303, 03808R/TOPO, 03808R/Basement, 03808R/G, 03808R/First, 03808R/Second, E/005, P/005 REPORTS: Design and Access Statement (including Appendices)	REPORT AUTHOR: Pascal van de Walle VALID DATE: 23/05/2008
APPLICANT: Reverend Jonathan Clark The Parish Office St Mary Church Stoke Newington Church Street London N16 9ES	AGENT: Matthew Lloyd Architects 1 The Hangar Perseverance Works 38 Kingsland Road London E2 8DD
PROPOSAL: 2008/1099 – (Full Planning Application) Erection of a part single-storey and part three-storey rear extension and change of use to provide a new community arts centre with kitchen/servery facilities and one bedroom flat with balcony at second floor level involving partial demolition of the church building. Opening hours 10:00 to 23:00 hours daily.	
RECOMMENDATION SUMMARY: Grant conditional planning permission	
NOTE TO MEMBERS: This matter was deferred for further consultation and a site meeting with Committee Members on 22 September 2008. A further 258 owners / occupiers have now been consulted and the site meeting was attended by 2 Committee Members.	

ANALYSIS INFORMATION
ZONING DESIGNATION: (Yes) (No)

CPZ	X	
Conservation Area	X (Clissold Park)	
Listed Building (Statutory)	X (Grade II)	
Listed Building (Local)		X
DEA		X
Area of Archaeological Priority	X (Rectory – Bayston Road / Tyssen Road)	
Green Link	X (New River/North Defoe, To Petherton Road via Clissold Park)	

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Existing	D1	Church	275 m ²
Proposed	D1 & D2	Church and Community Arts Centre	379 m ²

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing	0	0	0	0	0	0
Proposed	Flats	1	0	0	0	0

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

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 St Mary's Old Church is located on the northern side of Stoke Newington Church Street within the Clissold Park Conservation Area. The church is a Grade II* listed building with a rich architectural history with Medieval origins. The oldest parts of the remaining building are from it's rebuilding in 1563. The building has undergone several alterations, with surviving fabric from the 16th, 19th and 20th centuries. The application site is located adjacent to the Stoke Newington Council Offices, across the road from the much larger St Mary's Church (built in 1858), at the western edge of the local shopping street and at the south east edge of Clissold Park. Since the construction of St Mary's Church, the Old Church is primarily used for occasional worship and concerts. The nearest residential properties are located on the opposite side of Stoke Newington Church Street and fronting Queen Elizabeths Walk.

- 1.2 The site has good public transport connections, with bus stops within 2 minutes walk of the site providing access to other parts of the borough, as well as Victoria, King's Cross, Euston and Chalk Farm Stations. The nearest train stations are Stoke Newington (0.9km), Rectory Road (1.14km), Canonbury (1.5km) and Finsbury Park Station (1.55km). The nearest tube station is Manor House (1.42km). The site has a good Public Transport Accessibility Level (PTAL) of 3, which indicates good accessibility to public transport, especially by bus. The site is also located on Hackney's 'Green Link' which connects the green chains and open spaces of Hackney for pedestrians and cyclists.

2 CONSERVATION IMPLICATIONS

- 2.1 The St Mary's Old Church is located within the Clissold Park Conservation Area. Any proposal in a conservation area needs to preserve or enhance the character and appearance of that area.

3 HISTORY

- 3.1 15/04/1996 - an application for repair of the front boundary wall, including provision of railings over entrances, was approved by The Council (NORTH/74/96/CO4).

4 CONSULTATIONS

- 4.1 Date Statutory Consultation Period Started: 02/06/2008 & 10/09/2008

- 4.2 Date Statutory Consultation Period Ended: 01/10/2008

- 4.3 Site Notice: Yes

- 4.4 Press Advert: Yes

4.5 Neighbours

Seven neighbouring property owners / occupiers were originally consulted on 2nd June 2008. The proposal was also advertised using site notices and a press advert. An additional 258 owners / occupiers were consulted at the request of Council on 10th September 2008. A total of seven letters of support and thirteen letters of objection have been received to the proposal. A petition in objection to the proposal containing 100 signatures was also received.

- 4.5.1 The letter of support raised the following matters:

- *'Good for the community'.*
- The church is in need of restoration work and this application will provide funding to support the needed works and its continuing upkeep.
- The church will be returned to its size before it was destroyed in the war.

- Architectural style reflects the existing architecture and will weather so as to blend into the grove of trees in which it stands.
- *'An excellent proposal, high quality carefully considered design with clear distinction between new and old. This proposal could deliver a community building of real use to residents'.*
- *'Would help transform a rather dark and dingy area of the park'.*

4.5.2 The objections, including those contained in the petition, were lodged on the following grounds:

- Loss of visual amenity – loss of view toward the existing church which provides a *'pleasant view from the park'*.
- Loss of historical / cultural amenity – the proposed alterations are not sympathetic to the original church whereas previous alterations were, will block the view toward the church, and will result in the loss of one of the *'very few Tudor churches in London, and St Mary's Old Church is the only significant remnant of Tudor Stoke Newington. It's also historically important as the church of the estate of Robert Dudley, Earl of Leicester, favourite of Queen Elizabeth 1st'.*
- Unnecessary overdevelopment – *'Church Street already had a community centre for a couple of months that has now become Nando's chicken emporium... There is plenty of space on the opposite side of the road... why spoil this small enchanted spot, so full of atmosphere and romance?'*
- Unattractive development - which is a *'contradiction to Hackney Council's current efforts to gain approval for an £8.9M Heritage Lottery Funding for 'restoration' of Clissold Park and House'.*

Other comments about the design and appearance include:

- *"...this drawing shows very clearly how clumsy the proposed addition is architecturally, and what a detraction it would be when viewed from the east'.*
- Commercial development – with the proposed residential flat this becomes a commercial development on church land.
- Consultation process flawed – *'There is a discrepancy between the dates on the posted notices and those carried on Hackney Planning's website'* and the consultation period should be recommenced. Also it has been said that two of the notices were posted at the rear of the church and could not be seen by the general public, and that the original site notices are still hanging on the fence with a response date of three weeks from 23/06/2008 while the current consultation period ends on 01/10/2008 .

- Inadequate information provided to the public to 'judge the project' and the information provided on line is difficult to access and to read. Also some residents do not have access to computers.
- Traffic and Parking Impacts – As no parking is proposed for the centre there will be problems with parking for residents. One resident requested that the parking restrictions be extended to at least 9:00pm in Queen Elizabeth's Walk.
- Noise Impacts – noise '*generated by the proposal will disturb a 'tranquil neighbourhood until after 11pm all year round'.*
- Deception – It is alleged that Council staff advised a member of the public that '*there was nothing to worry about as they were renovating the part of the church that had been rendered up after the war due to bomb damage'.*

4.6 Statutory Consultees

4.6.1 English Heritage:

"Dating in its current form from the 16th century but with medieval origins, St Mary's has undergone successive periods of repair and refurbishment but retains a character of relatively small and modest village church, evocative of Stoke Newington's rural beginnings. This character is strengthened by its open setting, relationship to Clissold Park and its leafy churchyard. St Mary's suffered bomb damage in WWII and the early 19th century north aisle was destroyed. The existing north aisle was built on a smaller footprint after the war.

English Heritage has no in-principle objection to the demolition of the north aisle or to the replacement building. The planned changes have the potential to increase the use of this important building while retaining the aesthetic of a country church and contributing positively to the character of the wider conservation area. We have concerns relating to the removal of the early 19th century box pews and although they are not the subject of the conservation area consent, we would like to raise the fact that little justification has been provided in support of their removal. The pews contribute significantly to the historic and aesthetic interest of the building and, as set out in the listing description, 'have strong claims to special interest as important insitu survivals'.

Recommendation – As set out above, English Heritage has no objection to the demolition of the north aisle and subsequent new extension but we recommend that further consideration is given to the retention of the box pews or that further adequate justification is provided for their removal... It is not necessary to consult us again on this application'.

4.7 Local Groups

4.7.1 Society for the Protection of Ancient Buildings:

The Society for the Protection of Ancient Buildings does not, in principle, object

to the demolition of the north aisle and its replacement by an extension on the north side of the church, however the Society objects to the current proposed extension of the church based on the following grounds:

- Size and Scale – the proposal *‘would have a major and detrimental impact on the Old Church which it would dominate’*.
- Inappropriate Design – The society *‘supports and promotes the principle of sympathetic contemporary design for additions to historic buildings and we feel that a modern design could be appropriate in this setting.... however, the current design is too radical and too assertive and would attract attention to itself and would not be subservient to the Old Church’*.
- Inappropriate Materials – *‘The use of timber cladding on the scale envisaged is not, in the Society’s view, appropriate’*.
- Proposed layout – *‘The proposed plan of the new building is inimical to the traditional west east axis of the church building’*.
- Proposed location of the toilets – would require cutting through old fabric which is ‘unacceptable’ and the facilities would be located too far from the new extension.
- Removal of the box pews and the ledger stones – their loss is not supported due to the major contribution they make to the historic character of the interior.

4.7.2 Stoke Newington Conservation Area Advisory Committee (CAAC):

“We have no objection to the proposal but make the following observations:

This is a large extension of contrasting style to a medieval church (with many later alterations). We realise that this proposal is about the viability of the building but sadly the design is rather ‘pedestrian’”.

4.8 Other Council Departments

4.8.1 Urban Design and Conservation:

St Mary Old Church is a grade II* listed building of mediaeval origin although the oldest remaining fabric dates from the 1563 rebuilding. The church was then extensively restored by Charles Barry in 1827-9. There is good surviving 16th century fabric, and the 19th century work is sympathetic to the proportions and style of the Tudor church, in particular the fine furnishings added in the chancel enhanced the original church. The early 19th century box pews and tombs, including ones from the 16th and 18th centuries, are important survivals of special interest. St Mary Old Church stands opposite the tall spire of the 19th century St Mary’s, the two churches making a memorable visual contrast.

The proposed scheme consists of the following principal elements

- (i) The demolition of the existing north aisle and north east vestry which date from the rebuilding of this part of the church following bomb damage in 1940.
- (ii) The erection of a new extension to replace the 1950's north aisle and vestry, extended out to the footings of the Charles Barry 19th century north aisle, thus restoring the church to an earlier footprint. The new extension, to house a Community arts project, consists of a space similar in height to the existing north aisle that it replaces. The extension has a residential flat incorporated at the upper level, corresponding to the height of the existing 1950's organ house which is to be retained.
- (iii) The re-ordering of the existing church interior, including the removal of the pews from the nave, although the earlier pews in the south aisle would be retained.

The provisions of the Ecclesiastical Exemption apply in this case and therefore listed building consent is not required. Listed building issues relating to the demolition of the north aisle and the re-ordering of the church are subject to the Faculty procedure administered by the Diocesan Advisory Committee. However, officers have been consulted on the scheme from an early stage, together with English Heritage and the DAC. As a result we have no objections to the demolition of the existing north aisle and we support the proposal for the new extension to form the Community arts project.

The design of the new extension has been the subject of discussion and design development. We feel that the proposed scheme would produce a structure that would be strikingly different from the existing church, but that in its simplicity of form and materials would successfully complement, and retain the integrity, of the old building.

The external massing is, in our view, acceptable and reflects the scale and massing of the church. The proposed extensions will not be visible from Church Street, thus preserving the setting of the old church and churchyard when seen from the street and from St Mary's church opposite. It is proposed to clad the new extension in vertical hardwood timber cladding in varying widths designed to add subtle variations in colour, texture, grain and weathering patterns to its appearance. We feel that this would be an appropriate treatment in this context.

The scheme also proposes a new path through the churchyard with a new access gate into Clissold Park. No graves or tombs are to be removed, and no trees will be affected by the proposed work. All flat roofs will be sedum planted.

In summary, we support this proposal which is a carefully worked out contemporary addition to an important historic building that would not only complement the existing church and its setting but also help to ensure that this

important small church has an assured future for both continuing religious and community arts use.

Conditions should reserve approval of all external materials (samples to be submitted), including cladding, windows and joinery, and any metalwork; landscaping proposals and tree protection; green roofs.

4.8.2 Pollution Group:

The developer needs to demonstrate that the use of the additions to the church will not be to the detriment of nearby occupiers. It is therefore recommended that the following condition be attached to the application:

Environmental Report – Prior to commencement of the development, the applicant should submit a report on the assessment of all the potential environmental impacts (e.g. noise, air quality including dust and odour during the operational phase of the development on the nearby residents and the relevant mitigation measures. Any recommended mitigation measures shall be in place prior to commencement of use of the development

Informative – The report shall include any service equipment like air conditioning, and kitchen extract systems.

4.8.3 Traffic and Transport:

We (LBH Traffic & Transportation) accept that the archaeological sensitivity of the site takes precedence over our requirement for parking or servicing provision within the curtilage of the site. The preservation of the site in conservation terms is the overriding factor in our decision to support no parking provision on site.

I am happy with the disabled parking and servicing provision stated in their response below [being provision of two disabled spaces in the ground of St Mary's Church on the opposite side of S N Church Street].

Servicing in Lordship Terrace is [as proposed] more desirable than in S.N. Church Street, where this activity is like to be disruptive to traffic flows.

Given the archaeological sensitivity of the site, we have no objections to the provision of cycle parking in the new church yard as suggested. I don't think we need to pursue a Travel Plan since the proposal involves only a small increase on floorspace, which is below the recommended threshold for a Travel Plan.

4.8.4 Landscape and Tree Officer: No response received.

4.8.5 Waste Management: No response received.

5 POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995) (saved)

EQ1	-	Development Requirements
EQ12	-	Protection of Conservation Areas
EQ13	-	Demolition in Conservation Areas
EQ14	-	Alterations and Extensions of buildings in Conservation Areas
EQ16	-	Protection of Listed Buildings
EQ17	-	Alterations to Listed Buildings
EQ18	-	Setting of Listed Buildings
EQ19	-	Changes of Use of Listed Buildings
EQ29	-	Archaeological Heritage
EQ31	-	Trees
EQ40	-	Noise Control
EQ42	-	Air Pollution
EQ48	-	Designing out Crime
HO3	-	Other sites for Housing
TR19	-	Planning Standards
OS5	-	Development Affecting Open Spaces and Parks
OS6	-	Green Chains and Links
CS8	-	Places of Religious Worship
ACE1	-	New Arts, Culture and Entertainment Development
ACE8	-	Planning Standards

5.2 Supplementary Planning Guidance (SPG)

SPG11	-	Access For People With Disabilities
SPG12	-	Conservation
SPG13	-	Listed Buildings

5.3 London Plan (2008)

2A.1	-	Sustainability criteria
3C.2	-	Matching development to transport capacity
3C.16	-	Tackling congestion & reducing traffic
3C.20	-	Improving conditions for walking
3C.21	-	Improving conditions for cycling
3C.22	-	Parking strategy
4A.1	-	Tackling climate change
4B.1	-	Design principles for a compact city
4B.2	-	Promoting world-class architecture and design

5.4 National Planning Policies

PPS1	-	Creating Sustainable Communities
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PPG13 - Transport
PPG15 - Planning and the Historic Environment

6 COMMENT

Planning permission is sought to redevelop the site of the Grade II* listed St Mary's Old Church on Stoke Newington Church Street into a multi-use community arts centre. The church will remain a consecrated church, and a new one-bedroom flat is proposed in the eastern side of the new addition.

The provisions of the Ecclesiastical Exemption apply in this case and therefore listed building and conservation area consent are not required in accordance with Section 75(1)(a) and 75(1)(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Listed building issues relating to the demolition of the north aisle and the re-ordering of the church are subject to the Faculty procedure administered by the Diocesan Advisory Committee (DAC). Consultation was, however, also undertaken with Council at an early stage on these matters.

The proposed redevelopment will primarily comprise demolition of the existing north aisle and north east vestry, erection of a new extension to replace the 1950's north aisle and vestry, and the re-ordering of the existing church interior including the removal of the pews from the nave (although the earlier pews in the south aisle would be retained). The scheme also proposes a new path through the churchyard with a new access gate into Clissold Park. No graves or tombs will be removed, and no trees will be affected by the proposal, and all flat roofs will be sedum planted.

It is the intention of St Mary's Parochial Church Council (PCC) to revive the Old Church to be an active and sustainable part of the Stoke Newington community. The proposed alterations and additions will provide a multi-use community arts centre which is adaptable for all sections of the community and may be used for alternative forms of worship, concerts and performances, rehearsals and function space, wedding reception hire, conferences and lectures, exhibitions and for use by existing and future community groups.

Since construction of the much larger Church of St Mary across the road is 1858, the Old Church is only used for occasional worship and concerts. The proposed alterations and additions would allow the church to be used by a wider audience and provide the means to maintain the condition of the ageing church fabric.

The main considerations relevant to this application are:

- The principle of the proposed development
- Design and appearance of the proposed development
- Impact on the Conservation Area
- Traffic and Transport considerations
- Sustainability
- Waste Management

- Impact on the amenity of nearby residents
- Consideration of Objections

Each of these considerations is discussed in turn below.

6.1 The principle of the proposed development

- 6.1.1 The proposed development comprises partial demolition, alterations and additions to the existing St Mary's Old Church, a Grade-II* listed item located within the Clissold Park Conservation Area. The Old Church will continue to be used for church services, however a broad range of new community uses within the D1 and D2 use class will be provided for. A new one-bedroom unit is proposed in the eastern part of the new addition, and a new path through the churchyard with access to Clissold Park is also proposed.
- 6.1.2 The development of new Arts, Culture and Entertainment buildings and facilities are generally supported in accordance with the provisions in Policy ACE1 of the Hackney UDP. This is particularly where the use meets unmet demands for the local community and London as a whole, has minimal impacts on neighbouring uses and the environment and provides satisfactory means of access and facilities for people with disabilities and for people with young children. The proposed community arts centre will be a flexible multi-use space available for use for alternative forms of worship, concerts and performances, rehearsal and function space, wedding reception hire, conferences and lectures, exhibitions and for use by existing and future community groups. The use of the new facility was the result of extensive consultation with the local community and provides a flexible medium size community arts space which compliments the existing large community space at the Assembly Rooms and the proposed small community space at Clissold House. The proposed community centre is located away from residential properties, will operate only between the hours of 10:00am and 11:00pm, will not result in the loss of trees or grave stones, and subject to relevant conditions will have minimal impacts on the neighbouring uses and environment. The proposal has also been designed to provide access for all persons. As such, the proposal is considered to satisfy the requirements of Policy ACE1 of the Hackney UDP 1995.
- 6.1.3 Policy EQ19 of the Hackney UDP encourages the change of use of Listed Buildings which are no longer required for their original use or where the original use is no longer possible. St Mary's Old Church will remain a consecrated church and services will be provided on Sundays. Most services are, however, provided at St Mary's Church on the opposite side of Stoke Newington Church Street, and the Old Church remains largely unused. The proposal has been assessed by both English Heritage and Council's Urban Design and Conservation Team and the design and use are supported. The proposed community arts centre will provide for a broad range of community uses. This is a positive reuse of the building and site which will not be detrimental to the special interest of the building or its setting.

- 6.1.4 Policy EQ 13 of the Hackney UDP allows demolition in conservation areas subject to the proposal preserving or enhancing the value of the conservation area. The subject site is located within the Clissold Park Conservation Area. Council's Urban Design and Conservation Officer supports the proposal which will 'complement the existing church and its setting', and English Heritage agrees that the 'planned changes have the potential to increase the use of this important building while retaining the aesthetic of a country church and contributing positively to the character of the wider conservation area'. As such, the proposal is considered to preserve and enhance the value of the conservation area.
- 6.1.5 Policies EQ16, EQ17 and EQ18 contained in the Hackney UDP relate to demolition works or alterations to listed items. The provisions of the Ecclesiastical Exemption apply in this case and therefore listed building consent is not required but subject to the Faculty procedure administered by the Diocesan Advisory Committee (DAC). Consultation was, however, also undertaken with Council at an early stage on the proposed demolition works and these were supported by Council's Urban Design and Conservation Team.
- 6.1.6 The proposed one-bedroom residential flat located at the eastern end of the proposed addition has been designed to satisfy the requirements contained within Council's Supplementary Planning Guidance 2 'Residential Conversions and Alterations', policy H012 in the Hackney UDP, and the relevant London Plan policies. Some minor conflict exists between the proposed residential use and the community uses, however the entrances are located at opposite ends of the development, sound proofing will be required by the Building Regulations, hours of operation of the community use are restricted, and any prospective tenants will be aware of the conflicting uses when they arrive. The agent has advised Council that this unit will provide the church with additional on-going income to maintain the church.
- 6.1.7 Overall the principle of the proposed development is supported and is considered to be compliant with the planning policies in the Hackney UDP (1995) and the London Plan (2008).

6.2 Design and appearance of the proposed development

- 6.2.1 The original church was built in 1563 and restored by Charles Barry in 1827-9. It has a good survival of fabric from 1563, a period in which very few churches were built. The C19 restoration work is sympathetic and the very fine finishes inserted by Charles Barry are considered to enhance the original building. Additionally, the early C19 box pews and tombs are of special interest as in situ survivals. The Old Church stands opposite the new C19 St Mary's and mid-C20 spire and north aisle. The two churches provide a clear visual representation of the demographic changes from the C16 to the C19 in this area.

- 6.2.2 The new extension will replace the 1950's North aisle and vestry and extend to the footings of Charles Barry's 19th century north aisle restoring the building to its former footprint.
- 6.2.3 The proposed design will provide a structure that is modern and '*strikingly different*' to the existing church building. The finish to the new building will be untreated hardwood cladding of varying widths, and may include a variety of different hardwoods. This will provide subtle variations in colour, texture, grain and weathering patterns to its appearance.
- 6.2.4 Tall windows are proposed in the north elevation and skylights in line with North clerestory windows will provide light to the building.
- 6.2.5 The proposed extensions will not be visible from Stoke Newington Church Street, preserving the setting of the church and the churchyard as viewed from the highway and from St Mary's church opposite.
- 6.2.6 The design and appearance of the proposed extension is supported by English Heritage and Council's Urban Design and Conservation Team whose detailed responses are in paragraphs 4.6.1 and 4.8.1 of this report respectively. In summary, English Heritage has no objection to the demolition of the north aisle and subsequent new extension and state that the "*planned changes have the potential to increase the use of this important building while retaining the aesthetic of a country church...*". Council's Conservation and Design Officer concludes that this "*carefully worked out contemporary addition to an important historic building...[will] complement the existing church and its setting*".
- 6.2.7 English Heritage does, however, raise concern with the proposed removal of the early 19th century box pews which they believe contribute to the historic and aesthetic interest of the building. They acknowledge that the pews are not the subject of the consent, but state that little justification has been provided to support their removal and recommend that "*further consideration is given to the retention of the box pews or that further adequate justification is provided for their removal*".
- 6.2.8 The Council's Urban Design and Conservation Team agree that the pews are rare in London, however believe that retention of the south aisle pews, which are of the same age, style and construction as the pews in the nave, is adequate retention in terms of this church subject to further consideration being given for an alternate location for the pews from the nave within the church or an alternate home being found for them.
- 6.2.9 The provisions of the Ecclesiastical Exemption apply in this case and issues relating to the demolition of the north aisle and the re-ordering of the church are subject to the Faculty procedure administered by the Diocesan Advisory Committee. As such, the matters relating to the removal of the 19th century pews are within the control of the DAC.

- 6.2.10 As such, the design and appearance of the proposed development is considered to satisfy the saved policies in the Hackney UDP and the London Plan (2008).

6.3 Consideration of Impact on the Conservation Area

- 6.3.1 The St Mary's Old Church is located within the Clissold Park Conservation Area. Conservation Area Consent is not required, as discussed in paragraph 6 above, however any proposal in a conservation area needs to preserve or enhance the character and appearance of that area in accordance with Policies EQ12, EQ13 and EQ14 in the Hackney UDP.
- 6.3.2 The modern design and use of materials, including the use of a variety of hard-wood timbers of varying widths to clad the extension, is considered to sit well within the landscaped gardens which contain mature trees surrounding the church. Also, the proposed extension and new pedestrian pathway will provide improved links to and within the Conservation Area and an increased use of this important building.
- 6.3.3 The Council's Conservation and Design Team confirms that the proposal will *"complement the existing church and its setting"*, and English Heritage says that it will contribute *"positively to the character of the wider conservation area"*.
- 6.3.4 As such, the proposed development is considered to preserve and enhance the character and appearance of the Clissold Park Conservation Area in accordance with Policies EQ12, EQ13 and EQ14 in the Hackney UDP.

6.4 Traffic and transport considerations

- 6.4.1 There is currently no bicycle parking, car parking or servicing provision within the St Mary's Old Church site.
- 6.4.2 The proposed development will result in a net additional gross internal floorspace of 104 square metres and the proposal would normally require the provision of bicycle parking, car parking and servicing within the site.
- 6.4.3 Parking or servicing is not, however, proposed within the application site due to the significant site constraints. The St Mary's Old Church is a Grade-II Listed Building located in a conservation area and an area of Archaeological Priority. Mature trees, graves and tombs are also located across the site.
- 6.4.4 Two disabled car parking spaces and bicycle parking are, however, proposed within the grounds of St Mary's Church on the opposite side of Stoke Newington Church Street.
- 6.4.5 Servicing provision and refuse collection are proposed from the rear Lordship Terrace. Frequent or large deliveries are not anticipated as the proposed extension provides storage space for equipment for most uses,

ie: chairs, tables, stage, kitchen equipment, lighting and sound equipment. The church kitchen is generally intended for domestic scale food preparation only (e.g. tea and sandwiches at a function). Where food is to be served on a larger scale (e.g. wedding receptions) the kitchen will be used by caterers who may need to deliver food. Some user groups may require delivery of additional furniture or equipment for their activities, including musical instruments.

- 6.4.6 The Council's Traffic and Transport section were consulted on this application and they accept that the sensitivity nature of the constrained site takes precedence over the requirement for parking or servicing provision within the curtilage of the site and support no parking provision on site. Additionally, they raised no objections with the proposed provision of bicycle parking and disabled parking spaces within the St Mary's Church yard for the same reasons, and confirmed that servicing in Lordship Terrace is more desirable than in Stoke Newington Church Street, where this activity is like to be disruptive to traffic flows.
- 6.4.7 As such the proposed development is considered to adequately address the traffic and transport provisions in the Hackney UDP 1995 (saved) and the London Plan (Consolidated with Alterations since 2004)..

6.5 Sustainability

- 6.5.1 Planning Policy Statement No.1 and the London Plan (Consolidated with Alterations since 2004) focus on delivering sustainable development.
- 6.5.2 The proposed design does not include the use of solar panels or other renewable energy sources. The information submitted with the application states that the provision of these facilities is not possible as the proposed extension is located on the northern side of the Grade-II* listed building, in an area of Archaeological Priority on a site that is heavily shaded by trees. The proposed works will, however, replace the outdated mechanical and electrical services in the Old Church with a new and more efficient system, include repairs to the church which will improve air/water tightness, and provide insulation in the construction of the new extension. These works will all assist to improve the energy efficiency of the building.
- 6.5.3 Water consumption on site will be minimised through the use of water efficient bathroom and kitchen fittings, and the proposed sedum-planted roof of the new extension minimises rainwater run-off of the building which reduces the requirement for waste water disposal, and encourages biodiversity.
- 6.5.4 The proposal includes the provision of waste disposal and recycling facilities that comply with LB Hackney requirements.
- 6.5.5 The materials for this project will be sourced with sustainability in mind. English hardwood is proposed for the cladding to elevations of the new North extension.

- 6.5.6 Overall, the proposal is anticipated to become a sustainable part of the Stoke Newington Community. The building will be constructed from quality materials and the proposal will provide a relative improve to the existing energy and water consumption requirements for the church. As such, the proposal is considered to adequately address sustainability issues.

6.6 Potential impact on the amenity of adjoining residents

- 6.6.1 The proposed community arts centre will be used for church services, concerts, plays, wedding receptions and the like. There are no residential developments in the immediate vicinity and the main potential impacts would include traffic, parking and noise impacts.
- 6.6.2 Traffic and parking issues have been considered previously in the report. There is no ability to provide parking on site given the site constraints, however disabled parking and bicycle parking are provided for the facility within the St Mary's Church grounds on the opposite side of Stoke Newington Church Street. The site is easily accessible by public transport and the area is located within a CPZ and some parking should be available around the site.
- 6.6.3 With regards to noise impacts, there are no residential properties located in the immediate vicinity with the nearest residential properties are located on the opposite side of Stoke Newington Church Street, Lordship Terrace or on Queen Victoria Walk. The Old Church has been used for services and concerts of all sorts for many years. The hours of operation of the proposal will restrict the hours to between 10:00am to 11:00pm seven days a week, including public holidays. The Council's Pollution team did not raise any concern with the hours of operation and they requested that a condition be imposed on the application for a report to be submitted to Council assessing all the potential environmental impacts on the nearby residents and the relevant mitigation measures proposed. Any recommended mitigation measures shall be required to be in place prior to commencement of use of the development.
- 6.6.4 Subject to the imposition of relevant conditions, the proposed impacts from the proposed development are considered to be minimal.

6.7 Consideration of objections and letters of support

- 6.7.1 A petition containing 100 signatures, seven neighbour objections and one objection from The Society for the Protection of Ancient Buildings were received to the proposed development. Four letters of support was also received.
- 6.7.2 The main objections to the proposed development related to the *'inappropriate design', 'bulk and scale', 'use of materials', 'layout', and demolition and/or removal of parts of the existing church and/or its fabric* as detailed in paragraphs 4.5.2 and 4.7.1 of the report. One objection raised

concern with the proposed '*removal of the 19th century box pews and the ledger stones*'. English Heritage also raised concern with removal of the box pews.

- 6.7.3 In response to the concerns raised in paragraph 6.7.2 above, Council's Urban Design and Conservation Team, together with English Heritage, have been consulted on the scheme from an early stage and, with the exception of the concerns raised with removal of the box pews, both parties support the proposed design, appearance, bulk, scale, layout and use of materials of the development as discussed in detail in paragraph 6.2 of the report. The Council's Urban Design and Conservation Team agree that the box pews are rare in London, however believe that retention of the south aisle pews, which are of the same age, style and construction as the pews in the nave, is adequate retention in terms of this church subject to further consideration being given for an alternate location for the pews from the nave within the church or an alternate home being found for them as detailed in paragraph 6.2.8 of the report. Additionally, it should be noted that the provisions of the Ecclesiastical Exemption apply in this case and issues relating to the demolition of the north aisle and the re-ordering of the church are subject to the Faculty procedure administered by the Diocesan Advisory Committee. As such, the matters relating to the removal of the 19th century pews are within the control of the DAC and the issues raised in paragraph 6.7.2 have been addressed.
- 6.7.4 Concern was also raised with the loss of the existing church which provides a '*pleasant view from the park*' and the loss of historical / cultural amenity. As discussed above, and in paragraph 6.3 of the report, The Council's Conservation and Design Officer and English Heritage both agree that the proposal is considered to enhance the Church's setting and its appearance within the Conservation Area.
- 6.7.5 The proposal is also seen as '*unnecessary overdevelopment*' of a '*commercial nature*'. The proposal has, however, been carefully worked out in consultation with the community to ensure that there is adequate demand for the proposed uses. The nature of the proposed use, including the proposed residential premises, will allow the St Mary's Old Church to be maintained in good condition over time.
- 6.7.6 Two objections raise concern with the potential noise impacts and traffic and parking impacts relating to the proposal. These matters have been dealt with in paragraphs 6.4 and 6.6 of the report.
- 6.7.7 Two objections raised concern with the consultation process and information provided to the community to allow them to make a decision about the proposed development. It is considered that the time period allowed for consultations was clearly indicated in the consultation letters and on the site notices. The proposal was consulted more widely on 10 September 2008 at the request of the Council's planning committee and the date of closure of consultations in these letters differed to that shown on the Council's website. The petition was received after the original

statutory consultation period expired and has been considered in the assessment. As such, it is considered that the consultation period was clearly outlined in the letters sent to the total 265 owners / occupiers that have been consulted and that there is no need for reconsultation. In addition, the information provided to the general public is in accordance with Council's processes.

- 6.7.8 One member of the public stated that they had been deceived about the proposal and advised by a Council staff member that *'there was nothing to worry about as they were renovating the part of the church that had been rendered up after the war due to bomb damage'*. The consultation letter clearly described the works to involve the 'erection of a part single-storey and part three-storey rear extension and change of use to provide a new community arts centre with kitchen/servery facilities and one bedroom flat with balcony at second floor level involving partial demolition of the church building'. It is considered that this clearly describes that the proposed works involve more than just renovation works. As such, if there are further concerns then this matter should be dealt with separately with Council.
- 6.7.9 It is considered that the issues raised in the objections have been adequately addressed and that, subject to recommended conditions, impacts to neighbouring residents, the Listed Building, the Clissold Park Conservation Area, and users of the Clissold Park will be minimised.

7 CONCLUSION

- 7.1 The proposed development is considered compliant with pertinent policies in the Hackney UDP (1995) (saved), and the London Plan (Consolidated with Alterations since 2004). Accordingly, the granting of planning permission is recommended.

8 RECOMMENDATION

8.1 SCB0 – Development in accordance with plans

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

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

8.2 SCB1 – Commencement within three years

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

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

8.3 SCM6 – Materials to be approved

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

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

8.4 SCM7 – Details to be approved

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

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

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

8.5 SCM9 – No extraneous pipework

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

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

8.6 SCI3 – No roof plant

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

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

8.7 SCD1 – Level Access

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

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

8.8 SCD2 – Provision of access and facilities

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

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

8.9 SCG1 – Restriction on Hours

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

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

8.10 CH10 – Provision for bicycles

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

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

8.11 CH8 – Parking for people with disabilities

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

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

8.12 CL10 – Archeological Investigation

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

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

8.13 CL11 – Archaeology and Foundations

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

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

8.14 CR2 – Dustbin Enclosures (details to be approved)

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

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

8.15 CT1 – Landscaping Scheme to be approved

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

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

8.16 CT2 – Provision of Landscaping as Approved

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

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

8.17 CT3 – Protection of trees during site works

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

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

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

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

8.18 CT5 – No removal, felling, topping or lopping of trees

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

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

8.19 SC – Non standard condition

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

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

8.20 SC – Non standard condition

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

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

8.21 SC – Non standard condition

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

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

9 REASONS FOR APPROVAL

The following policies saved in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ12 - Protection of Conservation Areas; EQ13 - Demolition in Conservation Areas; EQ14 - Alterations and Expansions of buildings in Conservation Areas; EQ16 - Protection of Listed Buildings; EQ17 - Alterations to Listed Buildings; EQ18 - Setting of Listed Buildings; EQ19 -

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Changes of Use of Listed Buildings; EQ20 - Buildings of Local Significance; EQ29 - Archaeological Heritage; EQ31 – Trees; EQ40 - Noise Control; EQ42 - Air Pollution; EQ48 - Designing out Crime; HO3 - Other sites for Housing; TR19 - Planning Standards; OS5 - Development Affecting Open Spaces and Parks; OS6 - Green Chains and Links; CS8 - Places of Religious Worship; ACE1 - New Arts, Culture and Entertainment Development; ACE8 - Planning Standards; and, TR19 - Planning Standards.

The following policies in the London Plan (2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3C.2 - Matching development to transport capacity; 3C.16 - Tackling congestion & reducing traffic; 3C.20 - Improving conditions for walking; 3C.21 - Improving conditions for cycling; 3C.22 - Parking strategy; 4A.1 - Tackling climate change; 4B.1 - Design principles for a compact city; and, 4B.2 - Promoting world-class architecture and design.

10 **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 Persons' Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements

NSI.1 All materials and details submitted pursuant to the discharge of condition 3 and condition 4 of this granting of full planning permission ('materials to be approved') should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/1099, 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.

Signed.....  Date..... 06 OCT 2008

Fiona Fletcher-Smith
CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION
DIRECTORATE

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

