

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

THURSDAY, 16TH OCTOBER, 2008

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

1 Apologies for Absence

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

2 Members to Agree the Order of Business

2.1 Item 10 was moved to the end of the agenda.

2.2 Item 15 was moved forward and taken after Item 11, as it had the same architect.

3 Declarations of Interest

3.1 Councillors Stops declared a personal, non-prejudicial interest in Item 6 – St Mary's Old Church, as they had met Matthew Evans, agent, on previous Members' Site Tours.

3.2 Councillor Webb declared a prejudicial interest in Item 10 – Mabley Green, Lee Conservancy Road, as she had attended many meetings where this had been previously discussed and left the Chamber during the discussion of this item.

3.3 Councillor Stops declared a personal interest in Item 12 – Rushmore Primary School, as his partner was the Cabinet Lead for Education.

4 Minutes of the Previous Meeting

- 4.1 **RESOLVED** – that the minutes of the meeting on 3 September 2008 be APPROVED as a true and accurate record, subject to the following amendments:
- Item 11 – Item L (Thirlmere House), paragraph L.7 - It was requested that a scoping study be undertaken, as the Sub-Committee was minded that noise insulation should reasonably be provided for the Mildmay Club, if the study indicated that this was required.
 - Item 15, paragraph 9.2 – the second bullet point should state – ‘The main concerns from Hackney Wick ward Councillors were regarding the lack of permeability in the area.

5 Woodberry Down Estate, N4

To demolish all existing buildings on the Woodberry Down Estate, with the exception of St.Olave’s Church, the Beis Chinuch Lebonos Girls School, Reservoir Centre, Primary School and Health Centre. Redevelop the site with 4,684 homes (including 41% affordable), comprising 1-bed, 2-bed, 3-bed, 4-bed flats, and 5-bed flats, 5-bed and 6-bed houses with associated car parking at an overall site provision rate of 50%; approximately 38,500m² of non-residential buildings and associated car parking, including 5,194m² of retail buildings within classes A1-A5, 3144m² of class B1 Business use, 30,000m² of class C1, D1 and D2 use including education, health centre, children’s centre, community centres, youth centre; provision of new civic space, public parks, open space, landscaping of the edges of the New River and the East and West Reservoirs, construction of bridges across the New river; reduce width of Seven Sisters Road from 6 to 4 lanes and related improvements to the public realm; formation of new access points to the new Woodberry Down Neighbourhood , the creation of new and improvement of existing cycle and pedestrian routes to and within the estate (Outline Application matters for determination siting, design and means of access). Revisions include increase in education floor space; repositioning of cycle/pedestrian bridge between west reservoir and Haringey; re configuration of Woodberry Circus’; relocation of two bridges over New River; increase in footprints and heights of various buildings; provision of a new Health Centre and increase in residential units from 4644 to 4664.

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

- 5.1 The Planning Officer introduced the report as set out in the agenda and reported that the number of units had now increased from 4,644 to 4,664.
- 5.2 The Chair informed the Committee that the Hackney Homes had been discussed at a previous meeting and that this application purely dealt with planning issues. He added that anybody wishing to address Hackney Homes issues could contact their ward Councillor.
- 5.3 Councillor Middleton spoke in objection to the scheme, her comments are summarised as follows:
- There was no tower block included on the plan, although it was previously included.
 - No where for residents to go whilst the work was being done.
 - Again, the request for a meeting to be held on-site to discuss this item had been refused.
 - Seven Sisters Road was already congested and a reduction in the number of lanes would only add to this problem. This would also cause a problem for emergency vehicles accessing the site.
 - The narrowing of Seven Sisters Road would also have a knock on effect for traders along Woodberry Grove as car parking spaces would be lost.
- 5.4 Peter Naughton, Chair of Woodberry Down EDC, spoke in support of the scheme with objections, his comments are summarised as follows:

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- The scope of the scheme did not reflect the fact that Vivian and Dovedale Houses had now been demolished.
- Precise statement of freeholders' interests had not been produced.
- The education figures detailed on page 199 of the report did not reflect the fact that there was to be an academy on-site.
- The parking provision was currently zero, this should be looked as it was not appropriate for the size of the development. There was also not sufficient provision for commercial parking.
- Would like to see a priority allocation system for parking and would welcome discussions on this matter.

5.5 Robin Smith (Hackney Homes) and Alan Hedge (Architect), spoke in support of the scheme, their comments are summarised as follows:

- This was one of the largest regeneration projects in the UK.
- The wording for parking provision, detailed in condition t, page 161, should be clarified.
- Condition e, page 166 – aware that the Government was currently reviewing the Code Levels for Sustainable Homes. They feel the wording should be consistent with the Old School site and all subsequent reports should be in line with Government guidelines.

5.7 With regard to the issue raised by Peter Naughton regarding Vivian and Dovedale Houses had now been demolished, it was requested that an Informative to added to reflect this. This was **AGREED**.

5.8 Discussion took place on the issue of parking, which had not yet been agreed. The Committee wished to know what was proposed for the 2,000 car parking spaces previously agreed.

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

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

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

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

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

- 5.14 The Chair felt that the aspiration for Code Level 6 should remain in condition e, page 166 of the report. This was **AGREED**.
- 5.15 The Chair clarified the following conditions to be added to the proposal:
1. Priority for parking be given to existing residents and future family units. This was **AGREED**.
 2. Strategy for parking to come back to a future meeting of the Committee. This was **AGREED**.
 3. 50% for parking should be the maximum, as there was an aspiration for an eco-town in Hackney. This was **AGREED**.

RESOLVED that:-

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

(i) SCB3 Time limit:

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

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

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

(ii) Phasing:

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

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

(iii) Construction:

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

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

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

(iv) **ES Conditions:**

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

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

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

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

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

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

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

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

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

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

(v) **Reserved Matters:**

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

- a) The layout of the site to a scale of not less than 1:500 and incorporating:
i) The siting of all buildings and ancillary structures of each Quarter
ii) The means of access to and from the site for each Quarter
- b) Full plans and elevations of all buildings and other structures showing the design and external appearance of the buildings and structures, and including details of all materials to be used for external surfaces for relevant Phase or Quarter.

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

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

(vi) **Uses:**

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

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

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

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

- c) The affordable housing in the development shall consist of below market cost housing available to tenants wishing to return after vacating their property as a direct consequence of this development, and other people nominated by the Council and other Local Authorities through its Housing Allocation Scheme and the East London Sub-Region Nominations Protocol whose incomes are insufficient to enable them to afford to meet their housing needs locally within the Borough of Hackney on the open market, and where the rent or price for such housing is reduced directly or indirectly by means of subsidy from the public private or voluntary sector and being either Social Rented Units or Intermediate Housing Units.

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

- d) Each transfer to a new landlord of an Affordable Dwelling shall:

- i) be with full title guarantee of a leasehold estate for a maximum of 125 years;

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

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

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

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

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

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

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

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

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

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

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

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

(xix) Open Space and Play Spaces

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

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

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

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

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

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

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

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

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

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and estimates of achievement of the quantum and tenure of housing in the Woodberry Down.

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

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

(vii) **External Appearance:**

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

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

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

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

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

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

(viii) **Highways/TfL:**

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

- a) The layout of the site to a scale of not less than 1:500 and incorporating:

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1. Car parking details at a maximum provision of 50% per unit and further limited parking at locations where development is well serviced by public transport;
Details of car parking provisions and facilities for Use Classes A1-3 and D uses for each relevant Phase or Quarters;
2. Details of proposed Controlled Parking Zones to the relevant Phase or Quarters;
3. Details of cycle parking provisions including numbers, covered and secure provisions for each Phase or Quarter;
4. Details of a quiet route through the site for cyclists;
5. Details of all bus stands/stops to be approved by TfL and LPA;
6. Details of alterations to Seven Sisters Road, including the proposed Circus
7. Details of any proposed works to Finsbury Park entrance
8. Details of all emergency access arrangements suitable for police, fire and ambulance service use.

- b) Details of car and cycle clubs for each relevant Phase or Quarters;
 - b. All public rights of way to be preserved to allow a maximum accessibility and include a provision of a minimum of 2m wide footpaths with safe even surfaces and road crossings suitable for wheelchair users;
 - c. Full details of land ownership and adoption for each Phase or Quarter
 - d. Details of highway improvements around Manor House station prior to commencement of works to the station

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- t) Prior to occupying any residential dwelling forming part of the Development each new resident of the Development shall be informed by the relevant Owner of the Council's policy that they shall not be entitled (unless they are the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a Residents Parking Bay and will not be able to buy a contract to park within any car park owned, controlled or licensed by the Council.

- u) This permission shall not include details of the siting of the two foot/cycle bridges shown across the New River (northern section) or their linkages on to Eade Road, Haringey and areas beyond, which shall be the subject of separate applications to Hackney and Haringey Councils as the Local Planning Authorities for each side of this part of New River.

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

(ix) **Environment Agency:**

- a) A buffer zone a minimum of 5 metres wide, measured from the bank top, alongside the New River for the full extent of the site shall be established in accordance with details which shall be submitted to and resubmitted as necessary until approved in writing by the Local Planning Authority before the development commences, and so

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implemented. Bank top is defined as the point at which the bank meets the level of the surrounding land. The width of this buffer zone may have to be increased beyond 5 metres if any buildings bordering the buffer zone are greater than two storeys in height. The buffer zone should be planted and free from all hardstanding, fences or formal/ornamental gardens.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REASON: To prevent pollution of the water environment.

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

REASON: To prevent pollution of the water environment.

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

REASON: to prevent pollution of controlled waters.

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

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

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

(x) Environmental Health:

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

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

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

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

(xi) Renewable Energy & Other Sustainability Issues:

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

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

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

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

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

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

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

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renewable energy technologies will contribute towards the reduction of carbon emissions from the development. The development shall be carried out in accordance with the approved details.

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

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

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

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

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

- h) Before development commences in each Phase or Quarter, details of how the following measures are being utilised shall be submitted to and approved in writing by the Local Planning Authority:
- Water recycling measures
 - Sustainable Urban Drainage Systems
 - Recharging points for electric vehicles

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

(xii) **Contamination:**

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

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

(xiii) **Archaeology:**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation for each Phase or Quarter, which has been submitted and resubmitted until such time as approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The

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archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

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

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

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

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

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

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

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

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

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

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

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

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

(xv) **Lighting:**

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

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

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

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

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

(xvi) **Noise/Extraction**

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

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

Living Rooms (07.00-23.00 hrs) 40 dB L_{Aeq}

2. The rating level of the noise emitted from fixed plant on the site shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.
3. No development shall commence on site until detailed plans and a specification of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s), and anti-vibration mountings where necessary) have been submitted and resubmitted until such time as approved in writing by the Local Planning Authority. After the system has been approved in writing by the authority, it shall be installed in accordance with the approved plans and specification before the development hereby approved first commences, and shall thereafter be permanently maintained in accordance with the approved specification.
4. With reference to 2 above, details of CHP plants and in particular the acoustic data to be forwarded to this department for approval prior to planning approval.
5. No development shall commence on site (including site clearance) until such time as an Environmental Management Plan has been submitted and resubmitted until such time as approved in writing by the Local Planning Authority, which shall be required to cover the following items:
- a) Dust mitigation measures
 - b) The location of plant and wheel washing facilities and operation of such facilities
 - c) Details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means
 - d) Construction traffic details (volume of vehicle movement likely to be generated during the construction phase including routes and times)
 - e) Security Management (to minimise risks to unauthorised personnel)

f) Training of Site Operatives to follow the Environmental Management Plan requirements

6. Full written details, including relevant drawings and specifications, of the proposed works of sound insulation against airborne noise to meet $D'_{nT,w} + C_{tr}$ dB of not less than 55 between the ground floor and first floor, where residential parties non domestic use, shall be submitted and resubmitted until such time as approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the sound insulation works have been implemented in accordance with the approved details. The sound insulation shall be retained permanently with the approved details.

(xvii) **Nature Conservation**

a) A nature conservation strategy shall be submitted both for the overall Woodberry Down development and for each Phase or Quarter, consistent with the Masterplan proposals to show how baseline conditions for species and habitats are maintained and where possible enhanced. Further details and consideration of the following shall be incorporated:

- Impacts of disturbance on gadwall and other water birds which commute between the site and the Lea Valley Special Protection Area.
- Assessment of impacts (positive and negative) on ecology and access to nature along the New River in respect to detailed access and landscaping.
- More detailed consideration and, if necessary, mitigation of impacts on the common toad, now a UK Biodiversity Action Plan priority species.
- Conditions to minimise impacts of lighting on bats and waterfowl.
- Opportunities for further mitigation and enhancement of the river and reservoirs

(xviii) **Technical Reports**

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

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

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

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

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

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

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

(xx) **Section 106 Agreement**

(a) No part of the development or any related operations shall commence until such time as a legal Agreement with the Council pursuant to Section 106 of the Town & Country Planning Act 1990 substantially in the format appended at the Third Schedule has been entered into to

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secure contributions to achieve the following infrastructure and mitigation measures necessary to acceptable development of the site:

Transport

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

Community

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

Community Safety

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

Education

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

Energy & Sustainability

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

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

- Priority for parking be given to existing residents and future family units. This was **AGREED**.
2. Strategy for parking to come back to a future meeting of the Committee. This was **AGREED**.
 3. 50% for parking should be the maximum, as there was an aspiration for an eco-town in Hackney. This was **AGREED**.

INFORMATIVES

(SI.1) Building Control

(SI.2) Work Affecting Public Highway

(SI.3) Sanitary, Ventilation and Drainage Arrangements

(SI.7) Hours of Building Works

(SI.24) Naming and Numbering

(as Environment Agency letter of 2.10.08) Conservation

(as Environment Agency letter of 2.10.08) Soil Remediation

(as Environment Agency letter of 2.10.08) Discharge

(as Environment Agency letter of 2.10.08) Potential Contamination

(as Environment Agency letter of 2.10.08) Abstraction Licence

(EA) Geothermal systems

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

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

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

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

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

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

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

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

6.3 Jonathan Clark and Matthew Lloyd spoke in support of the scheme, their comments are summarised as follows:

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- There was a need for something to be done with the structure of the building and for the church to be brought back into use and become the 'hub of the community'.
- Received lots of support for the activities proposed.
- There were no plans to build on the grave yard.
- The flat was a source of income and would allow a range of activities to be provided, to a range of different social groups.
- The extension would provide a multifunctional flexible space, which fits the brief.
- The proposal is very heavily conditioned, including the design and materials and they have the high aspirations for the scheme.
- Following consultation, between 150-200 expressed their support for the scheme. All members of the St Mary's Old Church were also thoroughly behind the proposal.

- 6.4 The Urban Design and Conservation Manager stated that the Council had worked closely with the architect and English Heritage and had previously visited the site. The Council strongly supports the proposal, which provides a unique new space which respects the historical architecture.
- 6.5 Councillor Desmond referred to boxed pews and what was planned for these, as he felt they should be preserved. Jonathan Clark explained that this would be dealt with under faculty procedures, which were not in place yet. The plan was for the oldest south aisle to be retained and restored in situ. He added that they did have the facility to store such items if necessary.
- 6.6 In response to a query regarding the materials, it was confirmed that the proposed materials would come back to Committee for approval.

Unanimously RESOLVED that:-

Permission be GRANTED, subject to the following conditions:

1. SCB0 – Development in accordance with plans

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

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

2. SCB1 – Commencement within three years

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

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

3. SCM6 – Materials to be approved

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

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

4. SCM7 – Details to be approved

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

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

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

5. SCM9 – No extraneous pipework

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

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

6. SCI3 – No roof plant

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

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

7. SCD1 – Level Access

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

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

8. SCD2 – Provision of access and facilities

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

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

9. SCG1 – Restriction on Hours

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

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

10. CH10 – Provision for bicycles

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

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

11. CH8 – Parking for people with disabilities

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

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

12. CL10 – Archeological Investigation

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

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

13. CL11 – Archaeology and Foundations

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

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

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

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

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

15. CT1 – Landscaping Scheme to be approved

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

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

16. CT2 – Provision of Landscaping as Approved

The landscaping scheme hereby approved as part of the development shall be carried out within a period of twelve months from the date at which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development and shall be maintained to the satisfaction of the Local

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Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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

17. CT3 – Protection of trees during site works

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

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

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

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

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

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

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

19. SC – Non standard condition

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

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

20. SC – Non standard condition

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

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

21. SC – Non standard condition

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

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

REASONS FOR APPROVAL

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

to grant planning permission: EQ1 - Development Requirements; EQ12 - Protection of Conservation Areas; EQ13 - Demolition in Conservation Areas; EQ14 - Alterations and Expansions of buildings in Conservation Areas; EQ16 - Protection of Listed Buildings; EQ17 - Alterations to Listed Buildings; EQ18 - Setting of Listed Buildings; EQ19 - Changes of Use of Listed Buildings; EQ20 - Buildings of Local Significance; EQ29 - Archaeological Heritage; EQ31 - Trees; EQ40 - Noise Control; EQ42 - Air Pollution; EQ48 - Designing out Crime; HO3 - Other sites for Housing; TR19 - Planning Standards; OS5 - Development Affecting Open Spaces and Parks; OS6 - Green Chains and Links; CS8 - Places of Religious Worship; ACE1 - New Arts, Culture and Entertainment Development; ACE8 - Planning Standards; and, TR19 - Planning Standards.

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

7 196 Evering Road, E5

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

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

7.2 Alan Binnie, spoke in objection to the scheme, his comments are summarised as follows:

- Speaking on behalf of petitioners.
- Factual inaccuracies within the report, including the name of the applicant is not the same as on the original submission; revised plans still show side steps which is incorrect.
- Three conflicting plans shown on the Council's website.
- The room size and layout is too dense for the site.
- The report stated that the building was in a poor state of disrepair, however, the building was in an extremely good state and had not been unoccupied for long periods of time.
- Always had ground level access and no side steps had ever existed.
- There was an issue with the building not having disabled access.

7.3 Jay Patel, Architect, spoke in support of the scheme, his comments are summarised as follows:

- They had undertaken pre-application discussions with residents association representatives.
- They had previously visited the site with the Planning Officer.
- Staff from the Building Control Team visited the site on three separate occasions and confirmed that the plans met with building regulations.

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- The roof terrace had been removed and this was just to be a flat roof. Jay Patel stated that the applicant was happy for this to be conditioned.
 - The name of the applicant was the same as originally submitted.
- 7.4 Following a query from Councillor Buitekant regarding there being no toilet in flat 2, it was confirmed that this had been missed off the plan.
- 7.5 The Chair made reference to the side entrance to the property and it was explained that there was a standard 6cm threshold and this could be accessed by a disabled person. The architect added that a ramp could be installed.
- 7.6 Reference was made to the indication from the Architect that the flat roof be conditioned. This was **AGREED**.

RESOLVED that:

Planning permission be GRANTED, subject to the following conditions:

1. SCB1N – Commencement within 3 years

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

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

2. SCB0 – Development only in accordance with submitted plans

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

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

3. SCR2 – Dustbin Enclosures

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

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

4. ??? – Roof Terrace

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

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

INFORMATIVES:

SI Reason for approval:

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

3A.4: [Housing choice], and Policy 4B.1: [Designing Principles for a compact City] of the London Plan were also considered.

SI.1 Building Control

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

S3 Hours of Building works

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

SI.3 Sanitary, Ventilation, and Drainage Arrangements

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

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

Advisory Note:

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

8 168 Southgate Road, N1 3HX

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

8.1 The Planning Officer introduced the report as set out in the agenda and explained that this had come to committee because of the number of objections received.

8.2 Mrs Rigden, spoke in objection to the scheme, her comments are summarised as follows:

- The proposed building would seriously affect the amount of light coming into her property.
- Increase in the number of cars parked in the area, due to the loss of garage and new house.
- Planning Officers did not visit her property to assess the potential loss of light.
- A number of photos were circulated at the meeting, illustrating her point that there was insufficient room for a car to be parked to the front of the property.

8.3 Matthew Goldman, Applicant, spoke in support of the scheme, his comments are summarised as follows:

- With reference to the daylight issue, the back of the property would have a sloped roof to try and reduce the amount of light lost.
- The garage was an unsafe structure and he believed the new property would improve the appearance of the site.
- The architect had liaised with the Planning Officer and the Conservation Officers to produce the design of the property.
- A method statement was produced to protect the trees.

8.4 Following a query regarding the amount of space at the front of the property for a car to park, it was confirmed that there was a total of 4m, which would accommodate a small car.

8.5 Kevin Moore asked whether the Kingsland Conservation Advisory Committee had been consulted as the proposed development was located within a conservation area. The Planning Officer stated that they had been consulted and no response was received.

8.6 Councillor Desmond referred to the loss of daylight issue and wished to clarify whether a daylight/sunlight report had been produced. The Planning Officer stated that a daylight/sunlight report had not been produced for this application due to the size of the extension, and the level of daylight/sunlight loss for the neighbouring property was deemed appropriate.

8.7 In response to a query regarding the materials to be used on the frontage of the property, the applicant confirmed that the lower level would be render with brick above. The Chair asked whether the proposal included the provision of a green roof and the applicant indicated that this had already been discussed and he was happy for this to be provided. The Chair requested that all endeavours for a green roof to be included be added to the list of conditions. This was **AGREED**.

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

Unanimously RESOLVED that:

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

1. SCB0 – Development in accordance with plans

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

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

2. SCB1 - Commencement within three years

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

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

3. SCM2 – Materials to be Approved

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

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

4. NSC – Sedum Green Roof

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

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

5. SC – Non standard condition

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

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

6. SC – Non standard condition

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

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

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

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

INFORMATIVES

The following Informatives should be added:

SI Reasons for Approval

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

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

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

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

Erection of a four-storey building with balconies to provide nine residential units (comprising 1 x 4 bed flat, 2 x 3 bed flats, 1 x 2 bed flat and 5 x 1 bed flats), together with the creation of new access drive with gated entrance off Mount Pleasant Lane, provision of one disabled car parking space, provision of nine cycle spaces and provision of refuse/recycling store facilities.

- 9.1 The Planning Officer introduced the report as set out in the agenda. Reference was made to the addendum which stated that a petition signed by 29 local residents had been received by email on 13 October. The main objections and responses to these were detailed within the addendum.
- 9.2 Brian Eley and Constanze Schmidt, spoke in objection to the scheme, their comments are summarised as follows:
 - Speaking on behalf of 28 residents who had submitted a petition and they felt their concerns had not been addressed.
 - Concern over the proposed access to the properties, as the driveway was only 2.4m wide.
 - No turning circle provided and only 1 disabled parking space. Emergency services vehicles will not be able to access the site.
 - Concerned over the waste storage being provided
 - Loss of tree at the junction to the site.
 - Too dense for the backland site.
 - There were already too many vehicles in the local area, this development would only add to this problem.
- 9.3 Councillor Buitekant wished to clarify whether the fire service was able to access the site and the Planning Officer explained that they would not be able to access the properties through

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the driveway, however a fire hydrant was usually provided in such cases. She added that this issue would be dealt with at the building regulations stage.

- 9.4 In response to a query over the density of the proposed development, it was stated that the size of the development did comply with the density figures stated within in the London Plan.
- 9.5 Discussion took place on the issue of access and the Committee was asked to refer to paragraph 4.7.4 of the report which detailed how the access to the site had been improved in subsequent proposals.
- 9.6 The Highways Officer added that 3.7m was the minimum width for access for a site, however in some cases this had to be reduced, depending upon the number of car parking spaces being provided. In this case only one disabled parking space was being provided and although they were not happy with the proposal they were prepared to accept the level of access.
- 9.7 Discussion took place on the refuse storage as it was identified that refuse vehicles would not be able to access the site. It was requested that a condition be added for the landscaping to be looked at, to include the location of the refuse storage. This was **AGREED**.
- 9.8 The Interim Head of Regulatory Services stated that a way of addressing the access issue could be for the development to be car free. The applicant indicated that he would be happy with this proposal. This was **AGREED**.
- 9.9 The Committee also requested that the number of cycle spaces be increased from nine to twelve. This was **AGREED**.

Councillor Buitekant voted against the recommendation.

Councillor Desmond abstained from the vote.

RESOLVED that:

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

1. SCB0 – Development in accordance with plans

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

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

2. SCB1 - Commencement within three years

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

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

3. SCM2 – Materials to be Approved

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

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

4. SCM7 – Details to be Approved

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

- windows and doors including sections.
- cycle store

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

5. SCR2 – Dustbin Enclosures

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

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

6. SCH10 – Provision for Cycles

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

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

7. SCR4 – Wheelchair Accessible Homes

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

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

8. SCH8 – Parking for persons with disabilities

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

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

9. SCH11 – Adequate visibility at entrance

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

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

10. SCL10 Archaeological Investigation

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Council, as local planning authority. The development shall only take place in accordance with the detailed scheme

approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Council.

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

11. NSC – Noise

The building shall be constructed so as to provide insulation against external noise to achieve levels not exceeding 35dB LAeq (night) and 45 dB LAm_{ax} (measured with F time weighting) for bedrooms, 40dB LAeq (day) for other habitable rooms with windows shut and other means of ventilation provided. Details of the alternative ventilation scheme must also be provided to the Local Planning Authority prior to installation. A test shall be carried out prior to the discharge of this condition to show that the required standard of sound insulation shall be met and the results shall be submitted to the Local Planning Authority for approval.

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

12. NSC – Sedum Green Roof

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

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

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

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

INFORMATIVES

The following Informatives should be added:

SI Reasons for Approval

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

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

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

- Sl.8 Soundproofing Between Flats
- Sl.24 Naming and Numbering
- Sl.25 Disabled Person's Provisions
- Sl.27 Fire Precautions Act 1971
- Sl.28 Refuse Storage and Disposal Arrangements
- Sl.29 Potential Archaeological Interest
- Sl.33 Landscaping

10 Westgate Centre, Westgate Street, E8 3RU

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

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

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

Unanimously RESOLVED that:

Planning permission be GRANTED, subject to the following conditions:

8.1.1 SCB0 – Development in accordance with plans

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

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

8.1.2 SCB1 – Commencement within three years

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

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

8.1.3 SCM6 – Materials to be approved

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

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

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

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

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

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

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

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

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

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

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

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

8.1.4 SCM9 – No extraneous pipework

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

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

8.1.5 SCI3 – No roof plant

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

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

8.1.6 SCH8 – Parking for people with disabilities

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

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

8.1.7 SCH10 – Secure bicycle parking

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

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

8.1.8 NSC1 – Non-standard condition

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

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

8.1.9 NSC3 – Non-standard condition

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

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

8.1.10 NSC4 – Non-standard condition

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

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

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

1. Payment by the landowner/developer of £6293.32 as a financial contribution towards Council library facilities. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)

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

REASONS FOR APPROVAL

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

INFORMATIVES

The following Informatives should be added:

- | | |
|------|---|
| SI.1 | Building Control |
| SI.2 | Work Affecting Public Highway |
| SI.3 | Sanitary, Ventilation and Drainage Arrangements |
| SI.6 | Control of Pollution (Clean Air, Noise, etc.) |
| SI.7 | Hours of Building Works |

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

NSI.1 All materials submitted pursuant to the discharge of condition 3 of this approval ('materials to be approved', as per paragraph 8.1.3 of this report) should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/0312, and accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

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

11 1 -7 Westgate Street, E8 3RL

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

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

Unanimously RESOLVED that:

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

1. SCB0 – Development in accordance with plans

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

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

2. SCB1 - Commencement within three years

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

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

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

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

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

4. Non Standard Condition

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

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

5. SCM9 - No extraneous pipework

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

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

6. SCH8 – Parking for people with disabilities

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

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

7. SCD2 – Provision of access and facilities

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

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

8. SCH10- Provision for cycles

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

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

9. SCH11 – Adequate visibility to entrance

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the

permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: In the interests of highway safety.

10. SCH14 – Closure of existing accesses

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

REASON: In the interests of highway safety.

11. SCH15 – Access only as approved

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

REASON: In the interests of highway safety.

12. Non standard condition

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

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

13. NSC1 – Noise Control

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

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

14. NSC3 – No roof plant

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

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

15. Non standard condition

(i) The rating level of noise emitted from fixed plant on the site shall be 10dB below the existing background noise level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.

(ii) Development shall not commence until details of a scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.

(iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity.

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

16. Non standard condition

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

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

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

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

17. Non standard condition

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

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

17. Renewable energy

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

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

18. Sustainable drainage

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

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

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

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

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

- 1. To secure the provision of 41.4% of habitable rooms, with a split of 70%: 30% socially rented /intermediate.
- 2. Not to occupy or cause or permit the occupation of more than 60% of the

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Open Market Dwellings on each Development Site prior to all the site related affordable units being completed and available for occupation and transferred to the approved RSL.

3. Payment by the landowner/developer of a sustainable transport contribution of £25,080 towards works to the public highway.
4. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £35,000 for required works to the highway. Unavoidable works required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment.
5. Payment by the landowner/developer of an education and libraries contribution of £184,656.35 with respect to anticipated child yield from the additional residential housing units being provided in accordance with the DFES cost of providing a school place.
6. Payment by the landowner/developer of an open space contribution of £4539.52 towards the supply and quality of open space in the immediate locale, which could include 'The Triangle' on the junction of Mare Street and Westgate Street.
7. No car parking permits to be issued for new residential units, unless for the holder of a Disabled Person's Badge or for an electrically powered vehicle.
8. Residential units to be built to Lifetime Homes standard and comply with Code for Sustainable Homes.
9. Commitment to the Council's local labour and construction initiatives (25% on site employment).
10. Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Section 106 Agreement
11. Achievement of a level 3 rating under the proposed Code for Sustainable Homes with best endeavours to achieve level 4.
12. 20% reduction in carbon emissions through the use of renewable energy sources and use of low energy technology
13. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
14. A Green Travel Plan to include servicing of the sites, to be submitted to and agreed with the Council, to include the provision of a car share scheme.
15. At least 10% of units provided shall be wheelchair accessible.
16. The applicant is advised that they will be required to enter into a highways Section 278 legal agreement with TfL.
17. Provision to allow the placement of street lighting on the proposed buildings where appropriate.
18. Best endeavours to provide a car club.
19. Detailed drawings/full particulars of the proposed development showing additional balconies must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise

than in accordance with the details thus approved.

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

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

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

REASONS FOR APPROVAL

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

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

INFORMATIVES

The following Informatives should be added:

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

12 Rushmore Primary School, Elderfield Road, E5 0LE

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

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

12.2 The Chair made reference to the loss of shrubs and asked whether they could be located to another part of the site. The Planning Officer stated that it could be conditioned that the feasibility of locating shrubs to another area be looked into. This was **AGREED**.

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

Unanimously RESOLVED that:

Planning permission be GRANTED, subject to the following conditions:

1. SCB0 – Development in accordance with plans

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

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

2. SCB1 – Commencement within three years

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

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

3. SCM6 – Materials to be approved

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

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

4. SCM9 – No extraneous pipework

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

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

5. SCH10 – Secure bicycle parking

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

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

6. NSC1 – Non-standard condition

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

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

7 NSC2 – Non-standard condition

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

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

REASONS FOR APPROVAL

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

INFORMATIVES

The following Informatives should be added:

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

- NSI.1 All materials submitted pursuant to the discharge of conditions 3 and 7 of this approval (as per paragraphs 8.1.3 and 8.1.6 of this report) should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/0285, and accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications

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detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

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

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

- 13.1 The Planning Officer introduced the report as set out in the agenda.
- 13.2 John Burrow (Learning Trust) and Andrezej Kuszell (Architect) were in attendance to answer any questions that arose.
- 13.3 Councillor Desmond wished to clarify why this extension was not included in the original proposal for the Mossbourne Community Academy. It was explained that it previously wasn't requested and that the Academy had previously been sponsored privately and was now under the responsibility of the Council.
- 13.4 Discussion took place on the proposed materials and it was confirmed that some parts of the extension will mimic the existing building and will incorporate the colour red, which will compliment the existing blue and yellow.
- 13.5 Concern was raised over the loss of four trees and the Committee wished to know which trees would be lost. It was explained that two of the trees were already dead and that the other two were younger trees. The Planning Officer added that an additional condition had been added to avoid or minimise harm to the existing TPO trees, detailed in the addendum.
- 13.6 The Committee felt that 80 car parking spaces was too many and that 142 cycle spaces was inadequate. It was explained that the school was adamant that they needed the 80 car parking spaces on site.

Unanimously RESOLVED that:

Planning permission be GRANTED, subject to the following conditions:

1. SCB0 – Development in accordance with plans

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

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

2. SCB1 – Commencement within three years

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

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

3. SCM6 – Materials to be approved

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

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

4. SCM9 – No extraneous pipework

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

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

5. SCH4 – Forward vehicle ingress/egress only

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

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

6. SCH8 – Parking for people with disabilities

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

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

7. SCH10 – Secure bicycle parking

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

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

8. SCH14 – Closure of existing access

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

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

9. SCH15 – Access only as approved

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

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

10. SCT3 – Protection of trees during site works

No development will take place on-site until full details of tree protection have been submitted to, and approved in writing by, the Council and until such approved protection has been erected on-site. Tree protection will be in accordance with BS5837:2005 (Trees in

relation to construction – Recommendations) and will protect the root protection area calculated as described in Table 2 of that British Standard. The protective fencing will be 2.4 metres high and conform to Figure 2 of BS5837:2005, i.e. a scaffold framework comprising a vertical and horizontal framework, well-braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Panels should be securely fixed to this weldmesh with wire or scaffold clamps.

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

11. SCT4 – Tree survey/retention plan

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

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

12. SCT1 – Submission of landscaping scheme

Full details of hard and soft landscaping shall be submitted to and approved by the local planning authority, in writing, before any landscaping work commences on-site, to show (as applicable) species of trees, type of stock and level of maturity, numbers of trees and shrubs (to be no fewer than ninety) to be planted, and areas to be grass-seeded or turfed, and also including layout, construction, and existing and proposed levels, consistent with the tree protection plan and method statement. All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the local planning authority for a period of five years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed (including any existing trees or plants that die or are damaged during, or as a result of, construction work).

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

13. NSC1 – Non-standard condition

The applicant shall:

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

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in relation to all contracts with a value in excess of £5 million, supply the Hackney Construction Recruitment Centre with full procurement details and a plan identifying the services and materials that will be sourced during the period commencing on the implementation of the development and finishing six months after completion of the development.

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

14. NSC2 – Non-standard condition

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

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

15. NSC3 – Non-standard condition

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

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

16. NSC4 – Non-standard condition

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

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

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

REASONS FOR APPROVAL

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

Promoting world-class architecture and design; 4B.5 - Creating an inclusive environment.

INFORMATIVES

The following Informatives should be added:

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

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

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

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

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

RESOLVED that:

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

- The LBH objects to the legacy transformation road layout. In particular with regard to the Waterden Road replacement being a major distributor road that will create a barrier for Hackney residents trying to access the amenities in the eastern half of the park.
- The LBH objects to the proposed new access arrangements off the A12 Lea Interchange as the transport implications on Hackney have not been assessed.
- The LBH objects to the use of Combined Kerb and Drainage Units. The Council does not

generally support the use of these drains on roads to be adopted by the Council due to maintenance issues. As levels in the Olympic Park can be changes to meet requirements, the gradient of roads should be designed such that conventional drainage can be incorporated.

Planning permission be GRANTED, subject to the following conditions:

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

15 Mabley Green, Lee Conservancy Road, E9 5HW

Construction of outdoor gym including new canopy and boundary enclosures.

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

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

10.2 The Interim Head of Regulatory Services informed the committee that the application site was in fact located on common land as well as metropolitan land and as such, any development on the subject site must remain unrestricted and open to public use in

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perpetuity. To this effect it was confirmed that no fencing or any other means of enclosure forms part of this application.

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

RESOLVED that:

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

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

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.
2. **SCB1 - Commencement within three years**
The development hereby permitted must be begun not later than three years after the date of this permission.

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

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

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

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

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

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

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

5. **Provision of litter bins.**

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

6. **NSC – Ground Levels**

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

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

7. **NSC - Permeable structures**

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

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

REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 (Development Requirements), EQ21 (Metropolitan Open Land), EQ31 (Trees), EQ40 (Noise Control), EQ48 (Designing Out Crime), OS1 (Enhancing Metropolitan Open Land), OS2 (Open Spaces and Parks), OS4 (Protection of Character of Open Spaces and Parks) and OS5 (Development Affecting Open Spaces and Parks) as well as policies 3D.8 (Realising the value of open space and green infrastructure) and 3D.10 (Metropolitan Open Land) of the London Plan 2008.

INFORMATIVES

The following Informatives should be added:

SI.7 Hours of Building Works

16 Delegated Decisions - August/September 2008

The report was NOTED.

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

None.

Duration of the meeting: 6.30pm – 10.20pm

Signed

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Chair of Planning Sub- Committee

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