



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

WEDNESDAY, 19TH NOVEMBER, 2008

<b>Councillors Present:</b>	<b>Councillor Vincent Stops in the Chair</b>  <b>Cllr Barry Buitekant, Cllr Michael Desmond (Vice-Chair), Cllr Ian Sharer, Cllr Simon Tesler, Cllr Linda Smith, Cllr Joseph Stauber, Cllr Katie Hanson and Cllr Jessica Webb</b>
<b>Apologies:</b>	<b>None</b>
<b>Officers in Attendance</b>	<b>John McRory (Team Leader, Major Applications), Gillian Nicks (Deputy Team Leader, Major Applications Team), Femi Nwanze (Planning Applications Unit Manager), Ray Rogers (Urban Design and Conservation Manager), Scott Schimanski (Team Leader, Area Team), Anthony Traub (Senior Planner, Major Team), John Tsang, Graham Loveland (Interim Head of Regulatory Services), Sue Foster (Assistant Director of Regeneration and Planning), John Kaimakamis (Senior Planning Officer, Rosemary Lansdowne (Principal Solicitor), Emma Perry (Democratic Services Officer) and David Rees (Democratic Services Manager)</b>

### **1 APOLOGIES FOR ABSENCE**

- 1.1 There were no apologies for absence received.
- 1.2 An apology for lateness was received from Councillor Desmond.

**4 MINUTES OF THE MEETING HELD ON 16 OCTOBER 2008**

- 4.1 The Chair took the opportunity to thank Sue Foster (Assistant Director Neighbourhoods and Regeneration), on behalf of the Sub-Committee, for all of her hard work during her six years at Hackney, as she would shortly be leaving the Council. During that time she had made a number of significant improvements to the Planning Service. She had taken the service from one that in 2002 could not even report its own statistics and was under Government directions to one that is performing well or improving in most areas and exemplary in others. The establishment of the Hackney Design Awards and Design Review Panels now means expectations of good design is accepted by embedded across the council and with developers and their architects.
- 4.2 **RESOLVED** – that the minutes of the meeting held on 16 October 2008 be APPROVED as a true and accurate record, subject to the following amendment:
- Paragraph 3.1 should read – Members that had met Matthew Evans, agent, on previous Members' Site Tours, declared a personal, non-prejudicial interest in Item 6 – St Mary's Old Church.

**5 191 EVERING ROAD, LONDON, 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 external alterations including installation of new double doors onto the rear roof terrace at mezzanine floor level and rooflights to ground floor extension and creation of new front door steps.

**Post-Submission Revisions:** Slight amendments to the submitted drawings were received on 7 November 2008. These drawings illustrate minor alterations to the proposed front elevation and proposed floor plans which amended internal floor levels (the addition of 3 internal steps).

- 5.1 The Planning Officer introduced the report, as set out in the agenda. He referred to the addendum which detailed the amended plans and also advised the Sub-Committee that the drawing numbers shown on page 65 of the agenda should be replaced with the following amended drawing numbers:

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- There was originally a garage in the basement, which had now replaced with 4 windows, which is out of keeping with the character of the surrounding properties, with the majority having 3 windows.
- The existing long extension to the rear of the property had been erected without planning permission and caused a problem with overlooking, due to it being used as a roof terrace.
- Issue of stacking, as the kitchen was in between a bedroom above and below.
- Impaired mobility, as a result of additional stairs being added, due to the ground floor being raised. The property originally had level access.

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

- The resident at 193 Evering Road is not in objection to the scheme and feels that the materials proposed are in keeping with neighbouring properties. The only objection made was that they believed there should be one less bedroom on the ground floor.
- The only inaccuracies in the drawings related to the bay window which had now been rectified.
- The single storey rear extension and roof terrace have been in situ for over 10 years, therefore the works fall within permitted development. The roof terrace had also been reduced in order to reduce the amount of overlooking to the neighbouring property.
- It is not possible to make the property fully accessible on the ground floor, due to the difference in ground level between the front and back of the property.
- The 4 windows in the basement design originated from the Council's Design Team.

5.4 The Chair wished to clarify whether if a structure was in situ for more than 10 years it effectively had planning permission and the Planning Officer confirmed that this was the case.

5.5 In response to a question from the Chair regarding whether the dormer was visible from the side of the property, the Planning Officer confirmed that it was located at the rear of the property.

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

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

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**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. NSC – Screening**

A 1.8 metre high obscured screen shall be erected and permanently maintained for the first 2.5 metres at first floor level along the rear boundary with 189 Evering Road.

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

**INFORMATIVES:**

**SI Reason for approval:**

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

**SI.1 Building Control**

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

**S3 Hours of Building works**

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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.

**6     151 CHURCH WALK, LONDON, N16 9JU**

Erection of a four storey building to accommodate 1 x two bedroom house, 1 x three bedroom house, 1 x one bedroom flat and a 1 two bedroom flat, together with roof terraces at first, second and third floors, associated landscaping and provision for refuse storage and bicycle parking.

**Amendments:** Privacy screening to terraces and additional bicycle storage provided.

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- The property is too high, at 4 storeys.
- He and other residents had not had any contact with the contractors.

6.3 David Mikhail spoke in support of the scheme and his comments are summarised as follows:

- The site was currently a problem and the proposed development would significantly improve this area of Church Walk.
- They had taken into consideration feedback from previous refusals and incorporated these into the new proposal.
- The property was only 4 storeys at one corner of the building.
- The ground level has been stepped down by 2m, which has improved the level of daylight/sunlight to neighbouring properties.
- Highly ecological site – highly insulated, rain water harvesting, green roof where available and the whole building was recyclable.
- Intention to build something of quality.

6.4 The Chair referred to the application submitted in 2001 which originally had 2 storeys and wished to know why four storeys was now deemed appropriate. The Planning Officer stated that the 2 storey section of the building was located nearest Clissold Road and that the 4 storey section was located furthest away from the nearest properties. He added that the existing 3m high wall had now been reduced to 2m, which will also had a positive impact on the daylight/sunlight for neighbouring properties.

6.5 In response to a question regarding daylight/sunlight, it was confirmed that a daylight/sunlight report had been submitted which specifically considered the potential impact upon the ground floor Flat 2, No.8 Clissold Road and Flat 3, 6-12 Clissold Road. This report confirmed that the level of daylight/sunlight was well within BRE guidelines.

6.6 Councillor Smith queried whether the development was too small to request a Section 106 contribution for items such as CCTV and better lighting, as there were concerns with anti-social behaviour in the area. The Interim Head of Regulatory Services stated that this development was on the margin and it would be unusual to request a S106 contribution on a small scale development such as this.

6.7 The Chair referred to the streetlamps and whether these could be placed on the proposed building, in order to help de-clutter the area. The applicant welcomed this proposal, in principle. The Chair requested that this be added as an additional

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**1. SCBN1 –Commencement within three years**

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

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

**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. SCM2 - Materials to be approved**

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

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

**4. SCM9 - No extraneous pipework**

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

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

**5. SCI3 – No Roof Plant**

No 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. SCG10 – Soil Contamination Survey/Treatment**

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

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

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

No development will take place on site until full details of tree protection have been submitted to, and approved in writing by, the Council and until such approved protection has been erected on site. Tree protection will be in accordance with BS5837:2005 (Trees in relation to construction - Recommendations) and will protect the root protection area calculated as described in Table 2 of that British Standard.

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

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

**INFORMATIVES**

The following Informatives should be added:

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

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

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

### **Street Lighting**

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

### **REASONS FOR APPROVAL**

The following policies saved in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ1 - Development Requirements; EQ43 - Development of Contaminated Land; EQ48 - Designing out Crime; and HO3 - Other Sites for Housing.

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

## **7 39 NORTHCHURCH ROAD, LONDON, N1**

**Proposal (A):** Removal of rear extension and erection of part one, part two storey rear extension (full planning permission).

**Proposal (B):** Removal of rear extension and erection of part one, part two storey rear extension together with internal alterations comprising lowering of attic ceiling to

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- 7.3 The Urban Design & Conservation Manager clarified the guidance for notifications of applications to English Heritage relating to Grade II listed buildings, relevant to the application:-
- Applications for planning permission involving demolition (in whole or part) or material alteration of any listed building.
  - Applications which affect the character or appearance of a conservation area exceeding 1000sqm or higher than 20m.
- 7.4 The Urban Design & Conservation Manager stated that in his opinion the proposal did not fall within the guidance, as the works proposed did not involve the demolition of a principal external wall or a substantial part of the interior and therefore English Heritage did not need to be consulted.
- 7.5 David Smith spoke in objection to the scheme, his comments are summarised as follows:
- Circulated copies of photos to Members illustrating his argument.
  - Huge issue with the planning process, as information was not readily available. Felt to be even more of an issue as the applicant was a Council employee.
  - Architectural drawings are inaccurate and misleading.
  - Proposed development would dramatically alter the historic character of the De Beauvoir area.
  - Properties 37-63 Northchurch Road are listed buildings and form a group of properties. English Heritage states that this group of buildings must remain in character with each other.
  - Wished to know why English Heritage had not been consulted.
  - Been informed that the CAAC had been requested to withdraw their objection to the proposal.
  - Appears that the application was fast-tracked, with last minute amendments and no visit from the Conservation Team.
- 7.6 The Chair expressed his disappointment at the poor quality of the drawings provided, considering the architectural importance of the building and wished to clarify with the Planning Officer that they were satisfied the drawings accurately reflected the proposal and that a member of the Conservation Team had previously visited the site.
- 7.7 The Planning Officer stated that they were satisfied that the drawings were clear and accurately reflected the proposal and confirmed that a member of the Conservation Design Team had previously visited the site.

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to withdraw their objection. The Planning Officer was not aware of this communication and would investigate the matter.

- 7.10 The Chair asked the Urban Design & Conservation Manager his view on the rear of the property and whether it would be unsymmetrical. The Urban Design & Conservation Manager stated that a conservation design officer had visited the site and although they had raised concerns about the rear of the property being unsymmetrical with neighbouring properties, they were satisfied that the extension could not be seen from the front steps of the property. This had been achieved by dropping the level of the bathroom on the ground floor. He added that the conservation team did not object to the scheme because, in this case, the extension was not harmful to the front view of the property.
- 7.11 Members wished to clarify the height of the new bathroom at the rear of the property. The Planning Officer referred to the drawings and informed Members that the level had been dropped in order to provide the bathroom with the required ceiling height and also to ensure that it was not visible from the front of the building.
- 7.12 In response to two questions from Councillor Desmond regarding materials and why the plans were not readily available, the Planning Officer stated that the materials were conditioned and that he was not aware of the issue of plans not being readily available and would follow this matter up with the case officer.
- 7.13 Members again stressed the importance of the extension not being able to be seen from the front of the building.

**Unanimously RESOLVED that:-**

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

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

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

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

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

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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.

**B) Listed building consent be GRANTED, subject to the following conditions:**

**1. SCB1N – 3 years**

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

REASON: In order to comply with the provisions of Section 18(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

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

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

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

**3. SCL8B – Demolition as part of Redevelopment Only**

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission ref 2008/1190 was granted on 05/11/2008 and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

REASON: As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the character and the appearance of the De Beauvoir Conservation Area and the special architectural

## **REASONS FOR APPROVAL**

The following policies contained in the Hackney Unitary Development Plan (1995) and the London Plan 2008 are relevant to the approved development and were considered by this Council in reaching the decision to grant planning permission: EQ1 (Development Requirements); EQ12 (Protection of Conservation Areas); EQ13 (Demolition in a Conservation Areas); EQ14 (Alterations and Extensions of Buildings in Conservation Areas); EQ16 (Protection of Listed Buildings) and EQ17 (Alteration to Listed Buildings) and 4B.1 – ‘Design Principles for a Compact City’.

## **INFORMATIVES**

The following Informative should be added:

- SI.1 Building Control
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.7 Hours of Building Works

## **8 LAND TO THE WEST OF BEECHWOOD ROAD, SOUTH OF DALSTON LANE, EAST OF ROSEBERRY PLACE AND NORTH OF TRINITY PRIMARY SCHOOL, DALSTON, LONDON, E8 3DE**

Section 73 application for the variation of the wording of conditions 3 (ground surface treatment), 4 (boundary walls), 5 (details to be approved), 6 (lighting & balcony details), 7 (soft and hard landscaping public realm design details), 10 (highway boundary details), 19 (details of public realm hard and soft landscaping), 20 (detail of non public realm hard and soft landscaping), 21 (landscape management plan), 24 (cycle storage), 29 (artefact details), 30 (safe by design), 37 (phasing plan), 39 (contaminated land study) of planning permission 2007/1803 dated 27/02/2008: Section 73 application for the variation of condition 3 (ground surface treatment), 4 (boundary walls), 5 (details to be approved), 6 (modifications), 7 (signage), 12 (roof plant enclosures), 17 (shop fronts), 18 (landscaping public realm), 19 (landscaping excluding public realm), 20 (landscape management plan), 21 (waste, recycling enclosures), 23 (cycle stands), 28 (artefact details), 29 (certificate of compliance to safe by design) and 35 (restricted delivery hours) of planning permission dated 9/11/2006 (ref: 2006/0886 for Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No.293): Environmental Statement accompanying a planning application for the redevelopment

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**NOTE TO MEMBERS:** The application was granted conditional planning permission subject to the signing of a S106 Legal Agreement at Planning Sub-Committee in August 2008.

This resolution followed the prior approval of application reference 2007/1803 to vary application 2006/0886 for which the discharge of a number of conditions had been sort, as reported to Members in August. The Council having the freehold of the site, are required to seek Cabinet consent to enter the Section 106; this was considered by Cabinet towards the end of October. In the meantime, conditions to the 2007 application have been discharged. The purpose of this note is to update members in relation to the progress of the development in consideration of the details that have been dealt with under condition and that consequently no longer require submission for discharge but rather to be included within the schedule of approved drawings and documents attached to a new consent.

- 8.1 The Planning Officer introduced the report, as set out in the agenda. The Planning Officer ran through each of the conditions in-turn, detailed on pages 146-149 of the agenda.
- 8.2 There being no questions from Members, the Chair moved to the vote.

**Unanimously RESOLVED that:-**

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

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

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

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

**2. SCM2 – Materials to be approved**

Full details, including samples, of the materials to be used on the external surfaces of the building, including glazing, shall be submitted to the Local Planning Authority, in writing, prior to implementation. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the materials used on the external surfaces of the building are of a high quality and in accordance with the details approved.

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**4. SCM5 – Boundary Walls**

Full details including materials of all boundary walls, screening and enclosures shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of the works associated with boundary walls, screening and enclosures. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

**5. SM7 – Details to be approved 1**

Detailed drawings (at least at 1:50 scale) including modifications to the following matters must be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of the works associated with these items. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a. Glazing;
- b. winter gardens and balconies

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

**6. SCM7 – Details to be approved 2**

Detailed drawings (at least at 1:50 scale) of the proposed development showing the matters set out below must be submitted to the Local Planning Authority within one month of the date of this permission and approved by the Local Planning Authority, in writing, prior to the commencement of the works associated with these items. The development shall not be carried out otherwise than in accordance with the details thus approved:

- a. All proposed louvers;
- b. Part elevation drawings;
- c. External doors

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

**8. SCM11 - Modifications**

Detailed drawings showing further design and consideration of soft and hard landscaping, layout, street furniture and useable area of the public realm shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority, following consultation with the GLA's Architecture and Urbanism Unit, prior to the commencement of the works associated with the soft and hard landscaping, layout, street furniture and useable area of the public realm. This part of the development shall be completed in accordance with the modification(s) thus approved.

REASON: The proposed landscaping requires further, detailed consideration to ensure an acceptable form of development.

**9. NSC1 - Signage**

Prior to occupation of the first phase of development full details of the signage, including site signs and signs on buildings must be submitted to and approved by the Local Planning Authority before any work associated with signage is commenced. The development should not be carried out otherwise than in accordance with the details thus approved.

REASON: To assist in directing members of the public around the site and ensure a consistency in design.

**10. NSC2 – Car Parking details**

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

b. details of new access routes/routes

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

**11. NSC3 - Site boundary**

A detailed drawing to show a clear demarcation must be provided to distinguish the boundary of the site from the Public Highway within one month of the date of this permission.

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**13. SCD1 – Level Access (units and shops)**

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

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

**14. SCI4 – Roof plant enclosures**

Full details of all roof plant enclosures (as shown on the approved drawings) shall be submitted to and approved in writing by the Local Planning

REASON: To safeguard the appearance of the property.

**15. SCH3 – Parking within site**

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

REASON: To assist in ensuring that the public highway is available for the safe and convenient passage of vehicles and pedestrians.

**16. SCH5 – Provision of parking, turning and unloading facilities**

No individual phase of the development hereby approved shall be occupied until the accommodation for car parking, turning and loading/unloading associated with that phase has been provided in accordance with the approved plans and phasing strategy, and such accommodation shall be retained permanently for use by the occupiers and/or persons.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the car parking for residents, users and/or persons calling at the premises.

**17. SCH9 – Marking of parking/ service areas**

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

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the development does not prejudice the free

**19. NSC4 – Landscaping of public realm**

Full details of both hard and soft landscaping works associated with the public realm within the scheme shall be submitted in writing to the Local Planning Authority within one month of the date of this permission and approved in writing prior to the commencement of the works associated with the details thus approved following consultation with the GLA's Architecture and Urbanism Unit. Soft landscape works shall include: a planting plan; a schedule of plants noting species, type of stock, numbers of trees and shrubs to be included; and details of areas to be grass seeded or turfed. Hard landscape works shall include details of ramps, steps, railings, lighting, vehicular and pedestrian circulation areas, street furniture, the water feature, proposed drainage system and details of the location of a tree with associated plaque dedicated to the victims of the New Cross fire tragedy. All hard and soft landscaping works associated with the public open space shall be carried out in accordance with the approved details. The works shall be implemented in accordance with the approved phasing plan and shall be carried out within a period of twelve months from the date on which the development commences or the first planting season following completion of the relevant phase.

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

**20. NSC5 – Landscaping excluding Public Realm**

Full details of both the hard and soft landscaping works associated with the scheme excluding the public realm, balconies and winter gardens shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of the works associated with the details thus approved following consultation with the GLA's Architecture and Urbanism Unit. These details shall include: surface materials, steps, railings, balustrades, bat boxes and or bricks, green and brown roofs, ramps and planting plans including a schedule of plants noting species and type of stock. All hard and soft landscaping works associated with the residential terraces shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following completion of the relevant phase of development as set out in the approved phasing plan.

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

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maintenance to include the replacement of any plants that die or are severely damaged, seriously diseased or removed.

**22. NSC9 – Cycle Stands**

Full details of the on site provision for all cycle stands to have secure storage shall be submitted to the Local Planning Authority within one month of the date of this permission and approved by the Local Planning Authority in writing prior to the commencement of works for the details thus approved or the first occupation of the development, whichever is earlier. The approved details shall be implemented before first occupation and the development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In order to ensure that a safe and secure provision for cycle storage is located conveniently for use by cyclists.

**23. NSC10 – Environment Agency**

Details of surface water drainage and source control measures shall be submitted to and approved in writing by the Local Planning Authority before development commences, after consultation with the Environment Agency.

REASON: To prevent an increased risk of flooding, to improve water quality and to provide improved amenity and wildlife habitat.

**24. NSC13 – English Heritage**

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

REASON: Significant archaeological remains may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG15.

**25. NSC14 – Artefact details**

Details of the type of any artefacts from the original buildings which have been identified by the Museum of London in accordance with a condition attached to

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police during the construction period, shall be provided in writing to the Local Planning Authority within one month of the completion date.

REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.

**27. NSC16 – Residential space standards**

The internal layout of all residential units shall comply with unit size standards outlined in Supplementary Planning Guidance No.1 and Policy H09 (4 bed units).

REASON: To ensure a reasonable standard of internal amenity for future occupiers.

**28. NSC18 – Communal Heating System**

Details of the communal heating system shall be submitted to and approved by the Local Planning Authority. The details shall demonstrate that all users within the development will be connected to the communal heating system. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In the interests of sustainable design and energy saving.

**29. NSC19 – Code of Construction practice**

No development shall commence until a code of construction practice has been submitted and approved by the Local Planning Authority. The code of construction practise shall provide a control framework that the developer, contractors and sub-contractors will employ: to control on site working conditions; in relation to site fencing/site security; to minimise construction noise impact on surrounding properties likely to be adversely affected by construction activities; to provide details of traffic routes to be used by construction vehicles. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To avoid serious harm upon members of the public.

**30. NSC20 – Renewable Energy**

Details of the scheme to achieve no less than 10% reliance on renewable energy sources shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The development shall not

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

**32. NSC22 – Phasing Plan**

A phasing plan showing details of the phased delivery of the scheme hereby approved shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority prior to the commencement of works on the public realm works. The development shall not be carried out otherwise than in accordance with the Phasing Plan.

REASON: To ensure that the development is implemented to the satisfaction of the Local Planning Authority.

**33. NSC23 – Site clearance and nesting season**

Site clearance should be undertaken outside of the bird nesting season (generally accepted as being between March and July). If this is not possible, all the trees, scrub and buildings should be searched for the presence of nesting birds. If any are found the nests should be protected until such time as the young have fledged and left the nest. These details should be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the development.

REASON: In the interest of preserving ecology on the development site.

**34. NSC24 – Contaminated Land**

Development of the site shall not begin until a contaminated land study has been submitted to the Local Planning Authority for written approval. The study will identify the extent of the contamination and the measures to be taken to avoid risk to the public and local environment when the site is developed. Details of this study should include:

- a. A desk study report documenting the history of the site;
- b. A site investigation report to investigate and identify contamination;
- c. A risk assessment of the site;
- d. Proposals for any necessary remedial works to contain, treat or remove any contamination.

Occupation of the site and development shall not commence until the measures approved in the study have been implemented.

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1. That the landowner/developer/mortgagee shall contribute £579,325.00 for the purpose of providing education and/or training facilities for the residents of the London Borough of Hackney;
2. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £508,676.00 to reinstate and improve the footway adjacent to the boundary of the site, and include if required, any access to the Highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements. Unavoidable works required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment;
3. Footway reinstatement works;
4. That the landowner/developer/mortgagee shall provide temporary and permanent public open space plus associated Bond(s) for the open space works;
5. That the landowner/developer/mortgagee shall provide a plan for the provision of a programme of public art to require the expenditure of at least £20,000.00 but no more than £25,000.00 inclusive of design and consultation costs;
6. That the landowner/developer/mortgagee shall provide a plan setting out a package of security measures to be adopted by the developer which shall include the provision of CCTV and lighting;
7. To secure the provision of Affordable Housing comprising 8 x 2 bedroom units, 18 x 3 bedroom units and 6 x 4 bedroom units as affordable intermediate housing to be created and used exclusively as Intermediate Housing and 8 x 2 bedroom units, 11 x 3 bedroom units, 6 x 4 bedroom units and 6 x 6 bedroom units as affordable rented being the units to be created and used exclusively as Social Rented Housing;
8. A travel plan shall be provided towards assisting occupiers (both residential and commercial) to achieve sustainable travel targets with the services of a Travel Plan co-ordinator;
9. The development shall be limited to 65 car parking spaces. The developer shall notify the occupants of the residential units that they shall not be able to obtain any residential parking permit, with the exception of blue badge holders;
10. That the landowner/developer/mortgagee shall endeavor to secure at least twelve per cent of the workforce for construction of the development shall be Local Labour;
11. That the landowner/developer/mortgagee shall convene a community working group monthly during the construction phase and provide a code of construction practice;
12. That the landowner/developer/mortgagee shall provide a Housing Standards

EQ1-Development Requirements, EQ29-Archaeological Heritage, EQ30-Areas of Special Landscape Character, EQ32-Shop fronts, EQ40-Noise Control, EQ46-Recycling Facilities, EQ48-Designing out crime, H03-Other Sites for Housing, H016-Housing for People with Disabilities, E3-Development outside Defined Employment Areas, E18-Planning Standards, TR19-Planning Standards, R1-Town Centre, R3-Development within shopping frontages, CS2- Provision of Community Facilities, AE6-Arts and Open Space, AE8-Planning Standards, 3A.1-Increasing London's Supply of Housing, 3A.2-Borough Housing Targets, 3A.4-Housing Choice, 3A.7-Affordable Housing Targets, 3A.10-Special Needs and Specialist Housing, 4B.1-Design Principles for a Compact City, 4B.2-Promoting World Class Architecture and Design, 4B.4-Enhancing the Quality of the Public Realm, 4B.7-Respect Local Context and Communities, 4B.8-Tall Buildings- Location, 4B.9-Large-scale buildings design and impact, 4B.10-London's Built Heritage, 4B.11-Heritage Conservation, PPS1-Delivering Sustainable Development, PPS3-Housing, PPS6-Planning for Town Centers: Guidance on Design and Implementation, PPG13-Transport, PPG15-Planning and the Historic Environment, Guidance on Tall Buildings 2003 (CABE/English Heritage).

### **INFORMATIVES**

The following informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping
- NSI Relevant Fire Legislation
- NSI Reliance upon Renewable Energy Sources shall not be less than 10% for the site and where efficiencies are possible with the above ground development on Dalston Junction, a 25% reliance upon renewable energy is recommended.
- NSI The stair riser from Roseberry Place will be required at 150mm.
- NSI The development of this site is likely to damage archaeological remnants. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the

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However, these details were considered and subsequently discharged, the details of which are covered by the drawings/documents attached and hereby approved under this consent.

**9 CLISSOLD PARK AND HOUSE**

**2008/1973** – Restoration of Grade II Listed Villa to bring all areas into beneficial use as a café, Function Rooms, retail and ancillary park facilities (W.C, Ranger Point) the work includes repairs & alterations to external walls, re-roofing, internal alterations creating new layout; provision of new passenger lift, kitchen/servery, W.C facilities.

**2008/1975** – Renovations to park environment including: Demolition and removal of the following: 2 No. existing toilet blocks; Aviary; 2 No. small sheds; 5 No. entrance gates. Refurbishment of: Sluice House with change of use to A1 (refreshment kiosk 25 sqm in area); and Bowling Pavilion including re-instatement of WCs. Erection of: New Aviary; new butterfly dome; 5 No. entrance gates; storage shed; 2 No. new pedestrian bridges; Extension of the “New River” water body; development of a new sports and play area including skate park. Relocation of waste storage areas to existing depot accessed from Greenway Close.

- 9.1 The Planning Officer introduced the report, as set out in the agenda. He referred to the addendum and stated that paragraph 1.4 on page 163 of the agenda should be deleted from the report. The addendum also provided a clarification of enclosures to the New River and Lakes within Clissold Park.
- 9.2 Sally Prothero (LDA), Hyder Ajmi (Project Manager, Hackney Council) and Shane Jenson (Project Manager, Hackney Council) were in attendance to answer any questions that arose.
- 9.3 In response to a query regarding the relocation of the Hackney Tennis Club, the Planning Officer explained that the tennis club currently occupies part of the ground floor of Clissold House and that the proposal was to open up the house to the public, which would include the area they currently occupy.
- 9.4 Councillor Smith raised two questions concerning the extension to the water body and the health and safety implications and also why the interpretation centre was included within the proposal.
- 9.5 Sally Prothero explained that the extension to the New River was an important feature

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- 9.7 The Chair also wished to clarify what railings were proposed for the water bodies and also why the gates to the park were deemed unsuitable. It was confirmed that the 6ft fencing around the New River was to be removed and replaced with an 18inch fence and that the railing for the other two lakes were to remain, in order to protect the wildlife.
- 9.8 The Chair asked about the officer's concerns regarding the gates. In response the Urban Design & Conservation Manager told the Sub-Committee that they had aspirations for higher quality, contemporary gates and this would be covered by condition.
- 9.9 Discussion took place on the 1 o'clock club located within the park and the possible re-location of this. Councillor Smith stated that she would strongly object to the club being re-located as it was a very well used facility within the community. It was however acknowledged by the Sub-Committee that it was currently located within an unattractive building and that any plans to move the club into a more attractive building, at the same location, would be welcomed.

**Unanimously RESOLVED that:-**

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

**1. SCBO – In accordance with plans**

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

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

**2. SCB1N - Commencement within three years**

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

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

**3. SCM2 - Materials to be approved**

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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.

**5. SCT1 - Landscaping**

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any works to the park environment commences. The landscaping scheme shall consist of but is not limited to:

- a) Details of all fencing and enclosures within the park;
- b) Details of all new fixtures within the park (i.e. benches, bins);
- c) Details and methodologies for the planting of trees throughout the park environment including species, type of stock, number of trees and shrubs and any new areas to be grass seeded and/or turf.

All tree planting in accordance with the landscaping 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, are severely damaged, seriously diseased or removed.

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

**6. NSC – Tree Works**

- a) All tree works are to be done in accordance with the British Standard Recommendations for Tree works, BS 3998:1989.
- b) Climbing irons or spikes are not to be used whilst pruning trees; they may only be used for the sectional removal of trees.
- c) Pruning shall be undertaken following the principles of good arboricultural practice as stated in AAIS Arboriculture Research Note 48, Definition of the Best Pruning Position. Where aerial growth is to be removed, great care shall be taken not to leave a stub which may provide a food basis for both fresh wound parasites and decay fungi and not to cut back into or beyond the branch.
- d) Final pruning cuts should be made at a branch fork or at the main stem.

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driven or parked beneath the crowns of any trees to be retained as this could cause soil compaction and consequent root death.

REASON: To ensure all tree works are carried out to an acceptable standard.

**7. NSC – Pollution Control**

i) The rating level of the noise emitted from the proposed compactor and park vehicles used in loading the compactor located within the existing northern depot shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS 4142:1997.

ii) Development shall not commence until details of a scheme complying with the above noise level has been submitted to and approved in writing by the Local Planning Authority.

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

REASON: To safeguard the amenities of the adjoining premises and the area generally.

**8. NSC – Hours of Operation for Waste Compactor**

The proposed waste compactor shall only be operated, loaded and unloaded between the hours of:

7:30am – 6:00pm : Monday to Friday  
10:00am – 6:00pm : Saturdays and Sundays

REASON: To safeguard the amenities of the adjoining premises and the area generally.

**9. NSC – Vehicular Movements**

All vehicular/truck movements to load and unload the compactor located within the northern depot shall be made wholly within the application site. Details of turning circles shall be submitted to and approved in writing by the Local Planning Authority before the compactor is first used.

REASON: To safeguard the amenities of the adjoining premises and the area

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Clissold House) shall be submitted to and approved in writing by the Local Planning Authority on advice from English Heritage prior to the commencement of any building works to Clissold House.

REASON: To ensure all care is taken during partial demolitions to Clissold House.

**12. NSC – Clissold House – Room G7**

Full details and method statement of the removal of brick divisions and stone shelves in room G7 of Clissold House, together with design, layout and fit-out of the proposed kitchen shall be submitted to and approved in writing by the Local Planning Authority on advice from English Heritage prior to the commencement of any building works to Clissold House.

REASON: To ensure all care is taken during partial demolitions to Clissold House and that any fit-out is sympathetic to the historic fabric of Clissold House.

**13. NSC – Clissold House – Glazing Detail**

Full details of replacement glazing at the lower level of Clissold House shall be submitted to and approved in writing by the Local Planning Authority on advice from English Heritage prior to the commencement of any building works to Clissold House.

REASON: To ensure all materials are sympathetic to the historic fabric of Clissold House.

**14. SCL2 – Works to match existing**

All new works, and works of making good to the retained fabric, whether internal or external, shall be finished to match the original work with regard to the methods used and to material, colour, texture and profile, and in the case of brickwork, facebond and pointing.

REASON: To ensure that the special architectural and historic interest of this building is safeguarded / and that the proposal does not detract from the character and appearance of the area / this part of the conservation area.

**15. SCL3 – Details to Match Existing**

i) The new joinery work shall match exactly the materials, dimensions and profiles of existing original work, except where otherwise shown in the

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**16. SCL4 – Brickwork to be approved**

Sample panels of brickwork, indicating the colour, texture, facebond and pointing shall be resubmitted to and approved by the Local Planning Authority before the relevant parts of the work are commenced.

REASON: In order that the works approved are carried out in a satisfactory manner which safeguards the special historic and architectural interest of the building.

**17. SCL6B – Original features to be retained**

All existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors, staircase balustrading shall remain undisturbed in their existing position and shall be fully protected during the course of works on site, unless specifically authorised otherwise on the drawings hereby approved.

REASON: To ensure that those features which contribute to the special architectural and historic interest of the building are retained.

**18. SCL10 – Archaeological investigation**

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

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

**19. SCD1 - Level access**

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

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

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

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

**22. NSC - External ventilation**

Full details of mechanical ventilation equipment from kitchen areas, bathroom areas and any air conditioning units must be submitted for approval by the Local Planning Authority on advice from English Heritage, in writing, before the commencement of works on Clissold Hosue, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences. Mechanical ventilation equipment from kitchen areas, bathroom areas and any air conditioning units must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of park users as a result of fume or odorous discharge.

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

**23. NSC – Roof Balustrade to Clissold House**

Notwithstanding the information depicted on plans 455A D-06 Rev A, 455A D-07 Rev A, 455A D-08 Rev A, and 455A D-09 Rev A, full details of the safety balustrade on the roof of Clissold House shall be submitted to and approved in writing by the Local Planning Authority, on advice from English Heritage, prior to the commencement of any building works to Clissold House.

REASON: To ensure any new elements added to Clissold House do not detract from the historical fabric of the Listed Building.

**24. NSC – Landscaping Immediately Surrounding Clissold House**

Notwithstanding the information shown on the submitted plans, full details of the hard landscaping treatment in the immediate vicinity of Clissold House shall be submitted to and approved in writing by the Local Planning Authority on advice from English Heritage prior to the commencement of any building works to Clissold House.

REASON: To ensure the setting of Clissold House does not detract from the historical fabric of the Listed Building.

**25. NSC – Entrance Gates**

Notwithstanding the information shown on the submitted plans, full details of the five new entrance gates shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any building works to the entrances to Clissold Park.

**27. NSC – Multi Use Games Area (MUGA)**

Notwithstanding the information shown on the submitted plans, full details of the MUGA including the following matters (but not limited to):

- Play equipment;
- Surface treatments; and
- Cross-sections of earth bunds.

shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any building works to the MUGA.

REASON: To ensure the facility is presented in an acceptable manner to minimise the risk of adverse health and amenity effects.

**28. NSC – Ranger Station**

Notwithstanding the information shown on the submitted plans, full details of the Ranger Station (Rooms G27, G26, and G25 of plan 455A D-02 Rev A) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any building works on Clissold House. These details shall include, but are not limited to, cross section depicting floor to ceiling heights and floor layout of the three rooms.

REASON: To ensure an acceptable level of amenity to future workers/occupiers of the Ranger Station.

**REASONS FOR APPROVAL**

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission:

EQ1 'Development Requirements', EQ12 'Protection of Conservation Areas', EQ13 'Demolition in Conservation Areas', EQ16 'Protection of Listed Buildings', EQ17 'Alterations to Listed Buildings', OS2 'Open Spaces and Parks', OS4 'Protection of Character of Open Spaces and Parks', OS5 'Development Affecting Open Spaces and Parks' of the Hackney Unitary Development Plan 1995, and London Plan Policies 4B.1 'Design Principles for a Compact City', 4B.11 'London's Built Heritage', 4B.12 'Heritage Conservation'. PPG15 Planning and the Historic Environment

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SI.27 Fire Precautions Act 1971  
SI.28 Refuse Storage and Disposal Arrangements  
SI.32 Consultations with TWU

NSI.1 The hours of construction work on site that are audible at the nearest noise sensitive premises shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday and at no time on Sundays & public holidays except by written permission of the Council or where the works are approved under section 61 Control of Pollution Act 1974.

NSI.2 The best practice detailed within the Building Research pollution control guides Parts 1 to 5 for controlling particles, vapour and noise pollution from construction sites must be followed throughout the enabling works, demolition and construction phase of the development.

NSI.3 Your attention is drawn to the need to comply with the provisions of the Regulatory Reform (Fire Safety) Order 2005 where applicable. The provision of satisfactory means of escape in the event of a fire is the concern of the London Fire and Emergency Planning Authority as fire authority, and information relating thereto may be obtained from the Fire Safety Department, 210 High Street, East Ham, E6 3RS.

NSI.4 The applicant is advised that it is an offence under the Wildlife and Countryside Act 1981, amended by the Countryside and Rights of Way Act 2000, to:

- Kill, injure or take any wild birds;
- Damage or destroy nests that are in use or are being built;
- Take or destroy eggs.

Car must be therefore be taken that none of these offences are committed whilst undertaking the above works. If trees or hedges are to be felled or pruned between March and August, they should first be inspected carefully for nests; if found, and the proposed works are no necessary to preserve public health or safety, felling or pruning should be delayed until young birds have flown.

NSI.5 The applicant is advised that prior to undertaking any tree works, a check should be made for any evidence of bat occupancy. This should be done either by a detailed visual inspection, or if necessary through consultation by a

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together with the provision of 353m<sup>2</sup> of retail (Class A1) floorspace at ground floor level.

- 10.1 The Planning Officer introduced the report, as set out in the agenda. The addendum circulated to Members at the meeting included a copy of a previous report to the Sub-Committee on this application.
- 10.2 Rob Grantham (Contractor) was in attendance and the Chair asked him to clarify how the drawings had changed since the previous application was approved.
- 10.3 Rob Grantham explained that the changes to the drawings were mainly as a result of determining that the site had unsupportive foundations and therefore a lightweight building had to be built instead. This was considered a minor change and the main change was a loss of the disabled parking space. He was also asked by the applicant to request a variation of the TMO within the S106 agreement and to propose a bond of £3,000 to cover the costs of the TMO.
- 10.4 In response to a question from the Chair asking why the building was now 1 metre higher than the scheme that was previously agreed, Rob Grantham explained that they had consulted the planning department and it was not viewed as a major alteration when the drawings were submitted. It was confirmed that the new drawings were submitted in November 2007. It was also identified that a different architect had been brought in since the scheme had been approved.
- 10.5 The Chair asked the Planning Officer to clarify all the changes to the scheme previously approved. The Planning Officer identified these as follows:-
  - Loss of the disabled parking bay, due to the change to the loading bay entrance.
  - Internal wall and ramp been added to the ground floor retail outlet.
  - The 18 residential units to remain. Re-arrangement of the sizing of the residential units, some smaller/larger, which all still conform to building regulations.
  - The overall height of the building is 58m higher than previously agreed.
  - Some of the windows re-aligned.
- 10.6 Members wished to clarify whether the changes identified were sufficient enough to object to. The Interim Head of Regulatory Services stated that the changes were felt to be of a marginal nature and that in his opinion any move to get the building demolished would be highly unsuccessful at appeal. He added that it was not unusual

- 10.9 The Sub-Committee wished to convey their concerns to Family Mosaic that the plans had been altered and that there were no representatives from either Family Mosaic or the architects in attendance at the meeting. The Chair stated that he proposed to write a letter expressing these concerns to the Housing Corporation, copying in Family Mosaic.

**Unanimously RESOLVED that:-**

**A) The proposal be APPROVED, subject to the following conditions:**

1. 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. 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. During and after works of demolition the site shall be made secure by the erection of a suitable boundary enclosure, such as a hoarding, details of which shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works. In addition, the site at all times shall be maintained in an orderly and tidy condition.

REASON: To ensure that the site is kept in a secure and tidy condition so as to safeguard the environmental and visual amenity of the conservation area.

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

REASON: In order to ensure that people with disabilities are able to gain proper

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7. Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.
- a) Glass canopy at entrance to the flats;
  - b) Details of all green roofs;
  - c) Details of external cladding;
  - d) Sample of external brickwork to be submitted.

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

8. No external shuttering shall be installed at the approved development without the written approval of the local planning authority.

REASON: In the interests of the visual amenity of the area.

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

- a) All materials on external elevations, including doors and windows
- b) Boundary treatment
- c) Controlled entry system at common entrance, including audio and close circuit links
- d) Secure doors to Cycle and Bin Storage areas
- e) Communal area lighting
- f) Down pipes and gutters shall be square in section and be fitted flush

REASON: In the interests of ensuring a satisfactory development at the site.

**B) That recommendation A be subject to the applicant/landowner and its mortgages entering into a Section 106 planning obligation by means of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the following matter to the satisfaction of the Assistant Director of Regeneration and Planning and the**

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4. Housing Standards – all residential units to be built to lifetime home standards and Mobility Housing standards.
5. Car Free – Retention of the development as car free and CPZ parking permits available to future residents of the site.
6. Section 278 – Highways Act The owner will be required to enter into agreement under Section 278 of the Highways Act to pay £12,000 to the Council costs to reinstate and repair the public footway as a result of the demolition and construction process and £3,000 for the cost of implementation of a traffic management order (TMO).
7. Improvement of the Public Realm due to the Development will increase the residential use at this corner site, and a request is made for £3,000 to improve the public highway for walking and cyclists at this junction and between this site and the route to the nearest bus stops.
8. Sustainable Travel Plan – The submission of a Travel Plan covering both residential and business use, including servicing of the site. The contents to be included to be agreed with the Council's Transport Officer.
9. Payment by the landowner/developer/applicant of all the Council's legal and other relevant fees, disbursement and Value Added Tax in respect of the proposed negotiations and completion of the proposed Section 106 Agreement.

**INFORMATIVES:**

The following informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.27 Fire Precautions Act 2005
- SI.28 Refuse Storage and Disposal Arrangements

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**Signed**

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**Chair of the Planning Sub-Committee**

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