

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY, 7TH JANUARY, 2009

Councillors Present:	Cllr Michael Desmond in the Chair Cllr Barry Buitekant, Cllr Michael Desmond (Vice-Chair), Cllr Linda Smith, Cllr Katie Hanson and Cllr Jessica Webb
Apologies:	Cllr Simon Tesler and Cllr Vincent Stops (Chair)
Officers in Attendance	Sue Foster (Assistant Director of Regeneration and Planning), Rokos Frangos (Senior Planning Officer), John Kaimakamis (Senior Planning Officer), Rosemary Lansdowne (Principal Solicitor), Graham Loveland (Interim Head of Regulatory Services), Ron Madell (Senior Planning Officer), John McRory (Team Leader, Major Applications), Femi Nwanze (Planning Applications Unit Manager), Ray Rogers (Urban Design and Conservation Manager), Scott Schimanski (Team Leader, Area Team), Emma Perry (Democratic Services Officer) and David Rees (Democratic Services Manager)

1 APOLOGIES OF ABSENCE

- 1.1 Apologies for absence were received from Councillors Stops and Tesler.

2 MEMBERS TO AGREE THE ORDER OF BUSINESS

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

3 DECLARATIONS OF INTEREST

- 3.1 Councillor Smith declared a personal and prejudicial interest in Item 6 – 1-29 Lyme Grove House, Lyme Grove, Loddiges Road, as she has a personal relationship with one of the objectors and left the Chamber during the discussion of this item.

4 MINUTES OF THE PREVIOUS SPECIAL MEETING – 19 NOVEMBER 2008

- 4.1 **RESOLVED** – that the minutes of the Special Meeting held on 19 November 2008 be APPROVED as a true and accurate record.

5 MINUTES OF THE PREVIOUS MEETING – 3 DECEMBER 2008

5.1 **RESOLVED** – that the minutes of the meeting held on 3 December 2008 be APPROVED as a true and accurate record, subject to the following amendments:

- That paragraph 8.6 be replaced with the following:

‘Councillor Smith felt that the Council’s normal rules on the provision of larger sized units should apply, regardless of proximity to the mental health unit. She believed that children would end up living in the block even if only smaller units were provided and raised the issue that families already live around the mental health unit site in other developments. As a consequence, it is imperative that the mental health unit has the appropriate safeguards in place with regard to all of its neighbours in what is an area densely populated by all age groups. This was supported by Councillor Webb’.

6 1-29 LYME GROVE HOUSE, LYME GROVE, LODDIGES ROAD, LONDON

(Councillor Smith left the Chamber during the discussion of this item).

Demolition of existing buildings and the construction of a new part 3, part 8 storey building to provide 36 residential units (6 x 1 bed, 18 x 2 bed, 8 x 3 bed, 4 x 4 bed) along with 4 disabled car parking spaces and associated landscaping.

NB: The application was reported to members of the Planning Sub-Committee on 3 December 2008. At this meeting, members DEFERRED the application to allow them to carry out a visit to the site and similar schemes built by the developer. The site visit was carried out on 19 December 2008.

- 6.1 The Planning Officer introduced the report, as set out in the agenda. The applicants circulated samples of the proposed materials, for Members’ information.
- 6.2 The Planning Officer referred to the addendum and informed the Sub-Committee that following the previous meeting, where an addendum had outlined changes to the mix of affordable housing to reduce the intermediate units from 24 units to 9 units, the applicant had submitted, that for ease of management, 10 intermediate units would provide the optimal arrangement. This was an increase from the 9 that had been considered the minimum number of intermediate units, and as such, the Council’s Housing Officer considered this to be acceptable.
- 6.3 Councillor Akehurst spoke in objection to the scheme, on behalf of residents, his comments are summarised as follows:
- Received many representations from local residents expressing their strong opinions of objection to this application. This was only the second time in his seven years as a Councillor he had attended a Planning Sub-Committee meeting to speak in objection to a scheme.
 - The local residents were not in objection to additional housing in the area but were purely in objection to the 8 storey tower.

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- Felt that the meaningfulness of the consultation seemed to have been lost and wanted to ensure that the concerns raised throughout the consultation period were considered.
- Felt that the Council should look at ways for section 106 money to be used locally, as a result of loss of amenity for residents.
- A good relationship between the neighbours and developers was needed.

6.4 Martin Sugarman spoke in objection to the scheme, his comments are summarised as follows:

- Fully aware that the 8 storey tower was in-line with guidance, however it did not promote quality of life for local residents.
- Felt that the views of residents were being ignored and expressed his objection to the 8 storey tower and stated that residents were especially disappointed as this was being developed by a housing association.
- The tower will create lack of privacy and overshadowing.
- Lack of communication between the housing association and residents.
- ISHA should come back with an alternative plan with the tower reduced.

6.5 Justin Kelly and Colin Archer spoke in support of the scheme, their comments are summarised as follows:

- This was not just a re-submission of the previous scheme, as the number of dwellings had been reduced from 42 to 36 following consultation, however the proposal of reducing the 8 storey tower was not justified.
- Happy to continue dialogue with local residents and community groups/resident associations.
- Trying to replace 29 sub-standard units with 36 units, which will be aimed at families.
- The new scheme will make the area of Lyme Grove safer.

6.6 Councillor Hanson made reference to a similar site built by Islington and Shoreditch Housing Association and asked whether this scheme would be of the same standard of design.

6.7 The applicant stated that some of the details of the design of the scheme referred to were unfortunate and that the scheme would be monitored by the planning department. He recognised that they did not get it entirely right last time and had learnt from their mistakes.

6.8 The Chair asked whether the section 106 money could be allocated to the locality and the Principal Solicitor stated that any s106 money should benefit the ward as far as possible. The Assistant Director added that the Council now had project banks which looked at allocating funding locally.

6.9 The Chair requested that the following conditions be added to the recommendation:-

- Section 106 monies be prioritised for the immediate area. This was **AGREED**.
- The developer to liaise closely with local residents throughout the construction of the development. This was **AGREED**.

Unanimously RESOLVED that:-

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

1. Development in accordance with plans

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

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

2. Commencement within three years

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

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

3. Materials to be approved (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. Modifications to be Approved

Detailed drawings showing the following modification(s) to the scheme shall be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced on site:

- The bin store and the service space entrances should be grouped together with darker coloured (and more low profile) doors to avoid the dominance of the bin store and service space entrance.
- A canopy or similar should be provided to address the main entrance.

This part of the development shall be completed only in accordance with the modification(s) thus approved.

REASON: The details are considered unsatisfactory in the form shown on the drawings submitted to date and these aspects of the scheme should be modified to ensure an acceptable form of development.

5. No extraneous pipework

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

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

6. Parking

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.

7. Parking for persons with disabilities

Before the use hereby permitted first commences the 4 accessible car parking spaces shall be provide for use by the vehicles of persons with disabilities as located on drawing number J06.262/D(00)102.

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

8. Provision for cycles

Secure, covered parking shall be provided for 54 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.

9. Landscaping

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed; 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.

10. Protection of trees on-site during site works

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.

11. 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.

12. Refuse Disposal

Adequate refuse storage shall be provided as shown on the plans hereby approved, prior to the occupation of the development hereby permitted.

REASON: In order to assist in the proper disposal of waste and to protect the appearance of the area.

13. Waste Storage

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

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

14. Level Access

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.

15. Provision of access and facilities

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

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

16. Ecological (Green) Roof

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

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

17. Secured by Design

The development shall achieve a Certificate for Compliance to Secure by Design or alternatively achieve Secure by Design standards to the satisfaction of the Metropolitan Police, details of which, to include consultation with the police during the construction period, shall be provided in writing to the Local Planning Authority within one month of the completion date.

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

18. Construction Method Statement

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

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

19. Dust Control

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

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

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 100% of units as affordable housing, with a split of 72%:28% socially rented/intermediate.
2. That the provision of 100% (36 units) affordable housing be secured by Islington & Shoreditch Housing Association providing 26 social rented units and 10 intermediate units.

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3. Payment by the landowner/developer of an education and libraries contribution of £92,862.62 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.
4. Payment by the landowner/developer of an open space contribution of £1,697.40 towards the supply and quality of open space in the immediate locale.
5. Payment by the landowner/developer of a sustainable transport contribution of £11,880.00 towards works to the public highway.
6. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £97,500 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.
7. The landowner/developer covenants to use all reasonable endeavours to ensure that the residential development is retained as car free with the exception of those who are medically certified disabled.
8. All residential units to be built to Lifetime Home standards.
9. Commitment to the Council's local labour and construction initiatives (25% on site employment).
10. Achievement of a level 3 rating, with all reasonable endeavours to achieve level 4, under the proposed Code for Sustainable Homes.
11. 20% reduction in carbon emissions over the whole site through the use of renewable energy sources and use of low energy technology.
12. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
13. At least 10% of units provided shall be wheelchair accessible.
14. A Green Travel Plan to include servicing of the site, to be submitted to and agreed with the Council, to include the provision of a car share scheme.
15. Provision to allow the placement of street lighting on the proposed buildings where appropriate.
16. 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.

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

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for Housing; TR19 – Planning Standards; SPG1 New Residential Development; SPD Affordable Housing; SPD Planning Contributions.

The following policies contained in the London Plan 2004 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 – Sustainability Criteria; 3A.1 – Increasing London’s Supply of Housing; 3A.2 – Borough Housing Targets; 3A.3 – Maximising the Potential of Sites; 3A.5 – Housing Choice; 3A.6 – Quality of New Housing Provision; 3A.8 – Definition of Affordable Housing; 3A.9 – Affordable Housing Targets; 3A.10 – Negotiating Affordable Housing; 3A.11 – Affordable Housing Thresholds; 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; Housing SPD 2005.

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 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping

NSI There is a Thames Water main crossing the development site which may need to be diverted at the developer’s cost, or necessitate amendments to the proposed development design so that the main can be retained. Unrestricted access must be available at all times for maintenance and repair. Contact Thames Water, Ph. 0845 850 2777, for further information.

NSI With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage. Contact Thames Water, Ph. 0845 850 2777, for further information.

NSI It is recommended the developer to obtain Section 61 consent from this department under the Control of Pollution Act 1974 prior to commencing demolition/construction on site.

7 **2-4 SHARON GARDENS, LONDON, E9 7RX**

Erection of a two storey side extension and single storey rear extension to provide 2 x 3 bed flats, 2 x 2 bed flats and 4 x 1 bed flats.

- 7.1 The Planning Officer introduced the report, as set out in the agenda.
- 7.2 The applicant was in attendance to answer any questions that arose.
- 7.3 There being no 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 buildings, boundary walls and ground surfaces of this development shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on implementing this planning permission. 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.

6. SCD1 – Provision of level access

A level access shall be provided to all ground floor units of this development hereby permitted before the use is first commenced.

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

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. SCH10 – Secure bicycle parking

Lockable space shall be made available within the building for the secure parking of 8 bicycles, as shown on the plans hereby approved, before the first occupation of the development.

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

REASONS FOR APPROVAL

The following policies 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) of the Hackney Unitary Development Plan 1995; and policies 3A.1 (Increasing London's Supply of Housing), 3A.2 (Borough Housing Targets), 3A.4 (Housing Choice), 3A.6 (Definition of Affordable Housing), 3A.7 (Affordable Housing Targets), 4B.1 (Design Principles for a Compact City), 4B.4 (Sustainable Design and Construction) and 4B.7 (Respect Local Context and Communities) of the London Plan 2008.

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.32 Consultations with TWU
- SI.33 Landscaping
- SI.36 Soil Contamination Survey

8 BERKELEY HOMES LTD – OLD SCHOOL SITE, WOODBERRY GROVE, N4

Planning Application Number 2007/1841: Woodberry Down Kick Start Phase 1, Site 1 (Old School Site): Redevelopment to provide a mixed use scheme comprising 456 residential units (Class C3), 1128 sqm Priority Community Facility with associated retail (Class D1/A1), 906 sqm of flexible accommodation to include retail, restaurant, business and other uses (Class A1, A2, A3, A4, B1, D1, D2), ground and basement car parking (212 spaces). Development to comprise seven blocks of four to twenty five storeys in height, new access road and junction to Woodberry Grove, new public open space and new Local Area for Play (detailed application).

- 8.1 The Planning Officer introduced the report, as set out in the agenda. He referred to the addendum and stated that a total of 186 affordable dwellings had been approved for the Old School site (Woodberry Down Kick Start site 1) by Committee in March 2008 (155 social housing and 31 intermediate tenure units). The agenda report sets out the request from Berkeley Homes to change 39 of these 155 social rented units to intermediate tenure.
- 8.2 The addendum also detailed the planning contributions - education provision. It was stated that Officers were satisfied that the potential delay in contributions, due to the building of affordable housing initially at the Old School development reflecting the stated lack of current demand for private dwellings, would not have serious repercussions on the other Planning Obligations arising from the development.
- 8.3 Councillor Middleton expressed concerns regarding the scheme, on behalf of residents, her comments are summarised as follows:
- It was about time that the Borough was getting some decent homes.
 - Lack of consultation between the developers and local residents.
 - Businesses and shopkeepers had not been consulted since June 2008.
 - The narrowing of Seven Sisters Road was not identified in the report and the majority of residents were in objection to this proposal.
 - The site was located in Brownswood ward and not New River, as listed in the report.
- 8.4 In response to the issue raised regarding Seven Sisters Road, the Principal Solicitor clarified that the roads within the site were the responsibility of the Council's highways department, however Seven Sisters Road was owned by TfL and was therefore their responsibility.
- 8.5 Peter Naughton spoke in support of the scheme with objections, his comments are summarised as follows:
- Delighted that the Council had completed the section 106 agreement with Berkeley Homes, however he was concerned that it was now not the case that

the money would be retained within the scheme. He requested clarification on the s106 agreement.

- Felt that the proposed mix of units was not of concern and that it could benefit the scheme and provide a link between each of these.

8.6 In response to the query regarding the s106 agreement, the Planning Officer explained that all s106 monies would be allocated to the scheme and retained within the development area.

8.7 Robin Smith (Hackney Homes), Justin Tibaldi (Berkeley Homes) and Shaun Tickle (Agent) spoke in support of the scheme, their comments are summarised as follows:

- It was proposed that the social housing now come first as a result of the current economic downturn and that the private housing be built out afterwards, as soon as the market returns.
- Ensure that all social units will be delivered as soon as possible.
- The changes proposed were viewed as a benefit to the community in these difficult financial times.
- The contractors were ready to start on site from early February 2009 and were committed to starting work on phase 1 of the scheme.

8.8 In response to a question regarding the commencement of works, Shaun Tickle confirmed that they had a dedicated project team in place who were ready to get on site as soon as the legal agreement had been finalised. He confirmed that Berkeley Homes would provide a capital guarantee for the s106 agreement.

8.9 He added that although they were delaying on the private units, they were not purely going to wait for the market to improve, as a marketing campaign would be implemented by the end of the year to promote these units.

8.9 Councillor Buitekant referred to the request for 39 additional intermediate units and asked whether the total number of social rented units would be reduced as a result. Robin Smith confirmed that the total number of social housing units would not be affected and that Berkeley Homes would still provide a total of 516 units in total, as previously agreed.

8.10 In response to comments that residents had not been consulted, the Sub-Committee were informed that newsletters had been widely circulated and that events such as fun days, roadshows and meetings had also been held and documented.

Unanimously RESOLVED that:-

The affordable housing for Blocks E, F and G be AGREED to comprise 116 social rented and 70 intermediate tenure dwellings, as at item (i) of the main Report.

9 **OLYMPICS AND PARALYMPICS SITE – HACKNEY AND ADJOINING BOROUGH: LAND BETWEEN RIVER LEA NAVIGATION, A12 EAST CROSS ROUTE, RIVER LEA AND SILVERLINK RAILWAY LINE, HOMERTON, LONDON, E9**

Observations to the Olympic Development Authority (ODA) regarding:

- Planning permission for the Olympic Mode and Legacy Mode Handball Stadium/Arena.

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

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

Unanimously RESOLVED that:-

The London Borough of Hackney (LBH) supports the proposed Handball Arena in Olympic Mode and the proposed multi-sport venue in Legacy Mode. However raises the following observations with regard to the proposal:

- The LBH raise concerns as to external arrangement of the site in Legacy Mode. 'Illustrative' parking arrangements surrounding the venue that isolate the stadium from the wider parkland and little landscaping detail do not aid in understanding how the venue will link into the wider Olympic Park environment. Further detail will need to be submitted to ensure proper integration in the wider park environment is achieved and an acceptable number of car parking spaces is provided for as currently the illustrative number is considered excessive;
- Further detail regarding the potential development sites and accessibility between Hackney Wick and the Olympic Park will need to be provided. This portion of PDZ 5 and in particular any new bridges connecting the site to Hackney Wick will have a huge impact on LBH and circulation to, from and around the Olympic Park;
- Legacy Cycle parking details need to be developed;
- Further information is required regarding the predicted trip generation of the arena in Legacy mode. In addition, the impacts of the increased trip generation need to be assessed and adequate mitigation measures introduced to offset any adverse affects;
- Further detail is required of the impact on Hackney Wick station when major events are held at this venue in Legacy including additional assessment of these impacts and what measures are proposed to mitigate any adverse impacts on the station and routes to the venue;
- The Handball Arena site is situated within close proximity to Hackney Wick Station. Detail needs to be provided of how it will be ensured that good connections will exist to this station to enable and encourage patrons to travel via rail to the Legacy venue. What plans are being developed to manage travel during major events at the Legacy venue and what measures will be put in place to protect Hackney during these major events;
- A travel plan should be produced in consultation with LBH. The travel plan should be developed in conjunction with the host boroughs and TfL.
- The Arena's Isolation from the community, at least initially before communities emerge in the park, will be accentuated if the media centre does not go ahead as planned.
- There is a need for closer car parking, at least initially, than the proposed multi-storey car park use to help address potential isolation.
- This isolation from an existing community for at least the first decade of legacy life means it will have a wide regional draw, (far more than the usual 20 minute

- travel time to a sports hall). Concern over lack of use for the arena if a proactive development plan to generate use is not in place.
- Distance from major public transport points to the site is a problem, and will increase car dependency.
 - There are serious concerns should the Media Centre be reduced in scale in Legacy Mode, as this could have a significant impact on the legacy use and viability of Arena through reduced employment in the immediate area.
 - A site wide and specific events strategy is critical to the success of the venue.
 - Access from Hackney Wick train station is significant. If the venue is going to work this needs investment to minimise the walking distance and make it safe.
 - Critical to connectivity that one of the remaining permanent bridges is the bridge adjacent to the venue.
 - Concern over how it is possible to get 6,000 people in and out of the venue safely on a dark evening without high car dependency.

10 **ST JOSEPH'S CONVENT, MARE STREET, E8 4SA**

Demolition of existing "Norfolk Wing" of St Joseph's Hospice and the erection of a new purpose built three storey convent building in place of the Norfolk Wing accommodating 25 individual bedrooms including bedrooms including ensuites, two flats at ground level with ancillary communal areas, kitchens and landscaping.

NB: Members are requested to note that a previous scheme for a four storey building was approved at committee in August 2008. The current scheme looks to reduce the overall development by approximately 300 sqm by removing the top (fourth) floor of the previously approved scheme.

- 10.1 The Planning Officer introduced the report, as set out in the agenda. He referred to the addendum and it was noted that one letter of objection had been received after the report was published.
- 10.2 There being no questions from Members, the Chair moved to the vote.

Unanimously RESOLVED that:-

Permission be GRANTED, subject to the following conditions:

1. SCBO – In accordance with plans

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

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

2. SCB1N - Commencement within three years

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

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

3. SCM2 - Materials to be approved

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

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

4. NSC - Ecological roofs

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.

5. NSC - Renewable Energy and Sustainability

Full details of renewable energy provisions, including evidence of at least compliance with BREEAM's 'Very Good' rating for Multi-Residential proposals with best endeavours to achieve an 'Excellent' rating, 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.

6. SCT1 - Landscaping

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

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

7. NSC - Waste

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Full details of the bin storage area, including bin sizes and locations, are to be submitted and approved in writing by the Local Planning Authority prior to the occupation/use of the proposed building.

REASON: To ensure suitable storage for refuse is provided for on site.

8. SCS5 - Waste

Except on day(s) of collection, all refuse and waste shall be stored in sealed containers in the refuse area shown on the plans hereby approved.

REASON: To ensure refuse is not left in the street in the interests of visual amenity and to reduce the likelihood of infestation.

9. SCH10 - Cycle spaces

Provision for 5 cycles within a covered and secure facility. Details of which are to be submitted to an approved by the Local Planning Authority, in writing, before the commencement of works on site, and subsequently installed in a satisfactory manner, before the development is first occupied/use commences.

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

10. NSC - Wheel washing facilities

Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details approved by the Local Planning Authority prior to the commencement of works on site.

REASON: In the interest of highway safety.

11. NSC – Highway Works

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 costs related to consequential highway junction and pavement works.

12. NSC – Secure by Design

Full details of the access arrangements, gates, doors and security measures for the bin store, sub station and all pedestrian access points to the site from Mare Street are to be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development.

REASON: To ensure suitable security measures are provided for on site.

13. Service Equipment

Any extract system and other service equipment (air conditioning, etc) must be so positioned, designed and acoustically insulated so as not to cause noise and vibration disturbance or affect the amenity of nearby residents. This equipment shall be designed to operate at a level of 10dB (A) below the background noise level (to be determined) to render inaudible whilst operating.

14. Mechanical ventilation must discharge at least 1 metre above eaves and be vertical towards the sky with no restriction to the final opening, such as a plate, cap or cowl.

REASONS FOR APPROVAL

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

EQ1 - Development Requirements
H03 - Other sites for housing
H017 – Residential Accommodation for Care
TR19 - Planning Standards

INFORMATIVES

The following informatives should be added:

SI.1 Building Control
SI.2 Work Affecting Public Highway
SI.3 Sanitary, Ventilation and Drainage Arrangements
SI.6 Control of Pollution (Clean Air, Noise, etc.)
SI.7 Hours of Building Works
SI.8 Soundproofing
SI.19 Health, Safety and Welfare at Work
SI.24 Naming and Numbering
SI.25 Disabled Person's Provisions
SI.27 Fire Precautions Act 1971
SI.28 Refuse Storage and Disposal Arrangements
SI.32 Consultations with TWU

DURING DEMOLITION, CONSTRUCTION & RENOVATION:

1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 08.00 and 18.00 Mondays to Fridays and between the hours of 08.00 and 13.00 on Saturdays and at no time on Sundays and Bank Holidays.

Persons who intend to carry out works may apply to the Local Authority for 'Prior consent for work on construction sites under Section 61 of the Control of Pollution Act 1974'.

2. The contractor(s) shall comply generally with BS 5228:1997
3. At all times the Contractor shall ensure that the best practical means as defined in Section 72 of the Control of Pollution Act 1974 are employed to minimise noise and shall have regard to the relevant provisions of BS 5228; 1975 "Code of Practice for noise control on construction and demolition sites".

4. The Contractor's attention is drawn to Advisory Leaflet No. 72 issued by the Property Services Agency, Department of the Environment, entitled "Noise Control on Building Sites" (available from HMSO).
5. The rules under Part III of the Control of Pollution Act 1974 are relative to this site.

NUISANCE:

6. The Contractor is to take all reasonable precautions to prevent nuisance such as from smoke, dust, rubbish, vermin and other causes. In particular the Contractor is to dampen down excavations through concrete road, pavement and the like to reduce dust escape.

11 SKINNERS ACADEMY, WOODBERRY GROVE, FINSBURY PARK, LONDON, N4 1SN

Erection of a three storey sixth form entry academy with associated landscaping, to include a sports hall, two multi-use games areas and forty two parking spaces.

POST-SUBMISSION REVISIONS: Changes to elevational design of all parts of the proposal, including main entrance; changes to proposed landscaping in front of all three entrances; change to location of disabled parking spaces; change to position of boundary by New River; change of perimeter fence design and position to 'indicative'; minor changes to footprint of the building (in particular the north-eastern elevation).

- 11.1 The Planning Officer introduced the report, as set out in the agenda. He referred to the addendum and informed the Sub-Committee that in relation to paragraph 4.6.1, Thames Water had sent a further response stating that the existing water supply infrastructure had insufficient capacity to meet the additional demands for the proposed development. An additional condition was recommended to address this issue. He added that the comments previously submitted by the Urban Design and Conservation Team had also been amended, which were detailed within the addendum.
- 11.2 Councillor Middleton expressed concerns regarding the scheme, on behalf of residents, her comments are summarised as follows:
 - Not opposed to the scheme.
 - Felt that the report did not reflect the noise and disturbance that would be generated during the construction of the development and also the increased traffic down Woodberry Grove.
 - Felt that some type of compensation should be given to local residents for the disturbance caused and that an assurance should be given in writing.
- 11.3 Peter Naughton spoke in support of the scheme with concerns, his comments are summarised as follows:
 - The scheme is welcomed by local residents as many of them have to go outside of the borough for schooling.
 - Concerned with the increased level of traffic, especially towards the end of Woodberry Grove, which is already subject to heavy construction traffic.

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- Need for proper supervision between Green Lanes and the site during construction of the development.
- 11.4 In response to comments raised, the applicant explained that a traffic management plan had been submitted and that no construction vehicles would be permitted along the elevation of the development between Green Lanes and the end of Woodberry Grove. The level of noise generated would also be monitored on a regular basis.
- 11.5 The Principal Solicitor clarified the point raised by Councillor Middleton regarding compensation. She explained that the issue of compensation was not under the remit of the Sub-Committee.
- 11.6 Councillor Hanson referred to the cycle parking as she believed that 141 spaces was inadequate for the size of the development. In response, the agent explained that they expected the majority of students to walk to the school and that the number of spaces had been decided in consultation with the planning department, school and education authority.
- 11.7 In response to questions from the Chair, the architect confirmed the ecological elements of the scheme and also the materials to be used. He added that railings would be located around the perimeter of the site and would be designed in consultation with local people and artists.
- 11.8 The Chair requested that an additional condition be added for closer consultation to take place around the area of Green Lanes and Woodberry Grove regarding the traffic management plan to help alleviate problems for residents. This was **AGREED**.

Unanimously RESOLVED that:-

Notwithstanding boundary treatment, 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

Samples of all materials to be used on the external surfaces of the building and ground surfaces shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces and ground surfaces commences on site. 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.

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) 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.

6. 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.

7. SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, at least four 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.

8. SCH10 – Secure bicycle parking

Secure, covered parking shall be provided for 144 bicycles, details of exact siting of which shall be marked on plan, submitted to the local planning authority and approved in writing, before use of the development hereby approved 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. SCH14 – Closure of existing access

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

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

10. SCH15 – Access only as approved

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

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.

11. SCT1 – 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 (to number no fewer than 121), indigenous shrubs (to number no fewer than 4533), ornamental shrubs (to number no fewer than 1665) and herbaceous plants (to number no fewer than 1638), showing species, type of stock, numbers of trees and shrubs to be included (if different from, i.e. more than, the above figures) 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 five 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.

12. 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.

13. 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 forty-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.

14. NSC1 – Non-standard condition

A revised School Travel Plan shall be submitted to the Council's Traffic and Transport team for review, and approved in writing prior to occupation of the proposed development.

REASON: In the interests of providing for satisfactory travel arrangements to and from the school and to ensure that the proposed development does not prejudice the free flow of traffic.

15. NSC2 – Non-standard condition

Details of the construction traffic route shall be subject to consultation of all occupiers residing along the affected routes and thereafter submitted to the Council's Traffic and Transport team, together with a construction traffic management plan that includes details of such consultation and including any responses received, all such details to be approved in writing prior to the commencement of any work on site.

REASON: In the interests of road safety and the amenity of occupiers residing along the construction traffic route.

16. NSC3 – Non-standard condition

Details of water-recycling measures shall be submitted to, and approved in writing by, the local planning authority prior to occupation of the building hereby approved.

17. NSC4 – Non-standard condition

Full details of boundary treatment, including type, extent, height, depth and siting of perimeter fencing and the gabion wall adjacent to the New River, and including hard and soft landscaping treatment adjacent to the boundary in its entirety, shall be submitted to the local planning authority and approved in writing prior to the completion of commencement of works on any part of the boundary treatment.

REASON: In the interests of the appearance of the application site and its relationship with its surroundings.

18. NSC5 – Non-standard condition

The proposed development shall achieve a BREEAM rating of no less than 'very good', with certification to that effect to be submitted to the local planning authority and acknowledged in writing prior to occupation of the building.

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

19. NSC6 – Non-standard condition

No occupation of the development shall take place until such time as measures are submitted to and approved by the Council, in writing, for public after-hours use of the assembly hall, dining hall and all school sports facilities, and for community access to these facilities to be safeguarded in perpetuity.

REASON: In the interests of securing wider community benefit from the development.

20. NSC7 – Non-standard condition

The applicant shall:

- (a) use all reasonable endeavours to secure that at least twenty-five per cent of the workforce for the construction of the development is local labour (any person or persons aged eighteen 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 seven 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;
- (f) 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.

21. NSC8 – Non-standard condition

An Ecological Management Plan setting out a detailed mitigation strategy against the potential effects of the development on any protected species whose presence is detected on site (and including the provision of bat and bird boxes) and setting out how the enhancement measures in Lloyd Bore's Ecological Scoping Survey report (September 2008, ref. B479/01) will be monitored, managed and funded in the future (including a lighting strategy to ensure that bats are not adversely affected by lighting on site both during the construction and operation phases of the development), shall be submitted to the local planning authority and approved in writing prior to the commencement of any works on site.

REASON: In the interests of protecting biodiversity adjacent to the New River.

22. NSC9 – Non-standard condition

A waste management strategy for the development hereby approved shall be submitted to the local planning authority and approved in writing prior to occupation.

REASON: In the interests of satisfactory waste management.

23. NSC10 – Non-standard condition

No development shall take place until impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

REASON: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand.

24. NSC11 – Non-standard condition

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-ecological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- Restriction to the agreed run-off rate of 6.8l/s/ha, up to and including the 1-in-100 year critical storm (including an allowance for climate change).
- Provision of Sustainable Drainage Systems (SUDS) to provide attenuation on site.
- Calculations to demonstrate the critical storm duration and level of attenuation required to meet the run-off rate.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

25. NSC12 – Non-standard condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To protect the underlying Source Protection Zone.

26. NSC13 – Non-standard condition

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 protect the underlying Source Protection Zone.

27. NSC14 – Non-standard condition

Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the New River shall be submitted to

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and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- details of the planting scheme (for example, native species)
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths, fencing, lighting etc.

REASON: Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

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; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 -Renewable energy; 4A.11 - Living roofs and walls; 4A.14 - Sustainable drainage 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 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 2008/2461, 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 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 £108,400.00 towards the cost of works to highway land adjoining the site arising from the implementation of this planning permission.

12 FORMER REDRUTH LIBRARY SITE, CORNER OF REDRUTH ROAD AND VICTORIA PARK ROAD, LONDON, E9 7JS

Demolition of the existing building and the erection of a part four, part five storey building containing nineteen residential units and two parking spaces, together with associated outdoor amenity space, storage access and landscaping.

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

12.2 Steven Alexander and Pamela Watson spoke in objection to the scheme, their comments are summarised as follows:

- The major concerns were regarding the height of the proposed development, overlooking and loss of amenity space, which is well used by residents.
- The development was 1 storey higher than the adjacent property and 2 storeys higher than the properties directly opposite.
- Felt that it introduced a further barrier between the neighbouring properties.
- Requested that further discussions take place on the design of the development before any permission was granted.
- Recognise the need for more affordable housing in the area and welcome this, however not the scale of the development being proposed.
- Lack of consultation with local residents.
- Issue surrounding where the bin storage will be located, as this is heavily used by residents.

12.3 A letter of objection from Steven Alexander was included within the addendum, along with responses from the Planning Officer.

12.4 The Chair wished to know which residents had been consulted and the Planning Officer confirmed that residents within a 30m radius of the site had been consulted and that a site notice had also been erected.

- 12.5 A representative from Savills (Agent) spoke in support of the scheme, his comments are summarised as follows:
- Attended pre-application meetings with the planning department.
 - 3 planning applications had previously been submitted, with the main reasons for objection being bulk, tenure and housing mix.
 - The proposed development is in keeping with the surrounding area, with no adverse affects on neighbouring properties.
 - Meets with the daylight/sunlight guidelines.
- 12.6 Discussion took place on the land ownership issue and also the member's enquiry regarding communal land received by Councillor Kemp, as detailed within the addendum. Members also raised the issue of existing bin storage and where this was to be located within the new development. It was recognised that there was an issue with the ownership of the bin storage, as it was used by different residential blocks.
- 12.7 The Planning Officer stated that the applicant had confirmed that they owned the land and he believed that the appropriate notices had been correctly served.
- 12.8 The applicant stated that he had been assured by the architect that the issues surrounding bin storage and loss of communal space had been addressed and that the bin storage had been located within the site, with no interference to the adjacent properties.
- 12.9 Councillor Hanson proposed that the application be DEFERRED to allow planning officers to carefully consider objections received regarding potential loss of community space and the issue surrounding the bin storage. She also asked that a representative from Hackney Homes be in attendance at a future meeting to answer these concerns. This was seconded by Councillor Smith.
- 12.10 Councillor Smith requested that the appropriate residents association also be consulted before the next meeting. This was **AGREED**.

Unanimously RESOLVED that:-

The application be DEFERRED to allow planning officers to carefully consider objections received regarding potential loss of community space and the issue surrounding the bin storage.

13 SOUNDS GOOD MULTIMEDIA, 21-23 SEDGWICK STREET, LONDON, E9 6HH

Use for the purposes of live performances, music tuition, theatre, cinema, music museum, computer classes, broadcasting, place of worship, music, dance, sound engineering and indoor sports (sui generis). Opening hours 24 hours (broadcasting), 10am – 3am Sunday to Thursday and 10am – 6am Thursday to Saturday (live performance, theatre and cinema), 9am – 3am Sunday to Thursday and 9am – 6pm Thursday to Saturday (indoor sports) and 9am – 9pm (music tuition, music museum and computer classes).

- 13.1 The Planning Officer introduced the report, as set out in the agenda.

- 13.2 Verdi Yahooda, Helen Goldman and Shellan Barbour spoke in objection to the scheme, their comments are summarised as follows:
- Verdi Yahooda represented a group of artists located along Digby Road.
 - Commended the work and commitment that had gone into the centre.
 - The hours proposed were deemed excessive.
 - Issue of noise pollution to surrounding residents and businesses, as the soundproofing provided was felt to be inadequate.
 - The noise pollution team were not following up complaints made, as the report suggested that no complaints had been received.
 - Issue surrounding parking, as there is no parking provision. There are often cars double parked along the surrounding roads.
 - Recognised that they had been invited by the applicants to attend one of the management meetings to try and resolve these issues.
- 13.3 The applicants spoke in support of the scheme, their comments are summarised as follows:
- The building had been fully soundproofed. Shutters have also been installed which keep the noise contained within the building.
 - Their main age group is between 40-60 year olds.
 - The majority of attendees travel by public transport so feel that there is not a problem with parking.
 - They have never had any visits from the pollution team or the police regarding disturbance.
 - Willing to work with the local residents to try and resolve the noise nuisance issues.
- 13.4 Members wished to establish how often residents were affected by the noise generated by the centre. The objectors stated that they suffered from noise nuisance throughout the night on a regular basis, especially at weekends.
- 13.5 The applicants stated that the building was soundproofed before the limiter was installed and the Planning Officer confirmed that the sound limiter had been installed at the end of November 2008. The Planning Officer added that the Pollution Team did not raise any objections to the soundproofing of the building and the hours proposed.
- 13.6 Members were advised that this application had previously been submitted to the Licensing Sub-Committee and that it was now subject to planning permission. With regard to the hours of use, the Chair asked whether the applicants would be willing to voluntarily reduce the amount of hours being requested.
- 13.7 The applicants stated that they would not be willing to voluntarily reduce the amount of hours requested due to cultural reasons, as the majority of their customers did not go out until around 2am.
- 13.8 Councillor Webb raised concerns about the Sub-Committee granting planning permission for such long hours, as this was a highly residential area and taking into consideration the objections raised.
- 13.9 Councillor Smith shared these concerns and proposed that if the Sub-Committee was minded to grant planning permission, that it be granted for a period of 6 months in which time the objectors keep a diary of any noise nuisance and report this to the

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Pollution Team. The application would then come back to the Sub-Committee in 6 months time with a report from the Pollution Team. This was seconded by Councillor Webb.

- 13.10 Councillor Webb also requested that amplified noise be permitted between the hours of 10am – Midnight, Monday – Thursday, in order to reduce the level of noise nuisance for local residents This was **AGREED**.

Unanimously RESOLVED that:-

Planning permission be GRANTED for a period of six months, subject to the following conditions:
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**1. SCB0 - Development only in accordance with submitted plans
SRB0**

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. 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.

3. SCG1 - Restricted Hours of Use

The live performances, theatre, cinema, and indoor sport hereby permitted may only be carried out between 10:00 to 03:00 hours Sunday to Wednesday and 10:00 hours to 06:00 hours Thursday to Saturday.

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

4. SCG1 - Restricted Hours of Use

The music tuition, computer classes and music museum hereby permitted may only be carried out between 09:00 am to 21:00 hours Thursday to Saturday.

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

5. SCG1 - Restricted Hours of Use

The place of worship hereby permitted may only be carried out between 09:00 am to 23:30 hours Monday to Sunday.

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

6. SCG1 – Restricted Hours of Use

No amplified noise is to be played before 10:00 am and after 00:00 (Midnight) Monday to Thursday.

REASON: In order to protect the amenity of nearby residential properties.

7. The use(s) hereby permitted shall be operated for a limited period only until 31/07/2009, on or before which date the use shall be discontinued.

REASON: To enable the Local Planning Authority the benefit of a provisional monitoring period.

INFORMATIVES

The following Informatives should be added:

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], EQ40 [Noise Control], ACE3 [Retention of Arts, Culture and Entertainment Buildings] ACE8 [Planning Standards]

14 LAND ADJACENT TO AND FLAT 8 LONDESBOROUGH HOUSE, LONDESBOROUGH ROAD, LONDON, N16 8RN

Erection of a three storey plus basement house, together with installation of new timber gates and entrance to flat 8 Londesborough House.

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

14.2 Andy Beckett, David Larkin and Keith Magnum spoke in objection to the scheme, their comments are summarised as follows:

- David Larkin wished to clarify that his objection was not related to his duties on the Hackney Homes Board.
- Felt that the information given in paragraph 6.4.3 of the report was inaccurate and that the list of objections was incomplete.
- The ground floor gardens were intended for the use of residents and not for re-development.
- 44 of a total number of 82 residents had signed a petition objecting to the proposal.

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- The proposed development would dwarf no 8 Londesborough House and block its daylight.
- Felt that it would set a precedent for selling off estate land.
- Local Tenants Residents Association had not been consulted.
- Loss of open space and views.
- The proposed development would alter the symmetry of the existing site and was at least 1/3 larger than neighbouring properties.
- Design was out of keeping with the surrounding area.
- Land previously sold by the Council as freehold by mistake, which had generated this problem.

14.3 The Principal Solicitor clarified the situation regarding land use stating that it was possible to apply for planning permission on land that the applicant does not own, as long as the relevant notices had been served correctly. She added that the land had not been defined in the UDP as public open space and so the application was not against policy.

14.4 The Planning Officer also confirmed that if permission was granted, the piece of land would need to be purchased before any work could take place and that the Council had previously indicated that they were not intending to sell this piece of land.

14.5 Councillor Smith expressed strong concerns regarding the land use and loss of amenity space for other residents on the estate and proposed that the application be REFUSED on those grounds. This was seconded by Councillor Hanson.

(Councillor Webb abstained from the vote).

RESOLVED that:-

The application be REFUSED for the following reason:

The proposed development would result in land that currently forms part of the amenity space for Londesborough House being lost to private garden land. It is therefore considered that the development would have a detrimental impact on the current level of amenity enjoyed by residents of Londesborough House. As such, the proposal would be contrary to policies EQ1, HO3 of the Hackney Unitary Development Plan 1995 and Policy 4B1 of the London Plan 2008.

Duration of the meeting: 18.30 – 21.10

Signed

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