

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY, 3RD JUNE, 2020

Councillors Present:	Councillor Vincent Stops in the Chair Cllr Katie Hanson, Cllr Susan Fajana-Thomas, Cllr Michael Levy, Cllr Brian Bell, Cllr Peter Snell, Cllr Clare Potter, Cllr Steve Race and Cllr Ajay Chauhan (Substitute)
Apologies:	Cllr Clare Joseph
Officers in Attendance	John Boateng, Senior ICT Support Analyst Nick Bovaird, Senior Planner, Major Projects Natalie Broughton, Acting Head of Planning and Building Control Rob Brew, Major Applications Manager Graham Callam, Growth Team Manager Cate Downes, Service Support Lead (ICT) Yvette Ralston, Planning Officer (Major Applications) Adam Dyer, Conservation and Design Officer Luciana Grave, Conservation, Urban Design and Sustainability (CUDS) Manager Clifford Hart, Senior Governance Services Officer Peter Kelly, Senior Urban Designer Mario Kahraman, ICT Support Analyst Tom Mouritz, Planning Legal Officer Matt Payne, Conservation and Design Officer Qasim Shafi, Principal Transport Planner Christine Stephenson, Acting Senior Legal Officer Gareth Sykes, Governance Services Officer John Tsang, Development Management & Enforcement Manager Tim Walder, Principal Conservation and Design Officer

1 Apologies for Absence

- 1.1 Apologies were received from Councillor Joseph. The committee wished to pass on their congratulations to her on the news of the birth of her child.

- 1.2 Councillor Fajana-Thomas reported that she was running late to the meeting.

2 Declarations of Interest

- 2.1 The Chair of the Planning Sub-Committee (PSC) reported that he had an allotment plot near to Leaside Road (see agenda item 6). He added that he had no financial interest in the allotment plot.

3 Consider any proposal/questions referred to the sub-committee by the Council's Monitoring Officer

None.

4 Minutes of the Previous Meeting

None.

5 2009/2842 87-95 Hertford Road London N1 5AG

Councillor Fajana-Thomas joined the meeting after this agenda item had begun (see agenda item 1). According to the procedure rules, as set out in Hackney Council's Constitution, the councillor did not participate in the discussion and the vote for agenda item 5 only.

- 5.1 **PROPOSAL:** Demolition of two single storey buildings at the rear of the site and demolition of substation to front of building, works of refurbishment, alteration and extension to two existing buildings on the Hertford Road frontage in association with their use as light or general industrial (B1/B2 Use Class) at basement to second floor levels, erection of a three-storey terrace of six 3-bed houses at the rear of the site, erection of a three storey commercial (B1/B2 Use Class) building around a courtyard, provision of B8 storage a basement alongside associated landscaping and cycle parking. Listed Building Consent: Works to curtilage listed boundary wall with properties of De Beauvoir Square [works in relation to planning application 2009/2842].

5.2 POST SUBMISSION REVISIONS:

This application has undergone numerous revisions since initially being made valid in December 2009. Notwithstanding this, the following (headline) revisions have been secured since the proposal was presented to Members of Planning sub-committee in September 2010, where conditional planning permission was granted, subject to completion of the legal agreement:

- Removal of 9 car parking spaces and landscaping of central courtyard;
- Reduction from 9 (6x3b, 3x4b) residential units to 6 (6x3b);

- Increase of 762sqm B1/B2 use employment floorspace

5.3 The Planning Service's Senior Planner, Major Projects, presented the application report. During his presentation reference was made to the addendum and the following changes:

The application before the PSC had two numbers listed; 2009/2842 (Planning application) AND 2020/0684 (Listed building consent):

The final paragraph of section 4.5.2 should be amended to read:

One additional objection has been received in response to the latest re-consultation from 2019. It is made on the following grounds:

- Impact of proposal on conservation area, townscape, listed buildings of De Beauvoir Square;
- Lack of detail in the drawings, lack of townscape Computer Generated Images (CGIs);
- The scheme has changed so much that the documents originally submitted, such as the Heritage Statement have become out of date.

Another correspondent has commented that no additional overlooking should be allowed towards the properties of Hertford Road and that the applicant should pay for Buddleia damage to a party wall.

Officer's Response to additional objection and comment:

The impact of the proposal in respect of local character, conservation and amenity has been considered in the committee report. The submitted documents are considered to be sufficient (and sufficiently detailed) to allow consideration of the merits of the scheme and of the necessity for conditions requiring further details to be submitted at the next stage. Overlooking is considered in the main body of the report. Damage to a party wall is a civil matter, though it is noted that the purpose of this application is to bring into repair the heritage buildings of the site.

Section 6.4.7 should be amended to read:

6.4.7 The current buildings on the site are architecturally interesting but in poor condition. The application retains the front two Locally Listed Buildings and demolishes the three warehouses to the rear. A substation to the front of the Mission Hall building would also be demolished. The three warehouse buildings to be demolished are currently in a poor condition and are considered to be of low significance, as outlined within the Heritage Statement. It is acknowledged that the saw tooth roof of the main building is architecturally interesting; however it is not a particularly early example, nor is it demonstrative of particularly innovative design. The principle of the demolition, which will allow the front two locally significant buildings to be conserved, is considered acceptable.

- 5.4 The PSC heard from a member of the public who had raised a number of objections. They included the following:
- The proposal did not adequately address the views from the corner between de Beauvoir Square and Hertford Road
 - The massing of the development would be detrimental to the original configuration of the back walls pertaining to the listed buildings facing the square
 - There was very limited design information on the materiality of the proposal and its design quality. It was felt there was a generic reference to semi-engineered blue brick which would clash with the crafted quality of the listed brickwork
 - The use of darkened glass was incompatible with the proposed development and it was felt it was not a good enough response to those concerns expressed about overlooking
 - The Heritage Statement had several inaccuracies and that the proposals development, with their lack of architectural merit, should be not allowed to go ahead in such an important conservation area

The applicant's representative chose not to make a statement but would answer questions from the PSC.

- 5.5 The Chair invited committee members to ask questions. The following points were discussed:
- The application dated back to 2010, therefore it was accepted that some aspects of the documentation, such as the Heritage Statement, could be updated if necessary to address any issues around inaccuracies. The Heritage Statement, however, was useful in providing a picture of what was currently on site. Any changes to the site, not covered in the Heritage Statement, would be shown in the A3 plans. The planning service had felt they had sufficient enough information to make an assessment and to seek approval by the PSC. Those concerns raised about brickwork and darkened glass, for example, could be examined at the next stage of the planning process
 - Hackney Council's Conservation Officer explained that he had assessed the heritage aspects of the application and it was concluded that it would not be an issue because it could be seen from one oblique view. Massing was largely similar to what had been in the original Heritage Statement. The height and overall impact of the application was similar and what was proposed was considered acceptable. Concerns over the Blue Brick were acknowledged and

that a number of conditions had been put in place to examine this aspect of the scheme at the next stage

- Vehicular access to the courtyard would be difficult and there were already a number of conditions in place for this area e.g. internal cycle parking. Any changes to the ground floor plans, to enable vehicular access, would require a lot of changes to the courtyard. Hackney Council's Principal Transport Planner added that a proposed section 2.7.8 highways work would remove the crossover, which would deter any vehicles from crossing the footway
- No homes had been lost as part of the application. Measurements had been taken of the scheme and the planning service were satisfied that those measurements were accurate
- The scheme would provide 12 visitor cycle spaces. The planning service noted concerns expressed that there was only one disabled car space compared to 68 bicycle storage spaces in total on site. The planning service explained that because there was only a small number of residential units involved in the scheme the standard policy was to provide one disabled car parking space. The planning service, with these types of planning applications, would seek to provide a small number of disabled car parking spaces then a large amount. If they adopted the opposite approach it could lead to an excess number of disabled car park spaces not being used. Two percent of Hackney residents were registered as disabled, so it was felt that the likelihood of them owning a vehicle and occupying one of the proposed residencies in this scheme and requiring a disabled car parking space was very small. The removal of two crossovers, however, could result in some consideration being given to whether there was capacity for another disabled car parking. It was acknowledged that the legislation on the provision of disabled car parking space had changed and that a future occupant of one of the residences on site, who was disabled, was entitled to personalised disabled car parking space. It was noted that some of the issues discussed were a highways authority rather than a planning matter. It was accepted that there should be some proportion of blue badge parking, ideally off street
- Building D was underground with a lightwell entrance. It was understood to be a fire escape rather than a proper entrance
- Condition 38 would be reworded to make clear that the commercial units would be closed on Sundays
- There would be no vehicular access through the main entrance to the residential units
- It was accepted that the scheme would result in a small amount of harm to the listed building, however, this was mitigated by the proposed building being pulled 2.9 metres away from the boundary

line. The height was increasing but this was balanced out by the listed building being opened up and being brought back into public use. The planning service reiterated that they were of the view that the overall benefits of the scheme outweighed any harm

- The Planning Service therefore had concluded that the scheme was acceptable
- Restoration of the Boris Building was welcomed, however, it was felt there was an opportunity to go back to the original 2010 proposals with, for example, building C having a pitched roof, which was felt would provide a better material background in the location
- In bringing the building back into use, it was not just about the roof of the main building there was also a building at the rear. Through negotiation between the applicant and the planning service the building had been pulled back. The applicant's representative stated that they had been asked by the Planning Service to replace the roof design and housing on the original application in order that it reflected a more modern design. It was felt that looking from the street, specifically from De Beauvoir Square, was an obstructed view. The applicant's representative stated that they felt that turning the building back into its original state was not workable; the ventilation was bad and it would not be clear what it could then be used for, unless it was to be used for storage. This would result in a high intensity of trucks into the area loading and unloading
- There were a number of conditions included in the application relating to soundproofing. Condition 8.1.28, for example, was the standard wording for one of these conditions. The wording of the condition was such that it could be reviewed at any time in the future
- On roosting birds or bats, the proposals included conditions relating to bird and bat nesting or bricks. Those creatures would continue to be housed on site
- Retrofitting was not covered by the conditions but the new buildings would be designed in such a way to be Building Research Establishment Environmental Assessment Method (BREEAM) compliant, there was a payment of lieu of carbon offsetting and there was also a sustainability document as part of the application. Retrofitting would be included as part of the further work into materials
- As the building involved was a locally listed building the planning service, at the next stage would seek to strike a balance between what was good for the building and what was thermally efficient
- Electric vehicle charging points would not be placed on the footway
- Removal of the sub-station from the front of the building was welcomed. The Planning Service's transport team were currently looking at a strategy for Hackney, part of which was how the council

could best deliver electric vehicle charging points. The chair suggested striking out of the application any suggestion of electric vehicle charging points on the footway. The committee noted that was part of the council's highway works and was within their ability to strike them out

- The PSC members agreed that the conditions relating to materials and electric vehicle charging points would come back to a future committee meeting for members' consideration. Members noted that electric vehicle charging points was a head of term for the Legal Agreement and not a condition, so the wording of the relevant clause could come back to the Chair under Recommendation C
- A reference to the St Peter's Mission Chapel had only been included for information as part of the previous committee report
- In terms of waste storage and collection, committee members noted, as highlighted on the A3 plans, how the entryway would be carved through the ground floor level of the Boris Building. The Planning Service felt that the location of this area was sensible, in light of the residential units being at the rear of the site and that residents would have to go through the entryway to get to waste storage area

Vote:

For: Unanimous

A full list of the conditions can be accessed via the following link to the Hackney Council website:

<http://mginternet.hackney.gov.uk/documents/s69694/20092842%20Report.pdf>

6 2019/1670 Land at Leaside Road, Clapton, E5 9ND

6.1 **PROPOSAL:** Demolition of existing car park (sui generis) to provide a seven-storey building comprising 22 residential units (use class C3) and commercial floorspace (use class B1) at ground, first, and part second floors.

6.2 **POST SUBMISSION REVISIONS:**

- Provision of 100% affordable workspace at 60% of market rent.
- Moving the position of the balcony for flat 10 and alterations to the shape and size of the balconies for flats 5 and 15.
- Alterations to cycle storage to provide separate cycle parking facilities for residential and commercial users, as well as the inclusion of showers and lockers for the B1 space

- Alterations to refuse storage to provide separate refuse stores for the residential and commercial space. The changes are minor in nature and do not materially change the appearance, character, scale or scope of the proposal as originally consulted on so re-consultation was not considered necessary.

6.3 The Planning Service's Planning Officer (Major Applications) introduced the planning application as set out in the report. During the course of the presentation reference was made to the addendum and the following amendments:

Para 8.1.30 should be amended to read:

8.1.30 Installation of plant, and machinery and telecommunications equipment

No plant or machinery or telecommunications equipment shall be installed on the external surfaces of the building without the submission to and agreement by the local planning authority.

REASON: In order to safeguard the appearance of building and the amenity of future and surrounding occupiers.

No persons had registered to speak in objection to the application.

6.4 The Planning Sub-Committee briefly heard from the architect and the applicant. They spoke of how the scheme was being built on left over land and would be a mixed used scheme. The scheme was aimed at predominantly the Orthodox Jewish community and the workspace to be provided would be at no more than 60% of the local market rate. The applicant added that during the pre-application process they had worked closely with the Planning Service to produce a positive report with the first of its kind development in Stamford Hill. The proposals were likely to raise the bar for design in the locality and would introduce a building of landmark character to the site. The brick work used would be honey tone in texture.

6.5 The Chair invited committee members to ask questions. The following points were raised:

- The Planning Service's Senior Urban Design Officer explained that Officers are content with the proposed height of the scheme as it was on a slight hill so the step up in height is appropriate to its hillside context. It would match the changing topography of the immediate landscape. The officer added that it was also felt that the development sat comfortably amongst the emerging residential area
- The Planning Service had received a submission from the Metropolitan Police Service's (MPS) Designing out Crime officer highlighting the types of crime in the area and also

suggesting a number of crime prevention–related recommendations. As a result a condition had been included as part of the application. Designing out crime was a material planning consideration. The Planning Service liaises with the MPS as common practice with all major applications. The developer would secure an accreditation certificate citing that they have met the standards of Designing Out Crime

- Network Rail had made a number of recommendations which had been included. The Planning Officer added that the Asset Protection Agreement with Network Rail was a result of the proposed development being located so close to overhead railway electrical lines. This type of agreement was common practice on sites located adjacent to the railway
- Condition 6.2.21, the provision of five fully DDA-compliant ‘wheelchair user dwellings’ was welcomed, however, it was noted there had been a provision for only one blue badge car parking space. As with the 87-97 Hertford Road application, this was a Hackney Council policy requirement. There was, however, scope to provide further blue badge car parking spaces if they were would required
- The committee agreed that the Principal Transport Planner would return to a future committee meeting with details on the scale of demand in Hackney for Blue Badge disabled car parking spaces
- Condition 15 regarding appropriate planting on the railway embankment was specifically requested by Network Rail. The Planning Officer would check the horticultural elements of this conditions before the decision was finalised
- There was no render proposed for the application. The Senior Urban Design Officer explained that it was proposed that the development would use a high quality type of brick called Sexton Fiesta BEA. A condition was in place in relation to the bricks and external materials to ensure a high quality visual finish. The architect added that any exposure by the brick to graffiti would be at ground level and it was hoped that any surveillance and activity in the area would prevent any defacing of the walls. It was also possible to add an impervious layer to the bricks to prevent any graffiti
- The latest viability assessment had set out that there was a £600k surplus which would contribute to the affordable workspace. The Planning Service had taken the view that the affordable workspace was the best offer for the site
- There was a detailed condition in place in relation to roof planting

- All the land to the rear of the development was owned by the applicant. In theory they could develop it sometime in the future. The applicant added that there was a car park at the rear of Grosvenor Way. There was no road or throughway, it was all part of the same piece of land. Grosvenor Way was a privately owned road
- Condition 8.1.20 would be reworded to state more clearly that the residential units would be soundproofed from nearby railway noise
- The Planning Service would ensure a condition was in place for the internal playroom to be used as a playroom only
- The proposed roof space had been inspired by Italian design with a copse of trees sitting on its top. There was also a condition included ensuring the screening off the green roof
- The architect would look at making improvements to the outward opening doors on the ground floor
- Some of the sheds by the railway lines were long lease units. Some were owned by the applicant with planning permission for residential use. The Council's Development Management and Enforcement Manager added that the Planning Service was aware of residential uses in the industrial premises and the enforcement team had taken action serving notices and had won appeals. The existence of these residential units would not impact on the planning service's assessment of the application

Vote:

For: Unanimous

A full list of the conditions can be accessed via the following link to the Hackney Council website:

<http://mginternet.hackney.gov.uk/documents/s69695/REPORT%2020191670.docx.pdf>

7 2020/0501 184 Evering Road, London E5 8AJ

The planning application was deferred and withdrawn from the meeting agenda.

8 Delegated decisions

Noted.

Duration of the meeting: 18:30 – 20:25 hours

Wednesday, 3rd June, 2020

Signed

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Chair of Planning Sub-Committee, Councillor Vincent Stops

Contact:

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