

## **Minutes of a meeting of the Planning Sub-Committee**

**Wednesday, 29th July, 2020**

Councillors Present: Councillor Vincent Stops in the Chair

Cllr Katie Hanson, Cllr Susan Fajana-Thomas,  
Cllr Brian Bell, Cllr Peter Snell and Cllr Steve Race

Apologies: Cllr Clare Joseph, Cllr Michael Levy and Cllr Clare Potter

**Officers in Attendance**

Natalie Broughton, Acting Head of Planning and Building Control

Rob Brew, Major Applications Manager

Graham Callam, Growth Team Manager

Seonaird Carr, Team Leader, Development Manager and Enforcement

Neil Clearly, Project Manager – Affordable Housing

Adam Dyer, Assistant Conservation Officer

Manzeela Ferdows, ICT Support Analyst

Luciana Grave, Conservation, Urban Design and Sustainability (CUDS) Manager

Mario Kahraman, ICT Support Analyst

Gerard Livett, Senior Planner

Steve Fraser-Lim, Planner, Major Applications Growth Team

Claire Moore, Senior Planner

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

Harry Wackett, Planning Viability Consultant

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

**1 Apologies for Absence**

- 1.1 Apologies were received from Councillors Joseph, Levy and Potter.
- 1.2 Councillor Race had reported that he was running later to the meeting. As the Councillor would not be present for agenda item 5, 2019/2175 305a Kingsland Road, he would not be eligible to participate in the discussion around and voting process for this agenda item.

**2 Declarations of Interest**

- 2.1 Councillor Stops explained that he had no formal declaration of interest but he, like other members of the Planning Sub-Committee had received various lobbying material from various applicants and objectors for the meeting. This information had been passed on to the Planning Service. Councillor Stops added that he had also been contacted via the social media platform Twitter. The tweets had been forwarded on to the Planning Service.
- 2.2 Councillor Fajana-Thomas explained that, like the chair of the committee, had also received various correspondence.
- 2.3. When Councillor Race joined the meeting at agenda item 6 he made a declaration of interest that he too had received various correspondence from applicants and objectors.

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

None.

**4 Minutes of the previous meeting**

- 4.1 The Planning Sub-Committee agreed the minutes of the previous meetings held on the 23rd April 2020 and the 3rd June 2020.

**RESOLVED, the minutes of the previous Planning Sub-Committee meetings held on the 23<sup>rd</sup> April and the 3rd June were AGREED as an accurate record of those meetings' proceedings.**

**5 2019/2175 305a Kingsland Road, London, E8 4DL**

- 5.1 PROPOSAL: Demolition of existing buildings and structures and erection of a part 6 and part 7 (plus basement) storey building comprising flexible workspace and co-living accommodation (sui generis); along with plant; cycle parking; refuse / recycling facilities; and associated works.

POST-SUBMISSION AMENDMENTS: Reduction in massing at site boundary; submission of additional information with regard to biodiversity, heritage, daylight/sunlight, submission of additional information with regard to the proposed co-living element.

**2nd December 2020 Planning Sub-Committee meeting**

5.2 The Planning Service's Planner, Major Applications Growth Team, presented the application, as set out in the report. As part of the officer's presentation reference was made to the addendum which stated the following:

Parking details table: Disabled car parking should read "one space for co-working and one space for co-living to be located in Lee Street".

4.5.1: 5 additional comments have been received raising the following issues not already covered in the committee report:

- Inappropriate to proceed with a dense development such as this, in the midst of the Covid-19 pandemic Officer response: "the impacts of the Covid-19 are likely to be limited to the short / medium term and are likely to be less than the lifetime of the development. Once planning permission is granted the permission can be implemented at any stage within 3 years of the date of the permission. In addition it is considered that the proposals could be a preferable environment for single people social distancing than many alternatives such as shared C3 housing. Such housing may lack the same level of shared internal space, access to external space, or possibilities for social contact in a socially distanced way".
- Other co-living developments are marketed for use as hotels or student accommodation

Officer response: "It is noted that other co-living developments such as the Old Oak Common example (referenced in the committee report), and another co-living development by the Collective near Canary Wharf (36 Limeharbour, London) accommodate students, and short stay visitors. However it should be noted that the Old Oak Common planning permission permits use of 20% of bed spaces by students. In addition the planning permissions for 36 Limeharbour (London Borough of Tower Hamlets ref: PA/16/01024 and PA/18/1782) are for a hotel use (class C1), which includes a combination of short and long stay accommodation. As such these examples operate in a different manner to the application proposals. Proposed planning conditions will ensure that the application proposals would not be able to be occupied by full time students or a short stay accommodation".

- Communal roof terraces in nearby residential developments have recently been used for informal unauthorised parties causing noise disturbance to neighbouring properties.

Officer response: "Concerns regarding this issue are noted. However the management arrangements for a co-living / co working building, with a number of communal managed spaces managed as a single unit, on a 24hr basis by a management team will be materially different to a block of self-contained residential units, with a communal roof terrace. The communal areas of 305A will be clearly under the control and responsibility of the on-site management team, rather than residents. The draft management plan sets out procedures for personal conduct by residents and how anti-social behaviour will be addressed. Hours of use on the terrace can be restricted, and anti-social behaviour can be immediately addressed. CCTV will be in place on all roof terrace areas to allow building management to monitor these spaces and respond immediately to any anti-social behaviour issues. This would represent a significantly greater level of control on behaviour of tenants than would be the case for conventional self-contained residential development, which would be sufficient to prevent undue noise disturbance to neighbouring properties".

- Neighbouring objectors wish to highlight that two reports, from a noise consultant and daylight sunlight consultant which state the following:

**Agenda Item 4**

**2nd December 2020 Planning Sub-Committee meeting**

Noise Assessment review by ACA Acoustics:

The developer has advised the rooftop terrace will be screened with acoustic material, stating that “this should make sure that noise does not escape however it is important to note that noise does not go downwards ... it can go upwards and outwards, but it is unlikely that you will hear this terrace from the basin even without the screening, but it will have screening”.

It is important to note that the developer’s statement is entirely incorrect; the extent of sound transmission downwards relative to that upwards and outwards is dependent on various meteorological factors and could be marginally higher or lower on a given day, however in lay terms there would be practically the same level of sound transmission down as there would be upwards. In addition the developer has proposed an acoustic screen to control noise emissions from the terrace, which could be accessed by hundreds of people (residents and guests).

This suggests that the developer has concern of the potential for adverse noise impacts on surrounding occupants and uses. However, without having a formal acoustic assessment undertaken by a suitably qualified acoustic consultant the extent of adverse impacts cannot be determined and whether any acoustic barrier will be sufficient. The most appropriate course of action would be to postpone the planning application process, allowing the developer to commission a detailed acoustic assessment of the potential adverse impacts and for these to be properly considered and mitigated accordingly.

Review of daylight sunlight report by Avison Young

I do not concur with this conclusion of the applicants daylight sunlight consultants (Point 2). The BRE has recognised that modern development incorporates the need for private amenity space which is always provided in the form of balconies over windows. In many instances it is possible to find that where a development takes place nearby to balconied buildings, the balconies themselves cause a major loss of light to a room.

Point 2 have undertaken both assessments with the balconies on, Appendix 2, and the balconies off Appendix 1. The discussion within the report is based solely on the assessment scenario with those balconies removed. There are a significant number of rooms that still lose more than 20% of their light, some 29, and that a number of those still lose up to 42% of their existing light. If one looks at the true existing, that is with balconies left on and the proposed scheme, this number rises significantly, some of the losses then being up to 55% of the existing. There will be a significant and noticeable impact by the scheme.

Clearly any impact will be felt more acutely in a person’s living room as opposed to bedroom .It is very hard in looking at the Point 2 table to be completely accurate in terms of the number of living rooms as opposed to bedrooms that suffer these significant losses. Some living rooms will lose as examples 44.59%, 49.42% and 54.30% of the light reaching their windows and are left with levels as low as 5% VSC. This compared to the ideal BRE level for daylight which is 25% VSC. The living conditions of a number of the flats will therefore be seriously impacted and they will be left with very substandard conditions.

Officer response: These issues are addressed within the committee report. 4.8 local groups / Councillor comments:

Written submission from Cllr Burke:

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

“A report by the Planning Sub-Committee, 2009, rejected an early version of Kingsland Wharves because it was ‘out of character with the quiet and secluded nature and historic character of the Basin’. Kingsland Basin has become a popular and valuable amenity where residents from neighbouring De Beauvoir Estate as well as the private and social housing around the Basin enjoy access to nature in an area with a deficit of open space. Lockdown taught us how valuable this is for peoples’ well-being and the Basin was used by the whole community and visitors from London Fields and other nearby areas. The Basin will play an important part in the Green Infrastructure Plan & Local Nature Recovery Network as a refuge for and source of wildlife.

#### Biodiversity

- This proposal threatens the very characteristics that have created this quiet, tucked away refuge. If this is lost due to noise and disturbance, the wildlife will also be lost.
  
- Hackney Council’s Regent’s Canal Conservation Area Appraisal / Urban Design and Conservation Team reported in 2007 that: The canal basins of Hackney (Kingsland and Wenlock) provide a unique still water habitat which has the ability to support a greater aquatic life (plants and invertebrates) than the water of the canal.
  
- Dr Edward Francois of the UK Centre for Ecology and Hydrology, a world respected research institute, states: ‘The water body provides a rare ‘island’ for wildlife in an urbanised environment. The wildlife is of value considering the urban environment, an impressive list of plants, invertebrates and fish, and supports feeding by birds and bats. It would seem to me that the conservation of the waterbody is important at the landscape level, providing a rare area of semi natural habitat, and also of value to the local community. Thus, my opinion is that a detailed survey of the biodiversity in the waterbody is necessary to be able to adequately predict ecological impacts of the development, as well as to identify further biodiversity of conservation importance’.

#### Density

- The reason this proposal is so problematic is its density. We have already seen the results of squeezing in too many people. Hackney Free School on a site fit for 550 pupils crammed in 700. Years of failing the students led to Ofsted rating the school inadequate in all areas with one judgement of particular relevance: the ‘School environment does not promote wellbeing’.

#### Why Gamble with a valuable community amenity?

The Officer’s Report says ‘there is some uncertainty as to the rent levels, which can be expected from the co-living element of the development, due to the relatively new nature of the proposal, and lack of available rent comparables’ (6.1.17).

Not only is the proposal out of context but it is novel. It seems prudent to try new housing types on a smaller scale and where the impacts on the developer, new residents and existing neighbouring residents would be more easily managed and less likely to cause harm.

Planning policy states that developments along waterscapes and riparian areas will only be permitted if there is no conflict with nature conservation and biodiversity and an enhancement of leisure, recreation or educational value of the waterspace. Therefore, the committee should reject this proposal”.

#### 4.8 local groups / Councillor comments:

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

Written comment from Cllr James Peters:

“I see that planning application 2019/2175 is scheduled to be heard this evening. While the site in question is in Haggerston ward, I am very concerned about the impact that the proposed building will have on residents of homes around Kingsland Wharf, a majority of whom live in De Beauvoir ward. My concerns principally relate to the potential for noise nuisance, particularly in light of the proposed roof terrace and the transient nature of the likely residents of the completed building. Clearly, it is important to understand the context and setting of the site, on the Kingsland Wharf. A recent party on the roof terrace of 333 Kingsland Road caused noise to reverberate around the Wharf until the early hours of the morning, causing a severe nuisance to residents of the buildings on Kingsland Wharf. In this sense, the wharf acts as a noise box.

Given the temporary, co-living nature of this accommodation, and the reference to "digital nomads" as a target audience, I would hope that the planning sub-committee would satisfy itself that there are sufficient safeguards in place to reduce the heightened risk of regular and acute noise nuisance that the current proposal present. In my experience, residents who are only living in a place for a short period, particularly younger people, have less of an attachment to the area and are significantly more likely to act without consideration for their neighbours. I am also concerned about the quality of the co-living accommodation for those living in the building. These are not the sort of quality homes that our planning policy should be allowing in Hackney. I am also worried about the quality of the subterranean workspace.

Finally, I echo residents' concerns about the disruption that the excavation of such a large hole in the ground and the operation of the several storeys of underground space immediately abutting the Kingsland Wharf will have on the thriving but fragile habitat and biodiversity that has developed in the basin. I apologise for not having written before today but I have struggled to find the time to do so. I also consider the recent experience of residents when they had to endure the noise nuisance from the party at 333 Kingsland Road to be new information that is relevant to the planning sub-committee's consideration of this application. For these reasons, I hope that the planning sub-committee will agree to consider what I say above”.

6.1.13 Insert additional sentences:

“It should be noted that the "need" referred to in this part of the policy is not specifically about affordability (affordable housing requirements for co-living are dealt with at secti(vi) of the policy). Rather this part of the policy requires an assessment of whether the type of co-living shared housing provides a type of accommodation for tenants who are not currently well catered for within the housing market. In this case the proposals are considered to better meet the needs of single tenants who are an important part of the housing market in Hackney and currently often rely on shared private rental sector housing, which does not always meet their needs effectively.

The proposals will offer a number of advantages to such tenants in comparison to conventional shared housing, in terms of a high quality maintenance free environment specifically designed for shared living, professional landlord management, security with regard to tenure (ability to extend tenancy periods), linkages with co-working space and opportunities for work collaboration”.

6.1.18 amend paragraph as follows:

**Agenda Item 4**

**2nd December 2020 Planning Sub-Committee meeting**

“The applicant has confirmed that the building including both the co-living and co-working spaces will be under single management. In addition, rental periods for co-living rooms of not less than 3 months were originally proposed (based on demonstrating that tenancies would exceed the 90 day short stay letting rule, thus preventing use as short state accommodation. However, the operator would much rather residents signed up for a longer period hence the ability to sign up for a 3-year term. As such the applicants wish to increase the minimum rental period referred to in the management plan condition (para 8.1.20) to 6 months. In addition the applicant has accepted the condition that the management plan (secured by condition will require that the rooms are the main residence for tenants, thus preventing use for holiday / second home accommodation”.

6.8.3 amend paragraph to omit the sentence “done in the shape of a condition” as the car free requirement is secured as part of the Legal Agreement.

6.10.1 Substitute reference to “the Council’s SPD on Planning Contributions (November 2016)” with a reference to the “Planning Obligations SPD July 2020” which was adopted following the adoption of LP33.

8.1.3 Replace proposed condition with the following conditions:

Amendments to the Energy assessment

“Prior to the commencement of the development hereby approved an energy assessment addendum, including the following information shall be submitted to and approved in writing by the Local Planning Authority:

- a) a clear separation of the commercial and the co-living areas and the application of the energy hierarchy as indicated in the GLA the Energy Assessment Guidance on preparing energy assessments as part of planning applications, 2018;
- b) Location and overall capacity of the PV panels and electricity generation (or equivalent carbon emissions saved);
- c) the correct carbon emission reductions for both the commercial and co-living developments after each stage of the energy hierarchy, including a commitment to reduce regulated carbon emissions through energy efficient measures alone;
- d) Demonstration of how the zero carbon target, with at least a 35 on-site reduction beyond Part L 2013 will be met for the co-living area. (any shortfall to the zero carbon target is to be made with a cash in lieu contribution to the Hackney carbon offset fund, via a section 106 agreement). The development shall thereafter be constructed and occupied in accordance with these approved details.

REASON: In the interests of the promotion of sustainable forms of development” Energy specification and layout “Prior to the commencement of above ground works of the development hereby approved the following information shall be submitted to and approved in writing by the Local Planning Authority, and the development shall thereafter be constructed and occupied in accordance with these approved details :

- a) full specification, including detailed layout of the centralised plant (clarifying the technology adopted for heating, domestic hot water provision and cooling, if needed);

**Agenda Item 4**

**2nd December 2020 Planning Sub-Committee meeting**

- b) confirmation that the plant proposed has been designed to connect into a wider District Heat Network if one becomes available in the future;
- c) the efficiency and capacity of the installed plant and the temperature flows;
- d) sample of SAP and BRUKL sheets for the relevant stages of the energy hierarchy;

REASON: to ensure the development meets the sustainability requirements of the London Plan”

#### Air Permeability Testing

“Prior to occupation of the development hereby approved, a full air permeability test report confirming the development has achieved an average air permeability of 5 m<sup>3</sup>/h/m<sup>2</sup>@50pa

shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed and occupied in accordance with these approved details.

REASON: In the interests of the promotion of sustainable forms of development” PV system

“Prior to occupation of the development hereby approved, a certification by an accredit PV installer confirming that an array with an overall capacity and generation of electricity per year (or equivalent carbon emission saved) as previously submitted, has been installed on the proposed roof/terrace area of the development shall be submitted to and approved in writing by the Local Planning Authority. The hereby approved PV equipment shall be retained and maintained in this condition thereafter.

REASON: In the interests of the promotion of sustainable forms of development” BREEAM Assessment Within 12 weeks of occupation of the development hereby approved, a BREEAM post-construction assessment (or any assessment scheme that may replace it) confirming the ‘Excellent’ ratings (or another scheme target of equivalent or better environmental performance) have been achieved for the co-working space shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the promotion of sustainable forms of development”

8.1.20: Amend condition as follows, to include reference to minimum 6 month tenancies, CCTV monitoring of roof terraces:

“Prior to the occupation of the development a management plan shall be submitted to the local planning authority to include: restrictions on rental for less than 6 months / main residence only / no full time students, measures to manage impacts on neighbouring occupiers, hours of operation of the uses and use of the external terraces with CCTV monitoring, acoustic / visual screening to the roof level communal terrace, and management measures to prevent light spill onto the Kingsland Basin. The development thereafter be operated in accordance with these approved details.



**Agenda Item 4**

**2nd December 2020 Planning Sub-Committee meeting**

REASON: To ensure that the development does not detract from the amenity of the surrounding area and that facilities will be of significant benefit to the surrounding community".

8.1.22: Amend condition wording to replace "B1(a/c)" with "E(g)"

8.1.23: Insert additional condition:

"The co-working floorspace hereby approved shall at all times be used only for purposes within part (g) (office / research and development / industrial) of use class E. The co-working floorspace shall not at any time be used for any purpose within parts (a), (b),(c), (d), (e) and (f) of use class E of the Town and Country (Use Classes Order) 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or any such Order amending or revoking that Order whether in whole or in part.

REASON: In order to safeguard provision of office / research and development / industrial floorspace to meet the needs of the local economy, and to safeguard the amenity of the surrounding area".

8.2.1: Insert additional head of terms for the Legal Agreement:

- "A credit equalling a minimum monetary value of £60 per new residential unit made available, to the first occupant of each new residential unit, as a contribution towards their car club membership fee and/ or driving credit"

- Carbon Offset Payment (to be determined by Energy Statement

Addendum by reference to the Planning Obligations SPD July 2020)

- 5.3 The Planning Sub-Committee first heard from three local residents speaking in objection to the application. They spoke of how the homeless in Hackney was double the London average and just before Christmas 2019 nearly 400 households were made homeless in the borough. With the cost of houses for first time buyers at £500,000 the proposed scheme was costly and too expensive and was not necessarily affordable for people living the borough. Low cost housing was needed in Hackney to improve the housing mix. Various research, for example Insider Housing and the Office for National Statistics (ONS) had shown that high density housing was one of the causes behind the spread of Covid19, it was a current problem which could occur again in the future. If the Planning Sub-Committee wished to see this as viable for long term residents, rather than appearing to be aimed at transient short term resident, then some consideration need to be given to the government's evaluation of conversions to residential developments published last week with housing similar size and area, concluded that these types of units with these types of communal areas would create worse natural light and limited communal facilities which are widely linked to long term health and quality of life issues for future occupiers.

**Agenda Item 4**

**2nd December 2020 Planning Sub-Committee meeting**

The proposed scheme was only suitable for short terms tenants. It was a cheap hotel that was not needed. The report contained a number of errors and it was just rebuilding on a site which historically had been a yard. It was double the density of neighbouring buildings. The fiction that a nearby building was used as justification for significant loss of light to neighbours this combined with occupants on short term tenancies would lead to excessive noise pollution. LP21 stated that proposals must not have a detrimental effect on local amenities of neighbouring occupiers. The absence of the applicant's noise assessment was of a concern and policy stated noise assessments must be tailored to local circumstances and fit for purpose. The usage and design was unsound, the co-living examples provided by the applicant were in a very different area and context. The proposals were out of context and high risk. The objectors were also of the view that the applicant's noise assessment also ignored everyday noise from the 121 plus residences in the immediate vicinity. Adding acoustic screens to the roof terraces acknowledged there will be noise but without a formal noise assessment local residents did not know the full impact of the proposals. An echo chamber would be created and multiple residences overlooking the water would change the context of the area. Voices and loud music would dominate the space. If some of the short term tenants decided to have a party, measures such as Closed Circuit Television would be of little help. There had already been two late night parties on a nearby roof terrace and neither on site management or the police could stop it. The proposals were an agent of change that would upset the peace and tranquillity of the basin and would negatively impact on the local community.

- 5.4 The agent for the applicant began by explaining that when the application had been previously considered back in February 2020 the Planning Sub-Committee had specifically asked for more details on the co-living element of the proposals to ensure it complied with planning policy. The scheme had been measured against planning policy and the co-living element in particular was assessed as being fully policy compliant. Co-living, or purpose built shared living, was a form of shared housing that meets the needs of adult sharers as an alternative to traditional flat and house share. Adults had been sharing accommodation for decades but they had not been for multiple adults but they have often had many shortcomings e.g. not enough bathroom and undersized bedrooms. With the co-living element in the proposed scheme each occupier would have their own private room including bathroom, sleeping and living area, a compact kitchen area as well as access to communal areas. This way each occupier had far more private and communal space compared to a common flat share.

**Agenda Item 4**

**2nd December 2020 Planning Sub-Committee meeting**

The scheme has taken into account the pandemic and it would provide larger managed communal areas that would be regularly cleaned as well home working spaces as working from home becomes more of a regular occurrence. In Hackney there was a need to provide better rented accommodation with the number of rented accommodation significantly increased over the last two decades. In Haggerston 42 per cent of housing was rented accommodation and it was predicted between 2020 and 2023 sharers was expected to experience 15 per cent growth one third of new households in the borough. Currently the rented sector was dominated by non-professional absentee landlords which were well documented issues. The proposed scheme was a response to absentee landlords. They had researched this issue for three years asking those who would most benefit from this scheme and the issues that they face such as poor quality housing, uncooperative landlords and unjustifiable rent increases. The agent recognised that co-living was not a 'silver bullet' to the housing crisis facing the country but it could provide another option going forward to address some of the issues that renters face in the borough by providing a much better alternative to the traditional flat and house share. Other benefits of the scheme included a significant amount of employment space including affordable living space, the key policy objective of the site. The scheme was fully funded, so if planning permission was granted construction of the site would come forward and the construction phase would generate over 250 jobs. There was a commitment to maximise employment opportunities in the local area. Additionally the development would support 200 jobs and there would be a contribution of £750k in local spending each year which would help boost the Hackney economy. The agent acknowledged that this was a type of accommodation the Planning Sub-Committee had not seen before therefore it is right that the application should be robustly scrutinised – the applicant had worked for over two years with Council officers to bring the proposal forward which would provide much needed employment space and a new form of high quality housing. The applicant had listened to neighbours and would continue to work with the community should planning permission be granted for example working on the final management plan and, if appropriate, coming back to the Planning Sub-Committee for further scrutiny. The agent re-iterated that the scheme was policy compliant.

5.5 A number of questions were raised by the Planning Sub-Committee members and the following points were addressed:

- The agent confirmed that the proposed scheme was targeted at singletons currently living in flat and house shares in the borough. The chair of the committee suggested a condition and legal agreement be put in place to ensure that this was the case and was not turned into an AirBnB, hotel or similar. There were a number of conditions in place already and the chair was going to ask the planning service if it would be possible to convert some of these to cover this. The agent confirmed that they were content to accept any conditions that would give the Committee assurances and one way this could be done was by having conditions in place that would prevent the scheme being changed into temporary accommodation or hotel.

**2nd December 2020 Planning Sub-Committee meeting**

- The agent had suggested that they could increase the minimum stay to six months and to sign an assured shorthold tenancy. As well as having in place reporting mechanisms and an audit of who was living in the accommodation, to demonstrate going forward that the scheme was being properly used. The Planning Service replied that including the head of terms in the legal agreement would make it more secure. It would be justified that they had the minimum tenancy requirement for example which would go into the agreement;
- The Planning Service's Project Manager for Affordable Housing explained that there had been a previous deferral because at the time there had not been proper exploration of all of the types of housing available at the time. The Council's Project Manager for Affordable Housing explained that this type of scheme would not address all the housing needs in the borough but it was another housing option. This type of housing option sits where people would otherwise be in flat or house share. It was perhaps not comparable to living in a one bedroom or self-contained apartment but this type of co-living scheme provided another range of accommodation and was slightly more secure than a flat or house share in Hackney
- The proposed scheme was an employment-led development with at least 50 per cent of the floorspace in employment use resulting in it meeting the employment policy requirements. The Planning Service would then examine the scheme to see if it was financially viable to provide affordable housing as part of the remaining 50 per cent of housing within the development. In the case of this scheme a viability assessment was made and some challenges were raised because it was a new type of housing development. The Planning Service had consulted with external consultants about the scheme as well viability testing of various other options for example reducing the amount employment floorspace and it was concluded that none of these options make it feasible to deliver affordable housing on site but a contribution had been secured given the uncertainties of a viability appraisal in terms of rent levels can be achieved for example. The contribution was offered by the applicant in lieu of a review mechanism
- The £500k housing contribution could be used elsewhere in Hackney Council's affordable housing programme. In terms of whether it could be secured on site, the aforementioned amount would only deliver a small amount of affordable housing
- Some of the Committee Members raised the question over whether a co-living development was right for this site. Regulation was the solution to bad landlords not co-living. It was acknowledged that the applicant did not see the scheme as a silver bullet
- A noise assessment worked by assessing the level of noise from the source and then how it would affect nearby properties and how they would be affected by noise levels. In the case of the application, what was proposed was a communal residential terrace. The Planning Service has approved other developments with communal residential terraces that do not require a noise assessment. It was generally managed okay and a reasonable part of a residential development.

**2nd December 2020 Planning Sub-Committee meeting**

- The Planning Service did not normally require a noise assessment. Any assessment would be from the terrace and they would depend on how well that terrace was managed and if it was managed well it would likely be equivalent to other communal residential terraces which do not normally cause a nuisance to neighbouring properties. Any issues with the terrace were more effectively to be addressed through the management of the building. It was expected that the management plan would put a limit on the number of people allowed on to and hours of use of the terrace
- The agent for applicant explained that the examples included in the application report while not directly relevant to Hackney were relevant from a planning policy perspective and whether the proposed scheme provided good quality housing. In the report, on a comparative basis, the scheme provided much better and larger room and communal space than had been provided elsewhere. Six months was currently the shortest amount of time an occupier could sign up for a tenancy agreement. The agent for the applicant wanted people to sign up for a longer three year tenancy to give occupiers peace of mind with their tenure which they would not get in many flat or house shares. It was in no one's interest for occupants to come and go
- Issues around excavation of the basement were not a planning issue and were covered by building regulations
- The proposed car parking was on Lea Street and was the closest practical bays on the public highway. These bays would be open to other residents in the borough
- The Planning Service reiterated that they had looked at affordable housing after they had made sure the development was an employment-led development. With this kind of site there would be some policy compromises as there were competing requirements which did affect the ability for the scheme to provide affordable housing. The viability assessment was reviewed by an independent consultant and the scheme as it was could not provide any affordable housing. A test was then undertaken to see what would happen if the commercial space was changed and would help affordable housing but not by much. The Planning Service's Conservation, Urban Design and Sustainability (CUDS) Manager explained that their analysis of the existing site had determined that it was of limited historic value and architectural merit. It was recognised that the proposed scheme would have some impact on the immediate area but there would only be a small degree of harm but this would be outweighed by the benefits of the scheme
- There was no specific policy regarding the retention of building merchants. There were policies around prioritising industrial areas looking to re-provide employment space so the planning service had tried to meet those policies by providing new floorspace as part of the development. The Planning Service was of the view that there was no policy justification for retaining the builder's merchants. The acting Head of the Planning Service added that the Planning Service had looked at the development in the context of the new local plan. The Planning Service had looked at the new designations for the priority industrial areas across the borough to make sure that land use remains the same. It was not possible to protect types of areas within the use class. Through the local plan, across the borough the Planning Service had sought to make sure there were appropriate new designations through priority industrial areas as well as new priority office areas which the proposed scheme falls into

**2nd December 2020 Planning Sub-Committee meeting**

- The submitted Management Plan would include enforcement measures, for example, if it was open, when it was meant to be closed, then the council could issue a breach of conditions and any other breaches against the Management Plan use of the roof terrace. There was also environmental health legislation in terms of noise pollution, for example, was also in place. Furthermore, if there was heads of term in the legal agreement e.g. length of tenancy agreement, with, as the agent for the applicant mentioned, yearly monitoring of the return on the figures submitted to the s106 monitoring team
- On Historic England's comments on s71, the Planning Service's CUDS Manager explained that there was a presumption in favour of the conservation area. The Planning Service had made an assessment in terms of the conservation area and the demolition of the building on the existing site. They had also looked at the quality of the new development as well as the level of the contribution made by the proposed development. The Planning Service considered all these factors as well as scale, massing and quality of material, and it had been concluded that all of this had not caused harm to the conservation area. It was felt that the scheme was in keeping with the character of the area
- The ecologist for the applicant explained that the Kingsland Basin area had changed significantly over the years. There had been a lot of new developments but at the same time the ecology, in particular the waterways had improved a great deal as a result of the work of one the objectors. Over the last 15 years the developments around the basin, similar to what was proposed, should be 'happy bedfellows', which was the case with the proposed development as well. A lot of surveys had been undertaken resulting in some good data. Other specialists had also been consulted about the scheme. Overall, the ecologist was confident that the proposals demonstrated that the proposals were acceptable from an ecology perspective and were beyond planning requirements and would enhance the biodiversity. The chair of the Committee added that he could attest that he had seen developments that improved ecology all the time. The Planning Service highlighted that there was a section in the report that demonstrated the benefits of the proposal. There was less than substantial harm, on the heritage and conservation area. There were also design and conservation benefits e.g. rebuilding the street frontage. The architectural quality of the development was also considered to be of a high standard with a modern contemporary design which would add to the character of the area over time. The scheme would also maximise the employment potential of the site with new employment space as well providing additional housing of a certain type being provided
- The type of housing that was to be provided did meet some of the housing policy requirements and targets for the borough. It was acknowledged that it did not meet the need in terms of affordable housing but it did add to the mix of accommodation and did serve the need of some who were not well served by the current provision

**2nd December 2020 Planning Sub-Committee meeting**

- The Hackney's Council's Acting Head of Planning and Building Control explained that there was a housing target embedded in the Council's new local plan. The target was to deliver 1830 new homes a year. The proposed development would contribute to the reaching of that target. The Planning Service was well aware that the need in the borough was for affordable housing and every effort was made to maximise affordable housing. With all schemes the Planning Service would look at what was viable and what could be delivered in terms of the council's affordable housing target. The £500k contribution from the development would be fed back into the council's re-building programme. The Committee members understood that the scheme could not deliver affordable housing because it was in a priority employment area
- The council's Planning Viability Consultant explained that the £500k contribution figure came about in lieu of a late stage review mechanism
- Some detail on conventional housing was included in the application report. Some consideration was given to looking at the conventional housing option but this would result in some compromises to the employment space
- The Chair proposed that a condition be added that would need to return to Committee for discharge, that would give effect to the ambition that the accommodation was indeed rented by genuine residents that live and work full time in Hackney and does not become an AirBnB, hotel or similar or other non conventional accommodation. This was AGREED.

Vote\*:

For: Councillor Stops and Councillor Snell

Against: Councillor Hanson

Abstention: Councillor Bell and Councillor Fajana-Thomas

\*Councillor Race was excluded from the vote as he had joined the meeting after the agenda item had started (see agenda item 1)

**RESOLVED, conditional planning permission was GRANTED subject to conditions and the completion of a legal agreement.**

For a full list of conditions please access the following link to the application report:

<http://mginternet.hackney.gov.uk/ieListDocuments.aspx?CId=125&MId=5061>

**6 2019/4090 2-4 Orsman Road N1 5NQ**

- 6.1 PROPOSAL :Erection of part three- and part four-storey building to provide office floorspace with ancillary refuse and cycle storage and landscaping.
- 6.2 POST SUBMISSION REVISIONS: Revised drawings indicating changes to fenestration and elevation treatments received, which were subject to a second round of consultation

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

6.3 The Planning Service's Senior Planner introduced the application as set out in the report. During their presentation reference was made to the addendum and the following:

**Paragraph 4.7**

Amend to read:

Consultation letters were sent to 67 neighbouring occupiers. 30 letters of objection have been received, including from the tenants of Canalside Studios, raising the following grounds:

Add to grounds of objection:

- Proposal would overwhelm existing buildings at the site (Officer comment: Officers are of the view that the development is appropriate in its context and would not overwhelm existing buildings )
- Proposal would give rise to overlooking of residential units ( Officer comment: This is addressed at paragraphs 6.5.6 and 6.5.7 of the report )
- Proposal would cause loss of outlook by interrupting existing sight-lines and should be located at least 15m away from canal-facing units (Officer comment: Officers consider the loss of outlook would be at a level that would not be so significant as to be harmful)
- Proposal would disrupt a local community and result in displacement of occupiers (Officer comment: It is noted that the construction phase could have an impact on existing occupiers, which is addressed in paragraph 6.5.5, none of the existing units is proposed to be demolished )
- Proposal would harm local enterprises through the introduction of commercial floorspace ( Officer comment: The provision of office floorspace in this Priority Office Area is supported by local plan policies, as outlined in paragraphs 6.3.1 to 6.3.6 of the report)
- Proposal would result in loss of community amenity space on the site of the development ( Officer comment: a landowner has the right to seek permission to



**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

develop land and this is an informal amenity space due to the under-use of the land, and an element of open land within the wider site would be retained )

- Proposal would result in noise, vibration, smells and light pollution caused by the proposed commercial units ( Officer comment: The proposed use is one that is defined in the Town and Country Planning (Use Classes) Order 1987, as amended, as:

'being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit' )

Any environmental impacts beyond acceptable levels can be reported to and investigated by the Environmental Protection team under Environmental Health legislation. Other material impacts have been addressed in the report.

- Proposal would result in increased traffic (Officer comment: The proposal is unlikely

to result in significant traffic generation)

- Proposal would place a strain on the drains (Officer comment: The proposal has been reviewed by Thames Water who have raised no objection, subject to conditions

Paragraph 5.3.3

Substitute "SPD: Planning Contributions" with "SPD: Planning Obligations 2020"

Paragraph 6.6.6

Amend to read:

The Council's Network and Transportation Department have also requested that the developer contribute to highway improvements in the vicinity of the site, and have

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

requested that this be via an agreement under s.278 of the Highways Act. This is noted, by

but no estimate for such works has been received, and officers consider that ~~this matter can better be addressed by way of a suitable condition requiring the developer to enter into a s.278 Agreement once the extent of the works required has been ascertained.~~ That given that the works are to the interior of the site, such a request should be made if any `highways works are required.

Paragraph 8.1.28 - Delete condition

Add new condition at paragraph 8.1.28

The commercial floorspace hereby approved shall at all times be used only for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended, or for uses within part (g) (office / research and development / industrial) of Use Class E and not for any other purpose within Use Class E of the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or any such Order amending or revoking that Order whether in whole or in part.

REASON: In order to safeguard provision of office / research and development / industrial floorspace to meet the needs of the local economy, and to safeguard the amenity of the surrounding area

- 6.4 The Planning Sub-Committee heard from two objectors in relation to the application. Firstly they highlighted the unique biodiversity of the area and how it received direct sunlight and was much less disturbed by people and dogs. The overshadowing caused by the proposals could not be mitigated or compensated for. The daylight/sunlight assessment did not include the water. An ecology report should have taken place when the majority of the species can be recorded. While a January survey was legally acceptable it would miss out the majority of the species seen in the spring and summer. It was also suggested that the site was pulled back. It was felt that the site was overbearing with a noticeable overhanging element to the scheme. It was also argued that the proposed scheme would lead to a reduction in the open space. The existing courtyard gives the area its character. The height of the proposed scheme was also encroaching on the canalside. It was also felt that the daylight/sunlight assessment needed more scrutiny. Despite the changes made to the application there was still some increased overlooking. Some of the concerns of local residents had still not been addressed in the addendum.
- 6.5 The agent spoke on behalf of the applicant and began by explaining that the proposed scheme was a unique opportunity to fulfil the purpose of this employment priority area. The architects had engaged proactively with the council's planning service as well as the conservation and design officers throughout the pre application process. The building reflected the character of the area and as a result would be a contemporary representation of the canalside and industrial architecture.

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

The proposals complied to all local and London planning standards. The site was extremely well served by London transport and the site was car free and provision had been made for secure storage of 16 bicycles. The scale and mass of the building protects the neighbouring amenity space, which reflected pre application process discussions and an acknowledgement of concerns raised with the previous application. The daylight/sunlight assessment had shown that the neighbouring properties had not been significantly harmed through the loss of light. Obscure glazed windows had been included in the east and west elevations to prevent overlooking and the potential for dust and noise during construction was to be controlled by a Construction Management Plan required by condition. On the biodiversity issue the applicant acknowledged the concerns that had been raised and the assessment had been submitted. The applicant had received a number of comments from interested parties including the Canal and River Trust whom suggested a number of measures which the applicant had agreed to mitigate against potential harm and to enhance the biodiversity of the canal including surveys of the canal structure and construction methods to protect it, floating habitats and the protection and reinstatement of canalside greenery. The applicant was committed to these measures. The proposal was for a commercial building capable of providing work space for 50 people in a highly accessible location which was designated for employment use. The scheme was a result of extensive consultation with the council's conservation, design and planning officers and care had been taken to protect the amenity of neighbours and the biodiversity of the canal and the canalside

6.6 The Planning Sub-Committee members asked a number of questions and the following points were raised:

- On the issue of priority office area versus conservation area and their interaction with one another, the council's design officer replied that the proposed site was unusual in that it was in two conservation areas. In terms of the relationship of the context of the character of the area it relates more to the canal because it fronts onto the canal. There had been closer examination of the Regents Canal appraisal and its guidance refers to maintaining heritage assets and introducing buildings of an appropriate scale. It was acknowledged on the proposed site that there was a gap there and historically there were buildings on the site so that open space had not always been there. The Planning Service's focus was on making sure that there was a gap maintained on site and the building going in there would be an appropriate scale. That scale and in terms of its relationship would also be in keeping with the neighbouring buildings with an appropriate gap between the two storey building and the buildings that adjoins was three stories with a pitched roof. It was felt that the scale was appropriate and that the overall design horizontally and vertically was simple as was its pallet of materials. In terms of its positioning historically it was very common for buildings to front on to the canal and the previous buildings on site they fronted on to the canal. Therefore in design and heritage terms the proposed scheme was not seen

**Agenda Item 4**

**2nd December 2020 Planning Sub-Committee meeting**

as harmful for the building to front on to the canal. In the planning service's view the scheme was an enhancement to the conservation area. The scheme would also provide 590 square metres of office floor space with a priority office area which was defined as a public benefit. The canal environment had been constantly changing as was shown in those historic (pre Ordnance Survey) maps parts of the canal went into the countryside or wharfs. Over the years parts of the canal side had been knocked down and rebuilt. In the 1970s and 1980s parts of the area were very run down and derelict Over the last thirty to forty years was seen a revitalisation of the canalside environment

- In the past the canal area had been a commercial trade route this was not necessarily the value of the area today it was more about leisure use and biodiversity and this was part of Hackney which had very little green space in terms of biodiversity. While it was acknowledged that it was changing it was felt by some of the committee that this did not totally support the idea that the proposed building should butt up to the canal because they always used to. It was now no longer warehouse
- The agent for the applicant said that in terms of the building butting up against the canal they had taken their cue from local precedent. They had also looked at the historic development and they had assessed the impact of their development on the biodiversity of the canal and the biodiversity report submitted with the application and it was found there was no harm and there were improvements to the biodiversity. It also highlighted that the scheme was not a very big building being 12 metres across with a gap either side within the site that was not being developed on
- The architect explained that there was common access to the ground floor of the proposed building. As mentioned, the scheme had a historic footprint up to the edge of the canal, but to allow access to the office section it had been pulled back. There would be full access across the site, as was currently the situation
- The representative for the Wildlife Gardeners of Haggerston had not yet decided on whether to work with the Rivers and Canal Trust on the initiative that they had proposed
- In terms of the presumption of building on brownfield sites the acting head of planning explained that in terms of local and national policy there was presumption of developing on previous brownfield land. This was a fundamental principle of planning and decision making
- On the new condition in the addendum, as with the previous application under agenda item 5, this was as a result of government changes to the planning system in particular the change is use of class order so what was currently use class A and B1 were being put into one big use class use class E (set to be introduced on the 1<sup>st</sup> September 2020)
- The previous 2015 application was withdrawn, it was assumed it was withdrawn on the advice of the then planning officer The reference to an application approved in December 2015 referred to a neighbouring site at number 6 Orsman Road. It was understood that the planning service had prescribed that the boilers on site would be low emission boilers

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

- Issues around parking space was a landlord – tenant issue because 2 to 4 Canalside Studios had been let out on 999 year leases which included car parking spaces
- The previously submitted application, that had been refused, was significantly larger and at the time the planning service had considered the likelihood of overlooking to be greater. The proposed scheme was also for office use, which was different to the character of the use of residential building
- The biodiversity survey was done in the winter just before the application was submitted. This was a legal requirement. The agent for the applicant explained that he had spoken to the ecologist and they had said that the results that they found strongly suggest the results would not change significantly from a survey done in the summer. There was the potential for a summer biodiversity survey to be conducted as a pre-commencement condition. It was agreed that this would be included as a condition
- The agent for the applicant replied that they would consider cross laminated timber as a material
- The Canal and River Trust (CRT) was the statutory body of maintaining the Regents Canal Trust
- The Council's Conservation and Design Officer reiterated that the massing of the proposed scheme was within the context of the area. The Planning Service was of the view that the scheme was in keeping with the character of the area. On concerns over the roof, it came to the canal edge and the planning service were of the view that it was keeping with the surrounding area
- One of the objectors explained that the courtyard was an amenity space for canalside studios residents. The proposed scheme would cut the courtyard in half. The new occupants of the proposed scheme would also be spilling out into the amenity space reducing its size. There were also concerns about an increase in vehicle movement as a result of the proposed scheme. The Planning Service replied that the amenity space was an informal amenity space
- Committee members noted that access to the amenity space would be maintained

Vote:

For: Councillors Bell, Hanson, Fajana-Thomas, Snell and Stops

Against: Councillor Race

**RESOLVED, planning permission was GRANTED, subject to conditions, together with the additional condition regarding a summer ecological survey**

For a full list of conditions please access the following link to the application report:

<http://mginternet.hackney.gov.uk/ieListDocuments.aspx?CId=125&MIId=5061>

**7      2020/1102 The House, 41 Boundary Street, Hackney E2 7JQ**

- 7.1      PROPOSAL: Erection of 3 - 4 storey dwelling (use class C3) at rear of the site following demolition of existing 2 storey dwelling.
- 7.2      POST SUBMISSION REVISIONS: Revised plans were received on 10 June; the revisions altered annotations on the resubmitted plans to clearly detail that the building mass proposed (as shown by the red line) is the building mass that was permitted under reference no. 2017/1841. No reconsultation was undertaken following the receipt of these amendments as the development has not been materially altered.
- 7.3      The Planning Service's Senior Planner introduced the application as set out in the report. During the presentation reference was made to the addendum and the following:

Amend paragraph 6.4.3 to read

The site is located in an area characterised by a predominantly mid-range mix of building heights and designs. The site is adjoined by a five storey residential block to the east, a seven storey residential block to the south, a five storey hotel to the west and a four storey Grade II listed residential block to the north, just beyond a small courtyard and a row of single storey Grade II listed workshops. The site directly adjoins the southern boundary of the South Shoreditch Conservation Area, and the Boundary Estate Conservation Area is located to the east of the site.

Amend paragraph 6.4.9 to read

Cleeve House and workshops are located on the very edge of the South Shoreditch Conservation Area where the overarching character and uniformity of the area becomes more mixed as a result of greater levels of change. The Boundary Estate, within the boundary of the London Borough of Tower Hamlets, is located to the east.

Amend paragraph 6.4.14 to read

The proposal is considered to have an acceptable impact with regards to the design and appearance of the subject site, the setting of the adjoining conservation areas and the character and setting of the Grade II listed buildings to the north.

Amend paragraph 8.5 to read

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

Payment by the landowner/developer of monitoring costs and 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 Legal Agreement.

- 7.4 A local resident began by objecting to the application being rushed through at the end of the meeting. The chair of the Planning Sub-Committee replied that the application would not be rushed through. The objector explained that the area under discussion was an important piece of grade two listed architecture it was not one building it was a set of workshops. It was important that the edges of the estate were preserved and respected. There was a 2014 planning application that was on 14 Boundary Street which was refused because of its impact on the workshops on the boundary estate. The objector cited 7.4. and 7.8 of the local plan, heritage assets, developments affecting heritage assets should conserve their significance and architecture and should be sympathetic to their architecture and detail. It was disputed that the proposed application did anything of this. The objector also cited the Hackney Local Development Policy core development strategy CS 24 which stated that all developments should seek to enhance Hackney's environment and respect local historic local architecture and the quality and character of the surrounding environment. The NPPF had mentioned how that had to be weighed against a heritage asset against the public benefit. It noted that a planning application for the building behind the proposed application site was refused in 2010 on the grounds of the harm it would do to the context of the listed buildings on the boundary estate. It was felt that there was nothing in the plan to indicate that it was less harmful. Concern was raised about insufficient design detail and it was felt because of the potential harm to the area that there was enough detail in the submitted designs to explain what was actually going to happen and the resulting effect. The objector highlighted the part of the application report where it stated that the site had already been heavily impacted by adjacent developments which appeared overbearing, however, it was felt though they were large they presented blank walls to the estate. The existing house that was to be replaced would not even be seen so the actual effect was that though adjacent buildings were large they were neutral. On entering the courtyard a person's eye was drawn to the workshops not the blank walls above it. With the proposed development a person's eyes would be drawn to this quite new and radical design which was completely out of character of the rest of the area. It was noted from the application report that the area was on the edge of the South Shoreditch where things tend to change, this was incorrect, the area under discussion was on the edge of Boundary Estate and things on the estate were very uniform and this was what needed to be observed. It was noted that the building behind the workshops was older and had been there for a much longer time, it was not a new addition. It was also noted that the application would lead to one additional bedroom on an existing house, which was currently invisible. For one additional bedroom was far outweighed by the harm to the immediate area. On the issue of privacy the workshops originally

**Agenda Item 4**

**2nd December 2020 Planning Sub-Committee meeting**

had skylights on the roof and there were plans for them to be reinstated – there was a proposal to restore the workshops to return them to their original state with their glass roofs. They would be negatively affected by the proposed development. The report stated that the workshop faced away from the proposed site but this was disputed at the courtyard and was very much used as an integrated part of the workshops. It was reiterated that any benefit of the scheme was far outweighed by any harm.

- 7.5 The agent for the applicant explained that the scheme was a renewal application that was soon to expire. Back in 2014 the applicant bought a two storey house with permission to extend to four storeys. At the time this suited the applicant's need as the existing house on site was too small of poor build and minimal insulation and the quality of accommodation was not high with single aspect rooms. The 2013 permission was also poorly designed providing an awkward layout and wasted space with single aspect rooms and a blank four storey wall adjacent to the boundary estate workshops. The applicant had sought an alternative scheme for better quality family accommodation with a more energy efficient over a more sustainable long time period. The proposed scheme was exactly the same scheme approved in 2017. One of the main features of the scheme was the introduction of a courtyard which would reduce the massing of the blank four storey building and there was no building against the Cleeve Workshop building 3:05 against the wall where the courtyard was. It would also bring light and privacy to the house providing rooms with a triple aspect with an outlook onto the courtyard not the neighbours. Also no windows would be required to face number 41 or the Cleeve workshops and the Mansion block beyond. Their privacy would be protected. As mentioned, there were tall existing buildings all around the site between five and seven storeys and they already dominate the one storey Cleeve workshop. The proposed scheme steps the height of the house from North to South to help mediate the significant height changes between Cleeve and the existing six and seven storey buildings allowing for greater integration meaning that the on the Cleeve workshop boundary it was at its lowest and the flats at number 41. The scheme rises highest and furthest away from these addresses hence reducing their impact on the workshops. The form and design of the house were a direct response to their context. It was not trying to be striking or different as was suggested. It was trying to be respectful and contextual of its neighbouring properties. The new house was on a backland site and together with its inward looking design it was only partially and momentarily seen from the street. It was surrounded by a mix of building styles with no particular merit beyond that of the listed building. The material palette takes its cue from the snake pitched roof of the listed workshops and building on the boundary. The agent for the applicant added that they were happy to provide a CMP. The agent re-iterated the application process for the scheme and they had taken into account the new LP33 had come into effect and should be taken into account with this renewal scheme. There appeared to be no policy changes since 2017 that suggest the scheme



**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

should not be approved again and it was felt that the scheme was now more robust. It was more energy efficient and sustainable and it also fulfilled the need for more sustainable quality housing which is seen as a public benefit.

7.6 A number of questions from Planning Sub-Committee members were raised and the following points were raised:

- The acting head of the Planning Service explained that the previous 2017 application had been approved through delegated powers. Though LP33 was now in place planning permission had only just expired which needed to be taken into consideration with this application. Though the policies had changed the objectives and considerations had not changed
- The Senior Planner explained in relation to whether there was enough design details to enable the Planning Sub-Committee to make a decision, the officer explained that there were objections to the Computer Generated Images (CGIs), however, at the time of assessing the application it was felt that only when the application was referred to committee it was felt it was not reasonable to request additional detail 3:10. The Planning Service was of the view that there was sufficient detail
- It was confirmed that there was a condition in place that stated that the scheme would have a fake cement based slate roof. It was considered acceptable and there was a condition in place to have a sample of the roof material to be submitted for consideration
- There was no specific condition regarding opaque glazing but the plans did state that they were included and that was felt to be sufficient
- The agent for the applicant replied that as far as they were aware no building had been previously demolished as of yet and it was felt that the existing building was of poor design. And had very poor quality space inside and lacked insulation Members noted that the 2013 scheme was never implemented which the agent for the applicant explained was of poor design The objector replied that they had not mentioned demolition, they were referring to two previous applications in 2010 and 2014 which were refused on the grounds of the harm they would cause to the heritage context and it was felt that this same harm would be caused by this renewed scheme
- The chair of the Planning Sub-Committee suggested that the applicant may wish to consider using cross laminated timber

Vote:

For: Councillors Fajana-Thomas, Hanson, Race, Snell and  
Stops

**Agenda Item 4**  
**2nd December 2020 Planning Sub-Committee meeting**

Against:           None

For a full list of conditions please access the following link to the application report:

<http://mginternet.hackney.gov.uk/ieListDocuments.aspx?CId=125&MId=5061>

**RESOLVED, planning permission was GRANTED subject to conditions.**

**8       Delegated Decisions document**

Noted.

**Duration of the meeting: 18:30 – 21:50**

**Signed:**

.....  
**Chair of Planning Sub-Committee, Councillor Vincent Stops**

**Contact:**

Gareth Sykes

gareth.sykes@hackney.gov.uk