

# LONDON BOROUGH OF HACKNEY

PLANNING SUB-COMMITTEE  
28/07/2021

ADDENDUM SHEET

## **ITEM 5: Olive School 2-4 Lower Clapton Road - Application 2021/1579**

### Neighbour Consultation Responses

2 additional objections have been received, bringing the total number of objections to 9. The following matters have been raised:

- Increasing school capacity would have a negative impact on the local area in terms of traffic congestion and air pollution. OFFICER NOTE: The proposed amendments only relate to the staggering of pupil intake year on year. The capacity restriction of 630 pupils would not change. The school would have been able to reach 630 pupils eventually in either scenario.
- A school of this size is not needed in this location as surrounding schools are already undersubscribed. OFFICER NOTE: The principle of the school use on site and the standard of accommodation were established by the inspectors decision and is not under reconsideration here.
- The site is unsuitable for a school of this size, with inadequate facilities/amenities on site. OFFICER NOTE: The principle of the school use on site and the standard of accommodation were established by the inspectors decision and is not under reconsideration here.
- Even the current small pupil numbers are causing a dangerous travel junction at the corner of Clapton Square with Lower Clapton Road. As stated in the HSP report there is no stopping or parking permitted on LCR within 60m of the site to the west. OFFICER NOTE: Part of the contributions sought are to expand the Olive School streets zone and provide an enhanced level of monitoring and engagement with the school. These measures are intended to reduce private vehicle trips to the site and improve road safety in the vicinity and would alleviate the impacts upon Clapton Square described.

16 additional supports have also been received, bringing the total number of supports to 103. The matters raised are broad in terms of their support for the proposed amendment and the benefits that this would provide to the pupils of the school.

An additional comment has also been received regarding the installation of ANPR cameras and whether this will occur in time of the start of the new school year. The current intention is for the cameras to be in place by the start of the new school year.

### Assessment

Paragraph 6.4.9 should be amended as follows (amendment in italics):

- 6.4.9 Based on the current application being approved, the majority of trips are predicted to be made by sustainable means (71% of trips made via walking, cycling or public transport). The predicted modal share for motor vehicle trips is relatively high. Of the 630 pupils, in 2021, 29% of pupils are projected to travel to school via motor vehicle which equates to 182

one-way trips (or 115 one way trips when taking into consideration car sharing/more than one pupil per car).

### Recommendation A

Recommendation A should be amended to read as below. The conditions attached to planning permission 2019/4559 are to be added to this Section 73 application for clarity and completeness.

That Full Planning Permission for application 2021/1579 be approved subject to the below conditions:

- 8.1 The development hereby permitted shall be carried out and completed in accordance with the plans hereby approved and any subsequent approval of details.
- 8.2 Notwithstanding the approved drawings, details of the following matters shall be submitted to and approved in writing by the local planning authority before any work in relation to these matters takes place. Development shall be carried out in accordance with the approved details.
  - air handling plant and louvres on roofs, including 1:20 scale plans, sections and elevations showing the relationship of the new elements to the historic fabric
  - the new entrance through the western boundary wall, including 1:20 scale plans, sections and elevations showing the relationship of the new elements with the historic fabric
  - new and replacement windows, including 1:20 scale elevations showing glazing patterns and 1:10 scale sections showing glazing and joinery details
- 8.3 Notwithstanding the approved drawings, details of the materials to be used for the external surfaces of the proposed buildings shall be submitted to and approved in writing by the local planning authority before any work on the external elements of the buildings takes place. The details shall include samples of facing bricks and roofing materials. Development shall be carried out in accordance with the approved details.
- 8.4 Prior to occupation of the development hereby approved, a school management plan shall be submitted to and approved in writing by the local planning authority. The approved management plan shall be adhered to for so long as the premises are operated as a school. The plan shall include details of the following matters.
  - management of external play areas including details of staggered play times and pupil numbers
  - management of rooftop study area
  - management of extra-curricular and physical education including travel to off-site locations
  - management of children arriving and leaving school including the use of entrances and provision of traffic marshals
  - use of school outside teaching hours
- 8.5 Prior to occupation of the development hereby approved, details of planting to be incorporated on the rooftop study area and semi-permeable screening to circulation areas shall be submitted to and approved in writing by the local planning authority. The details shall be implemented as approved prior to the occupation of the development and shall be permanently retained as such thereafter.
- 8.6 Notwithstanding the approved drawings, a full post construction BRE certification confirming that the refurbished element of the development has achieved a BREEAM rating of Very Good with a minimum score of 62 points and that the new construction element has achieved a BREEAM rating of Excellent shall be submitted to and approved in writing by

the local planning authority within 6 weeks of the first occupation of the development hereby approved.

- 8.7 Prior to occupation of the development hereby approved, specification and layout details of the proposed photo voltaic panels shall be submitted to and approved in writing by the local planning authority. The details shall be implemented as approved prior to the occupation of the development and shall be permanently retained as such thereafter.
- 8.8 Notwithstanding the approved drawings, details of the following shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. Development shall be carried out in accordance with the approved details and permanently retained as such thereafter.
- low NOx emitting combined heat and power and emergency generator plant (referred to hereafter as plant)
  - performance data including emissions standards and technical data for each piece of plant. The data shall demonstrate that the plant is low NOx in relation to air quality standards and other similar plant available on the market. The plant installed shall meet or improve upon the approved emissions standards and technical data
  - details of the plant installed (including measured emissions) and details of any emissions mitigation equipment installed
- 8.9 No new plumbing, pipes, soil stacks, flues, vents, grilles, security alarms or ductwork shall be fixed on the external faces of the buildings unless as otherwise shown on the drawings hereby approved.
- 8.10 Prior to occupation of the development hereby approved, a refuse strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include the use of a commercial waste management company. Thereafter, refuse collection shall only be carried out in accordance with the approved strategy.
- 8.11 Prior to occupation of the development hereby approved, a school travel plan shall be submitted to and approved in writing by the local planning authority. The school travel plan shall include measures to discourage the use of private cars and to encourage the use of sustainable modes of transport. Baseline travel surveys of staff and pupils will be undertaken within 3 months of the school opening and the full travel plan will be operational within 6 months of the school opening. The school travel plan shall seek to achieve TfL Mode STARS Gold Accreditation in the 4th year of operation. The site shall be operated in accordance with the approved school travel plan at all times.
- 8.12 Prior to occupation of the development hereby approved, details of the means of mechanical ventilation and the extraction and dispersal of cooking smells/fumes shall be submitted to and approved in writing by the local planning authority. The details shall include the method of construction and odour and noise control. The details shall be implemented as approved prior to the occupation of the development and shall be permanently retained as such thereafter.
- 8.13 No roof plant, including any external enclosures, machinery or other installations, shall be placed on or attached to the roof of the development unless shown on the drawings hereby approved or otherwise approved pursuant to the conditions imposed on this permission.
- 8.14 The development shall be carried out in accordance with a site specific Construction Environmental Management Plan that has been approved in writing by the local planning authority. The plan shall demonstrate the adoption and use of the best practicable means to

reduce the effects of noise, vibration, dust and site lighting and shall include:

- a demolition and construction method statement to include details of noise control measures and measures to preserve air quality, including a risk assessment of the demolition and construction phase
- a plan setting out how resources will be managed and waste will be controlled at all stages during the construction phase, including details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete) and the location of any mobile plant or machinery
- details of the locations where deliveries will be undertaken, the size and number of lorries expected to access the site daily, the access arrangements (including turning provision if applicable), construction traffic routing, details of parking suspensions (if required) and the duration of construction
- mitigation measures (as defined in BS 5228: Parts 1 and 2: 2009 Annex F Noise and Vibration Control on Construction and Open Sites) which shall be used to estimate LAeq levels and minimise noise disturbance from demolition and construction works
- procedures for maintaining good public relations including complaint management, public consultation and liaison
- arrangements for liaison with the Council's Community Safety Team
- any works or ancillary operations which are audible at the site boundary shall be carried out only between 08.00 and 18.00 on Mondays to Fridays, 08.00 and 13.00 on Saturdays and at no time on Sundays and Bank Holidays
- deliveries and/or removal of materials, plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above
- procedures for emergency deviation from the agreed working hours The approved Construction Environmental Management Plan shall be adhered to throughout the construction period.

8.15 Within 12 months of first occupation the development shall be completed in accordance with a scheme of hard and soft landscaping that has been approved in writing by the local planning authority. The scheme shall include:

- planting plans showing the location, species, type of stock, numbers of trees/plants, tree pits and areas to be seeded or turfed
- external lighting including location and types of light fitting
- play areas and play equipment

The hard landscaping shall be carried out as approved prior to the occupation of the development. The soft landscaping shall be carried out as approved within 12 months of the commencement of the development or in the first planting season following completion of the development. Any plants forming part of the approved scheme which die or are seriously damaged or diseased or are removed within a period of 5 years of being planted shall be replaced with others of the same size and species unless otherwise agreed in writing by the local planning authority.

8.16 The development hereby approved shall not be occupied until a detailed Delivery and Servicing Management Plan has been submitted to and approved in writing by the local planning authority. Delivery and servicing to the site shall only be carried out in accordance with the approved Delivery and Servicing Management Plan.

8.17 The rating level of any noise generated by any plant and equipment forming part of the development shall be at least 5 dB below the pre-existing background level as determined by BS4142 Method of rating industrial noise affecting mixed residential and industrial areas.

8.18 The development shall not be occupied until the approved land contamination remediation

scheme has been carried out and a verification report by a suitably qualified contaminated land practitioner has been submitted to and approved in writing by the local planning authority.

- 8.19 In the event that, when carrying out the development hereby approved, contamination is found that was not previously identified it must be reported in writing to the local planning authority within 7 days and development on the affected part of the site shall cease. A risk assessment shall be carried out and submitted to and approved in writing by the local planning authority. If unacceptable risks are found a remediation scheme shall be submitted to and approved in writing by the local planning authority before development resumes. The development shall not be occupied until the approved remediation scheme has been carried out and a verification report has been submitted to and approved in writing by the local planning authority.
- 8.20 The development shall not be occupied until a post-development contaminated land verification report has been submitted to and approved in writing by the local planning authority. The report shall set out any restrictions on the use of the development and demonstrate that arrangements have been made to inform future site users of the restrictions.
- 8.21 Notwithstanding the approved plans, lockable space shall be made available within the site for the secure parking of 34 cycles before the first occupation of the development. Use of the cycle parking shall be monitored by the travel plan coordinator each term and should the cycle parking be more than 95% occupied for more than one month then additional parking shall be provided in accordance with details which shall be submitted to and approved in writing by the local planning authority up to a maximum of 106 cycle stands.
- 8.22 The proposed ecological enhancements, including bird and bat boxes, shall be delivered in accordance with the details contained within the submitted Phase 1 Habitat Survey prior to the occupation of the development hereby approved.
- 8.23 The development hereby permitted shall not be occupied until an agreement under section 278 of the Highways Act 1980 has been entered into between the applicant and the Council in order to upgrade the crossing adjacent to the site on Lower Clapton Road to a toucan crossing.
- 8.24 No works on the southern elevation of the classroom block hereby permitted shall be commenced until details of that elevation have been submitted to and approved in writing by the local planning authority.
- 8.30 At no time shall the school admit more than 630 pupils.

#### **ITEM 6: St Michael and All Angels, Mark Street, EC2A 4QX**

##### Church Waste Collection

Reference to a kerbside bin store should be removed from the Heads of Terms under Recommendation B, since the Borough's Waste and Transport officers have instead agreed to a condition requiring the former church's bins to be put out on collection days.

As such paragraph 4.7.2 should be amended to read:

- 4.7.2 Waste: No objection. The application contains a sound and workable waste strategy. The 2 bin stores are accessible from Mark and Leonard Street and are large enough

to accommodate the required 5x 1100 litre eurobins. The private recycling /refuse contractor will need to bring the bins up from the basement to ground level on collection day. No objection either to the Church waste collection being carried out at kerbside, subject to a suitable condition ensuring the bins are put out accordingly.

Paragraph 6.5.9 should also be amended to read:

6.5.9 The Council's Waste Officer has reviewed the waste strategy provided with the proposal and raises no objection to it, or to the location or capacity of waste storage provided. In order to provide waste storage for the Grade I listed former church, a provision of the legal agreement is for a kerbside waste store. The proposal is considered to provide suitable waste and collection servicing arrangements.

The following condition should be inserted:

#### **8.1.28 Waste Management for Former Church**

Prior to the commencement of above ground works on the church phase, full details of the management arrangements and proposed collection points for residential and commercial waste and recycling to be presented at the kerbside prior to collection, to facilitate collection of waste and recycling, shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be implemented and shall thereafter be retained.

REASON: To protect the amenity of workers and neighbours, to ensure that there is adequate provision for the hygienic and convenient storage of refuse and recycling and to ensure that the drag distances for refuse are appropriate each collection day.

#### Public Access to the Former Church Building

An additional condition has been agreed with the applicant and should be added:

#### **8.3.25 Public Access to the Church**

A Management Plan showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, prior to the occupation of the church phase of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- 1) A public access strategy, detailing arrangements for members of the public to be granted access to the former church building on no less than four days each year.

REASON: To ensure that the new use for the church building does not mean that the inside of the Listed Building is entirely lost to public view and to thereby enhance the public benefits of the scheme, which may be balanced against the harm caused by the proposed development.

#### Clarification of Use

The vacant retail use at the former church, being within Class E, would be within the same use class as the proposed offices. As such, paragraph 6.0.1 should be amended to clarify that the use as office does not require planning permission, as follows:

- 6.0.1 Planning permission is sought for the erection of a five storey (plus basement) building (Use Class E(g)) on the storage land to the north of the former church. Also, for the redevelopment of the existing Grade I listed former church, which had been granted a Lawful Development Certificate for an existing use as an antiques store (Class E) in 2015. The refurbishment would include the removal of existing internal structures and the erection of a partial mezzanine floor, to enable the use of the building as offices (Use Class E(g)). External alterations to the church building would include a new canopy entrance to the north elevation.

#### Clarification of Construction Methods

The applicant has asked that the following paragraph be amended to provide greater clarity. This is accepted and it has been amended to read:

- 6.3.18 The mezzanine would be constructed of cross-laminated timber panels, with a series of vertical screen fins in steel, which would be read as modern additions. The structure will largely be set away from the walls with the exception of a limited number of locally connected sections which are located at discrete sections in order to limit the number of interventions within the historic fabric of the building.

#### Correction of typographical error

Paragraph 6.5.4 had a typographical error and should be amended to read:

- 6.5.4 The development will provide a total of 31 secure cycle parking spaces for the new building, in line with the Local Plan standards for staff and visitors. The proposal is for 16 of these to be 2-tier, 14 of them to be single tier and for one larger space to be provided. This is considered to be an acceptable mix of provision for this constrained site, providing a sufficient proportion of the more accessible single tier spaces. This level of provision is policy compliant and considered acceptable. Further details would be provided within the cycle parking plan required by the recommended condition, to show layout, foundation, stand type and spacing.

#### Conditions amended to reflect phasing of the development

The applicant requested that the phasing of the development might be reflected in the wording of the following conditions. The request is accepted and the conditions have been amended to read:

#### **8.1.14 - Contaminated Land: Pre-occupation**

Part A: Prior to the occupation of each phase of the development, a post-development verification report for the relevant phase must be produced to the satisfaction of and approved in writing by the Local Planning Authority. The verification report must fully set out any restrictions on the future use of that phase of the development and demonstrate that arrangements have been made to inform future site users of the restrictions. Work shall be completed and reporting produced by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Contaminated Land Officer must receive verbal and written notification at least five days before development and remedial works commence.

Part B: Any additional, or unforeseen contamination encountered during the course of development shall be notified to the Local Planning authority within 2 working days. All development shall cease in the affected area. Any additional or unforeseen contamination shall be dealt with as agreed with the Local Planning Authority. Where development has ceased in the affected area, it shall recommence upon written notification of the Local Planning Authority.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

#### **8.1.16 - Cycle Parking**

Prior to the commencement of above ground works for each phase, details of secure bicycle storage facilities for that phase, in respect of 31 long-stay cycle spaces for the new building (of which no less than 14 will be single tier) and 6 long-stay single tier cycle parking spaces for the former church building, including layout, stand type and spacing, shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be implemented prior to the occupation of the relevant part of the development and shall thereafter be retained.

REASON: To ensure that adequate provision for the safe and secure storage of bicycles is made for occupants and visitors.

#### **8.1.24 Bird and Bat Bricks**

Prior to occupation of the new building, a minimum of three bird or bat bricks will be included in the proposed development, on the new building, with a variety of brick types suitable for use by different species, and shall thereafter be retained.

REASON: To ensure that suitable replacement habitats are provided for existing wildlife.

#### **8.3.5 Details to be approved**

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of the relevant part of the Church phase of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- A. Full internal elevations (following the strip out of the existing unauthorised partitions) and complete schedule of works outlining the proposed methods and materials
- B. Full details of mezzanine
- C. Fins and supports, including method for trial pits and full details of underpinning, laying of foundations and details of how it will meet the ground in 1:10 details
- D. Balustrades
- E. Lift
- F. Floor, including finishes
- G. Details of structural repairs, including relevant method statements
- H. Lighting and method of attachment
- I. Lighting conductor
- J. Internal doors
- K. External Lighting

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

#### **8.3.7 Structural Survey**

Prior to the commencement of works to construct the mezzanine to the former church a full structural survey of the bell tower is to be conducted and a report submitted to the Local Planning Authority.

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

### **ITEM 9: Shoreditch Park, Bridport Place - Application 2021/1830**

#### **8.1.11 Landscaping**

This condition is proposed to be reworded as follows:

“Hard and soft landscaping (with the exception of new tree planting) shall be carried out in full accordance with the submitted landscape plans (10769-LD-PLN-211 P02; 10769-LD-PLN-212 P02; 10769-LD-PLN-213 P02; 10769-LD-PLN-214 P02; 10769-LD-PLN-215 P02; 10769-LD-PLN-221 P02; 10769-LD-PLN-222 P02; 10769-LD-PLN-401 P02). However notwithstanding the details in these plans, revised details of tree planting, including the species and location of proposed new trees shall be



submitted to and approved in writing by the Local Planning Authority prior to first use of the hereby approved facilities.

All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the occupation date or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of five years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage, and to ensure adequate tree canopy cover and shade”.

**8.1.13 Painting of adventure playground building**

Proposed new condition:

“The areas of blockwork within the facades of the hereby approved adventure playground building shall be painted with a colour / design selected in consultation with local children within 6 months of first occupation and use of the building.

REASON: In order to ensure an acceptable appearance and finish to the completed building, so as to safeguard the appearance of the park and surrounding area”.

**Signed..... Date.....**

**ALED RICHARDS  
Director, Public Realm**