

## **06/04/2022 Planning Sub-Committee Addendum**

### **Item 5: 49-50 Eagle Wharf Road**

#### Amendment

The reason for refusal at 1.1.1 should be amended so that reference to 'any significant wider planning benefits' is replaced with 'sufficient wider planning benefits'. The full amended wording of the reason for refusal is set out below for clarity.

#### 1.1.1 Loss of existing cultural use

The proposed development would result in the loss of the existing photographic studio use, which is considered to be a cultural facility in use by creative industries, contrary to the objectives of policy HC5 (Supporting London's culture and creative industries) of the London Plan 2021, and policy LP10 (Arts, Culture and Entertainment Facilities) of the Hackney Local Plan 2020. The loss of the existing facility is not outweighed by the potential benefits of the proposed development which is not considered to deliver sufficient wider planning benefits for the community.

### **Item 6: 3 Mandeville Street**

#### Consultation Responses

One additional support has been received which can be summarised as follows:

- Pocket Living's proposals to build and sell these homes to local people who live and work in the borough, at a 20% discount, will mean more people can get onto the housing ladder.

One objection to the scheme has also been received from an occupant of a Pocket Living scheme in Ealing. The matters raised can be summarised as follows:

- Pocket Living have a proven track record of building developments that meet minimum standards of the time, but quickly fall into disrepair. The development in Ealing suffers from constant leaks in addition to fire safety issues.
- Pocket Living will not engage with the government further on cladding issues related to the development in Ealing.

The issues raised above relate to another development and matters principally covered by building control. As such, they are not material to the subject planning application. However, it is noted that Pocket Living have contacted the Council regarding the above to contest the claims of the objector and state that engagement with residents at the block in question in relation to cladding remains ongoing.

#### Corrections/Clarifications

6.1.15 This paragraph refers to the pocket units as Studio units. While the units are 1 bed 1 person units, they are laid out like 1 bedroom units rather than having a single shared living/sleeping space.

6.1.22 This paragraph incorrectly states that the alternative 'conventional' scheme would provide 33 units within the same building envelope at a policy compliant housing mix. The correct number of units modelled in the alternative scenario is 27, all of which would be private market sale units.

## **Item 7: 118 Curtain Road**

### Consultation Responses

Further correspondence from representatives of Strongroom Studios has been received. The matters raised can be summarised as follows:

- Representatives from Strongroom were excluded from additional testing undertaken in support of the supplemental report submitted by the applicant, unlike previous testing. OFFICER COMMENT: There is no requirement upon the planning authority to include Strongroom in the testing process. Officers are of the view that the additional testing was undertaken in an appropriate manner.
- Strongroom were not given sufficient time to consider and respond to the supplemental report. OFFICER COMMENT: Strongroom were provided with the supplemental report in advance of the committee report being published and 14 days before committee. Responses are accepted prior to a decision being made. Strongroom have made a further representation, which is summarised here.
- The additional testing was not undertaken from within the Strongroom. OFFICER COMMENT: There is no requirement within the wording of the condition for testing to take place within Strongroom. Officers are of the view that the location of the additional testing is acceptable.
- It is necessary for a representative from Strongroom to be present during testing to ensure that the evidence collected is fair, evidenced and balanced. OFFICER COMMENT: It is not considered necessary for representatives from Strongroom to be present in order for testing to be trustworthy if undertaken by an accredited professional.
- The submission by the applicant is misleading and flawed. OFFICER COMMENT: Officers are of the view that the evidence submitted is acceptable to discharge the condition.
- The additional testing that has been carried out continues to demonstrate that the condition cannot be discharged. OFFICER COMMENT: Officers are of the view that the additional evidence submitted is sufficient to demonstrate that the condition can be discharged.
- Freedom of information requests have not been compiled with. OFFICER COMMENT: This is not a material planning consideration in this case however the FOI requests in question have been responded to.
- The committee report implies that Strongroom were given an opportunity to respond to the supplemental information but did not. OFFICER COMMENT: This is not stated in the committee report.

- The use of saw cutting will not meet NR15(15 min), contrary to the claims in the Bureau Veritas report. OFFICER COMMENT: It is the position of the representatives of the Strongroom that the data show the NR15 limit cannot be met and that the data has not been correctly calculated in the submitted report. The representative of the applicant's position is that the data has been presented in line with industry practice and that that evidence shows that the NR15 limit can be met. Officers are of the view that the evidence and analysis submitted by the applicant is sound and is sufficient to discharge the condition.
- The replacement of percussive drilling to attach the track for saw cutting was to be replaced with suction cups. However, hand held core drilling has now been tested without explanation. OFFICER COMMENT: The alternative method of fixing for saw cutting that has been tested has been shown to meet the required NR15 levels. As such, requiring the use (or testing) of suction cups is not considered necessary.
- The testing in relation to hand held drilling cannot be validated as Vanguardia were not present. OFFICER COMMENT: Officers are of the view that the testing of hand held drilling has been undertaken in an appropriate manner.
- The interpretation of the wording of the condition in the officers report is incorrect. OFFICER COMMENT: Officers consider that the wording of the condition has been interpreted correctly and that the evidence submitted is considered sufficient to discharge the condition.