

## MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE WEDNESDAY, 3 MAY 2023

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED HERE:

<https://youtu.be/PVeC52UgceA>

- Councillors Present:** Cllr Steve Race in the Chair
- Cllr Michael Desmond, Cllr Michael Levy, Cllr Jon Narcross, Cllr Lee Laudat-Scott, Cllr Jessica Webb (Vice-Chair) and Cllr Sarah Young.
- Apologies:** Cllr Clare Joseph, Cllr Clare Potter and Cllr Ali Sadek.
- Officers in Attendance:** Nick Bovaird, Deputy Team Leader, Major Projects  
Robert Brew, Major Applications Team  
Natalie Broughton, Head of Planning and Building Control  
Graham Callam, Growth Team Manager  
Adele Castle, Team Leader North  
Louise Claeys, Principal Sustainability and Climate Change Officer  
Joe Croft, Senior Transport Planner  
Micheal Garvey, Planning Officer  
Luciana Grave, Conservation and Urban Design Sustainability Manager  
Mario Kahraman, ICT Support Officer  
Catherine Nichol, Senior Planning Officer - Central Team  
Thomas Russell, Planning Officer  
Gareth Sykes, Governance Officer  
John Tsang, Development Management and Enforcement Manager  
Sam Woodhead, Specialist Planning Lawyer

### **1 Apologies for Absence**

- 1.1 Apologies for absence were received from Cllrs Joseph, Potter and Sadek.

### **2 Declarations of Interest**

- 2.1 Cllr Desmond declared a non-pecuniary interest in relation to agenda item 5; the declaration was made on the basis that his doctors surgery was next to the site and they were also a member of the patients committee.
- 2.2 The Chair declared a non-pecuniary interest in relation to agenda item 6; the interest was declared on the basis that the Chair knew one of the representatives for the applicant.

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

3.1 None.

**4 Minutes of the Previous Meeting**

4.1 The Planning Sub-Committee considered and agreed the minutes of the previous meeting held on 3 April 2023.

**RESOLVED:**

That the minutes of the previous meeting, held on 3 April 2023, be agreed as a true and accurate record of proceedings.

**5 2020/4116: 10-13, Urban Hive, Theydon Road, Hackney, London, E5 9BQ**

**5.1 PROPOSAL:**

Demolition of existing building and erection of a part 1, part 2, part 5, and part 6 storey building to accommodate Use Class E employment floorspace at ground and first floor levels and 48 residential dwellings at second to fifth floor levels, with associated external rear deck access, communal amenity terrace, landscaping, bicycle parking and waste / recycling storage facilities.

**POST SUBMISSION REVISIONS:**

- Revisions to the proposal include:
  - o Changes to the detailed design of the building
  - o Provision of affordable housing

A 14 day reconsultation has been undertaken in respect of the amended and additional information.

5.2 A member of Hackney Council's Planning Service's Major Applications Team introduced the application report as published. During the course of their presentation reference was made to published addendum and the following points relating to the published application report:

In paragraph 6.5.13 reference is made to a financial contribution of £167,525 to health infrastructure in the area that was requested by the NHS. Since the report was written the applicant has had a chance to respond to this request and they say that paying the contribution would mean a reduction in affordable housing provision. Given what we [Hackney Council's Planning Service] know about the viability of the scheme the applicant's claim seems reasonable. In this instance the provision of affordable housing is considered to be a greater priority than the health infrastructure contribution, especially as the scheme would deliver 48 new homes, below the threshold of 50 new homes set out in the Planning Obligations SPD. There is no suggestion that the scheme has been manipulated to be below the threshold.

The wording for Condition 8.1.21 was to be revised.

A number of proposed conditions were included relating to Sustainability measures, these included the following:

- 8.1.22 Energy Statement 1
- 8.1.23 Energy Statement 2
- 8.1.24 Emission reporting
- 8.1.25 Whole Life and Embodied carbon
- 8.1.26 Whole life and Embodied carbon 2
- 8.1.27 Whole life carbon reporting
- 8.1.28 Circular Economy 1
- 8.1.29 Circular economy 2
- 8.1.30 Overheating 1
- 8.1.31 Overheating 2
- 8.1.33 Air permeability
- 8.1.34 Heat pump and highly efficient boilers - Hybrid heating
- 8.1.35 Active cooling
- 8.1.36 Photovoltaic (PV) panels
- 8.1.37 Building Research Establishment Environmental Assessment Method (BREEAM) 1
- 8.1.38 BREEAM 2

5.3 The Planning Sub-Committee heard from a local person speaking in objection whom, on behalf of a number of residents, raised a number of concerns. These included the impact of the proposals on car parking in the area, the long term management of the development and its relationship to the neighbouring Bellevalia Court. There were also concerns raised about an apparent lack of consultation with local residents on the application and the impact of the proposals on the future of the neighbouring doctors surgery.

5.4 The representative for the applicant spoke next about the benefits of the scheme. They highlighted that the application was a car-free scheme and was located in a Controlled Parking Zone (CPZ). The site was within reasonable walking distance of Clapton railway station and a travel plan and membership of a car club for local residents was also offered. The existing car parking bays on the road would remain with new ones being added. Addressing concerns raised about noise and disruption, the applicant explained that, compared to current activities on site, the proposal would be an improvement.

5.5 During a discussion on the application a number of points were raised including the following;

- The Council's Planning Service acknowledged that there would be some loss light for some of the units in the neighbouring Bellevalia Court. The Planning Service considered a 20 percent loss of light was considered by the Planning Service. The 44 percent loss of light, cited by local residents, appeared to be a lot but the loss was deemed to be acceptable. While the Planning Service considered this regrettable this was not enough to outweigh the benefits of the scheme;
- The Sub-Committee noted that if the developer had tried to mitigate against the loss of light of those neighbouring units it would make the proposals unviable;
- The Planning Sub-Committee noted that loss of light to a residential unit was not necessarily linked to the development of damp;

- The Planning Service recognised that there were some gaps in the sustainability information with some areas requiring improvement. did meet policy and did provide in excess of the 35 per cent carbon emissions reduction target. The applicant could provide further information and it was deemed appropriate for this to be submitted at a later date;
- Air Source Heat Pumps had been included as part of the proposals and would be housed within a ground floor plant room rather than on the roof due to the short height of the structure. The scheme would be a combination of the pumps and a gas boiler. A set of PV panels would be placed on the roof;
- The Planning Service had concluded that the impact of the proposed rear elevation on Bellevalia Court would be limited and that the scheme's deck access was not considered any issues relating to lack of privacy. The Planning Service stated that the proposals were well articulated with the recess with brick panels on the sides. They were considered to be robust enough in terms of materiality and the design would help break up the massing;
- The Council's Planning Service highlighted that the Fire Service would only comment on planning proposals on a building a lot taller than what was proposed. The main material to be used was brick the proposed scheme was subject to various building and fire regulations;
- On the proposed housing tenure mix, the policy recommendation was for 35 per cent three bedroom units or more. The proposals were below this target but this was not unusual. The Council would have preferred more affordable housing but this would have made the scheme unviable;
- The Planning Service considered the loss of off-street loading capacity as part of the proposals to be acceptable because of the demands of the two uses for the proposed site. The existing site was currently used predominantly for storage with vehicle use tending to be larger with longer waiting times. The proposed ground floor would be a designed for light industrial use which would have far less service demand;
- As previously mentioned, the proposed scheme was car-free and was supported by wider Hackney Council policies, e.g. Controlled Parking Zone (CPZ) to discourage car use in lieu of using public transport;
- A local resident explained that there was a covenant across Woodmill Road when it had previously been a Saw Mill. They stated that the site could not be built above four stories and that the unit must be set back four feet from the street. The local resident could obtain a copy of the covenant from a solicitor. The covenant appeared to apply up to the edge of Theydon Road. The Planning Service was not aware this matter and considered it not be a material planning issue;
- On concerns expressed about overlooking, the Planning Service explained that distances would differ depending on which unit was affected. It was noticeable that if the residents on site were to walk to the edge of the proposed amenity deck space on the second level then they would be closer to Bellevalia Court. The distance was estimated to be about 24 metres. As a result, a privacy screen was

installed. The Planning Service had concluded that the distances were acceptable;

- The Planning Service had not considered any restrictions on any future occupiers of the site and how they may chose to use the communal deck area. The general principle was that use of residential space was not noise generating . Any noise generated by neighbours would be dealt with by separate legislation outside planning;
- The Planning Service confirmed that there had been two rounds of consultation and a site notice had also been posted. Letters of notification of the meeting also sent out by the Planning Service;
- The Planning Service stated that any future increase in the proposed shared ownership units would require a review of the viability assessment;
- The Planning Service was not aware of any issues relating to the loss of a neighbouring Doctors Surgery.

Vote:

For: Cllr Steve Race (Chair), Cllr Jessica Webb (Vice-Chair), Cllr Michael Desmond, Cllr Michael Levy, Cllr Jon Narcross, Cllr Lee Laudat-Scott, and Cllr Sarah Young.

Against: None.

Abstention: None.

**RESOLVED:**

Planning permission was granted subject to conditions and completion of a Legal Agreement.

**6 2022/1680 Development House, 56-64 Leonard Street, London, EC2A 4L**

6.1 PROPOSAL:

Demolition of existing office building and construction of a new ten storey office building (Use Class E(g)(i)) with flexible retail (Use Class E(a)) and restaurant (Use Class E(b)) at ground floor, terraces and other associated works.

POST SUBMISSION REVISIONS:

- Removal of Green Walls and amended Urban Greening Factor document
- Submission of suite of Energy and Sustainability documents
- Submission of Transport note
- Submission of TVHIA addendum
- Submission of amended Drainage documents
- Submission of revised Fire Statement
- Submission of amended Air Quality assessment.

6.2 The Planning Service's Deputy Team Leader, Major Projects introduced the application report as published. During the course of their presentation reference was made to the published addendum and the following points relating to the application report:

Air Quality Assessment

During the course of the application, the applicants had produced an Air Quality Assessment. The wording of paragraph 4.84 of the published application report would be amended to reflect this development.

The two recommended conditions were already within the report. The recommended 7 condition under paragraph 8.1.20, requiring an Air Quality Assessment to be submitted, would be deleted.

Wesley's Chapel

The wording of paragraph 6.4.22 would be amended.

Conclusions to the Urban Design, Conservation and Heritage Impacts Section

The 6.4.32 paragraph would be amended.

Biodiversity Net Gain

Paragraph 6.5.1 would be amended.

Blue Badge Parking Spaces

Paragraph 6.5.2 would be amended.

Kiffen Street

Following a query by the applicant and a clarification from the Highways team, one of the Heads of Terms to the legal agreement should be amended to remove reference to 'cyclists and pedestrians'. This is a private road and the purpose of the Heads of Terms (and the condition) is to make sure that the servicing bay to the rear is always available, not to provide a public through route.

Odour (Restaurant Use)

Since the ground floor use could include a restaurant, an assessment would be added to the amenity section; 6.5.33 Odour, 6.5.34.

There would be two proposed conditions; 8.1.42 Mechanical Ventilation Equipment and 8.1.43 Mechanical Ventilation Equipment maintenance.

Fire Statement

Since the report was written the applicants have amended the submitted Fire Statement to Revision 3 and the Greater London Authority (GLA) had agreed that remaining considerations to be discussed are minor in nature and not material to the planning decision. These will be dealt with prior to the GLA's Stage 2 review of the referral and prior to any final decision.

- 6.3 No persons had registered to speak in objection
- 6.4 A representative for the applicant spoke in support of the application giving a brief overview of the scheme highlighting, as stated in the published report, that planning permission had been granted in 2019. They added that the amount of carbon offset had been increased from 35 percent to 51 percent and that 95 percent of construction waste from the site would be recycled rather than go to landfill.

6.5 During a discussion on the proposals a number of points were raised including the following:

- On observations made by Hackney Society, that the proposed facades facing the Leonard Circus would 'create a sheer cliff', the Planning Service stated that the current proposal was similar to what was approved in 2019. The approved design had been through a number of design iterations and, rather than setting back the top storeys, which might have over complicated the architecture, cutbacks had been introduced to the sides, forming more of a point block facing Leonard Circus;
- The Planning Service had concluded that the design of the proposals worked well with a defined base and that the massing was acceptable for this sensitive location. From a townscape point of view the Planning Service had concluded that it made more sense to have more height on that corner to create a more definable break in the grid;
- The Planning Service considered access to bike storage access by lift to be relatively normal for this type of proposals with its small plot size. The Sub-Committee noted that there was also an internal staircase and there were provisions in the scheme for both electric and manual bicycle storage. The applicant explained that they would re-work the second floor cycle storage space to reduce the number of two tier cycle stands;
- The applicant was hoping to go further to reduce the amount of carbon offset currently proposed (£157,035). They had increased the amount of PV panels provision which were now combined with green roofs across the site which would include various conditions to monitor the carbon offsetting;
- The Sub-Committee noted that several of the conditions included elements of post-occupancy evaluation e.g. reporting to the Greater London Authority (GLA);
- Twenty percent of waste produced on site during construction would go to incineration and this would be monitored as conditioned. The applicant would seek to divert the waste to resourcing first and then recycling depending on the condition in place;
- Issues relating to the installation of street lighting were part of a wider strategy for the Leonards Circus areas;
- On the objections raised by Islington Council regarding Wesley Chapel, the Planning Service was of the view that the harm to the setting of the Chapel was considered to be less than substantial and was acceptably balanced against the public benefits of the scheme.

Vote:

For: Cllr Steve Race (Chair), Cllr Jessica Webb (Vice-Chair), Cllr Michael Desmond, Cllr Michael Levy, Cllr Jon Narcross, Cllr Lee Laudat-Scott, and Cllr Sarah Young.

Against: None.

Abstention: None.

**RESOLVED**

Planning permission was granted subject to conditions and a Section 106 legal agreement.

**7 2023/0098: 5 Oswalds Mead, Hackney, London, E9 5PZ**

7.1 PROPOSAL: Conversion of ground floor community flat meeting rooms (class F2 (b)) to a residential unit (class C3) and provision of cycle store.

POST SUBMISSION REVISIONS: None.

7.2 The Hackney Council's Planning Service's Senior Planning Officer introduced the application report as published.

No persons were registered to speak in objection to the application. Representatives for the applicant were present to answer questions.

7.3 During a discussion on the application a number of points were raised including the following;

- The proposed residential unit would be refurbished;
- In terms of energy efficiency for the residential unit, this detail would be included as part of a wider scheme rather than for specific individual units;
- The property was last occupied in 2019. There were community halls near to the site, Forrester Community Hall and Herbert Butler Community Hall, which were both fully accessible and Disability Discrimination Act (DDA) compliant. There are also other larger more accessible facilities in the area which are not operated by the Council;
- The proposed cycle storage was to be made out of galvanised steel.

Vote:

For: Cllr Steve Race (Chair), Cllr Jessica Webb (Vice-Chair), Cllr Michael Desmond, Cllr Michael Levy, Cllr Jon Narcross, Cllr Lee Laudat-Scott, and Cllr Sarah Young.

Against: None.

Abstention: None.

**RESOLVED:**

Planning permission was granted subject to conditions and a Section 106 legal agreement.

**8 2022/2678: 15, Keir Hardie Estate, Springfield, Hackney, London, E5 9AT**

8.1 PROPOSAL: Change of use of ground floor community flat meeting rooms (Class F2) to a 1x 1-bedroom self-contained residential unit (Class C3) with the provision of cycle storage.

POST SUBMISSION REVISIONS: None.

8.2 The Planning Officer introduced the application report as published. During the course of their presentation reference was made to the published addendum and the following amendments to the published report:

- The wording of paragraph 5.4.4 was amended.
- Paragraph 5.8.5 was deleted and replaced with the following wording:



“In terms of accessibility, step-free access is provided at the front entrance which is in accordance with guidance.”

No persons were registered to speak in objection. Representatives for the applicant were present at the meeting to answer questions.

8.3 During a discussion on the application a number of points were raised including the following;

- The one bedroom self-contained residential unit would be up to current building standards. The unit would also be subject to building regulations as part of the refurbishment;
- The property had been closed for the past three years;
- The nearest community hall, situated 182 metres from the community flat, was the Lea View Community Hall which was fully accessible and DDA compliant..

Vote:

For: Cllr Steve Race (Chair), Cllr Jessica Webb (Vice-Chair), Cllr Michael Desmond, Cllr Michael Levy, Cllr Jon Narcross, Cllr Lee Laudat-Scott, and Cllr Sarah Young.

Against: None.

Abstention:None.

**RESOLVED:**

Planning permission was granted subject to conditions and a Section 106 legal agreement.

**9 2022/3073: 5, Defoe House, Defoe Road, Hackney, London, N16 0EJ**

9.1 PROPOSAL:Conversion of ground floor community meeting room (class F2 (b) to a residential unit (class C3) and provision of cycle store to front elevation at ground floor level.

POST SUBMISSION REVISIONS:

- Revisions to the proposal include:
  - Changes to the annotations on the proposed plan.

9.2 Hackney Council’s Planning Service’s Senior Planning Officer introduced the application report as published.

No persons were registered to speak in objection. Representatives for the applicant were present at the meeting to answer questions.

9.3 During a discussion on the application a number of points were raised including the following;

- The floorspace for the proposed unit was 31 square metres (sqm). Although there was a six sqm shortfall, this would be acceptable in the circumstances given that it was previously used as a flat and was laid out as such;

**Wednesday 3 May 2023**

- The Council would assist the local TRAs in looking at an alternative community space. Currently there were 60 active TRAs in the borough, 41 of whom did not have their own community space.

Vote:

For: Cllr Steve Race (Chair), Cllr Jessica Webb (Vice-Chair), Cllr Michael Desmond, Cllr Michael Levy, Cllr Jon Narcross, Cllr Lee Laudat-Scott, and Cllr Sarah Young.

Against: None.

Abstention: None.

**RESOLVED:**

Planning permission was granted subject to conditions and a Section 106 legal agreement.

**10 Delegated Decisions**

10.1 The Planning Sub-Committee noted the delegated decisions document.

**RESOLVED:**

The Planning Sub-Committee noted the delegated decisions document.

**11 Any Other Business the Chair Considers to be Urgent**

11.1 None.

**END OF MEETING**

**Duration of the meeting: 6.30pm - 8.44pm**

**Date of the next meeting - 8 June 2023**

**Cllr Steve Race, Chair of the Planning Sub-Committee**

Contact:

Gareth Sykes, Governance Officer  
governance@hackney.gov.uk