

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

TUESDAY 25 JULY 2023

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED HERE:
<https://youtube.com/live/dCsSgB8Ef-s>

- Councillors Present:** Cllr Steve Race in the Chair
Cllr Michael Desmond, Cllr Jon Narcross and
Cll Ali Sadek
- Apologies:** Cllr Michael Levy, Cllr Clare Joseph, Cllr Clare Potter,
Cllr Jessica Webb and Cllr Sarah Young.
- Officers in Attendance:** Nick Bovaird, Major Projects Planner
Robert Brew, Major Applications Team
Natalie Broughton, Head of Planning and Building
Control
Graham Callam, Growth Team Manager
Joe Croft, Senior Transport Planner
Adam Dyer, Principal Conservation and Design Officer
Luciana Grave, Conservation Urban Design
Sustainability Manager
Mario Kahraman, ICT Support Officer
Matt Payne, Conservation Urban Design Sustainability
Deputy Manager
Louise Prew, Major Projects Planner
Bola Roberts, Legal Administration Officer
Gareth Sykes, Governance Officer
John Tsang, Development Management and
Enforcement Manager
Sam Woodhead, Specialist Planning Lawyer
- Absent:** Cllr Ifraax Samatar

1 Apologies for Absence

- 1.1 Apologies for absence were received from Councillors Michael Levy, Clare Joseph, Clare Potter, Jessica Webb and Sarah Young.
- 1.2 Cllr Ifraax Samatar was recorded as being absent from the meeting.

2 Declarations of Interest

- 2.1 The Chair of the Sub-Committee declared an interest in relation to agenda item 5; Cllr Race stated that he had received a generic email about the application.

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 Sub-Committee noted and approved the minutes of the previous meeting held on 8 June 2023.

RESOLVED:

The minutes of the previous meeting, held on 8 June 2023, be approved as an accurate record of those meetings' proceedings.

5 2022/1165: Telephone House, 69 - 77 Paul Street, Hackney, London, EC2A 4NW

5.1 PROPOSAL: Demolition to ground floor level of existing building; erection of building to maximum height of ten storeys around a central courtyard to provide office accommodation (Use Class E(g), ground floor retail space (Use Class E), a basement event space (Sui Generis) and associated facilities, landscaping to include visitor cycle spaces.

POST SUBMISSION REVISIONS:

- Reduction in massing, at upper levels.
- Amended drawings to show some obscure windows on the northern elevation;
- Amended Daylight Sunlight document;
- Amended cycle parking.

A twenty four day reconsultation has taken place with neighbours following the receipt of these revisions.

5.2 The Planning Case Officer presented the application report as published. During the course of the officer's presentation reference was made to the addendum and the following amendments to the published application report:

In order to secure the findings of the amenity section of the report, the following condition should be added in respect of the opaque glazed windows discussed at paragraph 6.5.30:

8.1.49 Prior to the occupation of development a sample of obscure glazing shall be submitted to, and approved in writing by, the Local Planning Authority. The 1st to 6th floor windows of the rear (north) elevation, shown in drawing P05 100 Rev A as obscure glazed, shall be fitted with the obscure glazing thereby approved and shall be unopenable up to a height of 1.8m. The windows shall be maintained as such for the lifetime of the development.

REASON: To ensure that the development will not have an adverse impact on the overlooking of nearby residential uses.

Following clarifications by the applicants in respect of the existing and proposed trip generation figures, paragraphs 6.6.4 and 6.6.5 of the report can be updated to read:

6.6.4 The submitted trip generation assessment predicts that the site will see a significant increase in the quantum of the development and net increase in two-way trips. The trip generation estimates show that the majority of trips will be made by sustainable modes of transport. With the exception of servicing vehicles, all trips are estimated to be made via walking, cycling and public transport. The existing and proposed trip generation is clarified in the Transport Assessment. Following discussions with Transport for London (TfL), the applicant has agreed that the trip generation should reflect the development being car-free and include a higher share of estimated cyclist trips to reflect the London Travel Demand Survey. Based on this, the applicant has confirmed there will be an estimated net increase in trips of 5,699 two-way trips for the proposed site including office and retail uses.

6.6.5 Nevertheless, a number of assumptions have been made to generate the trip generation data. The estimates may significantly underestimate the actual number of trips to the application site. For example, there may be a number of private vehicle trips for pick up and drop offs and / or taxi movements, even though the site is technically car free. The application may also underestimate the reduced patronage on public transport following the pandemic. These factors highlight the importance of implementing a well-managed travel plan to reduce private vehicle use and dependency, as recommended at paragraph 6.6.21 below.

- 5.3 Local residents spoke to the Sub-Committee raising a number of concerns. These included the impact of the scale and bulk of the proposals on the heritage setting, the design, use of the proposed event space, the impact on neighbouring amenities, the impact on daylight/sunlight, outlook and overlooking.
- 5.4 The applicant spoke about how they were aiming to create a flexible and centrally located office building. They felt their proposals struck a balance between a sustainable environmental design and the spatial demands of next generation office working.
- 5.5 Following the submissions, Sub-Committee asked a number of questions which were responded to as follows:
- In response to a question about the event space, the Planning Case Officer replied that the event space would not be used as a restaurant as there was included a condition for no primary cooking on site;
 - In response to a question about local residents' concerns over the loss of light, the Planning Case Officer explained that the Vertical Sky Component (VSC) readings for some of the units in the neighbouring City Lofts would be reduced as the proposed building was building up to the red line boundary. During the course of discussions the impact of the loss of light had been reduced and the Planning Service was of the view that it was now at a reasonable level;

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- In response to the objectors comments that there was an anomaly with the daylight/sunlight figures, the Planning Service explained that they [objectors] were looking at the amount of the windows being affected whereas they [the Planning Service] were looking at the percentage going down to what was considered to be reasonable levels;
- On the City Lofts' loss of light, the objectors felt that the figures were starting from a low starting point. The applicant responded that the retained level of daylight was relatively similar to what other buildings would experience in an area as dense as Shoreditch with its close building relationships. The applicant was of the view that an appropriate balance had been struck;
- Replying to a question about why there were issue over massing and why the proposed buildings had been set back, the applicant explained that because of where the buildings sat within the urban landscape any building built on that site, even a modest one, would result in similar issues relating to impact on neighbouring buildings;
- Replying to questions about use of materials and asbestos removal, the Planning's Services Deputy Team Leader, Major Project's clarified that it was largely brick built. The applicant confirmed that they maintained an asbestos register and there would also be an annual report. Minor asbestos was contained within the building and that would be dealt with in an appropriate and safe manner to avoid any risks;
- The applicant confirmed that the hours of demolition would be in line with building control regulations and the appropriate statutory requirements;
- In response to a question about the biodiversity increase, the Planning Case Officer replied that it was considered acceptable. The Urban Greening Factor at 0.3 was policy compliant and the officer highlighted that a lot of work has been undertaken by the developers to ensure the terraces were greener;
- In response to a question about green walls, the applicant replied that the proposed green walls would be conditioned under the proposals to ensure they were well maintained long term;
- Replying to a question about sustainability, specifically Building Research Establishment Environmental Assessment Method (BREEAM) standards, the Planning Case Officer explained that overall ratings had improved during the course of the application with an outstanding rating of 89.78% for the office and an excellent rating of 70.73% for the retail. Technically the proposals were net zero because of the carbon offset;
- In response to a question about the proposals being net zero, the Planning Case Officer replied that it had been a long process to reach an acceptable level of sustainability. The applicant added that the ideal was to reach net zero, however currently it was delivering the most sustainable building as possible and then offset. Members noted that the embodied carbon, as part of the existing building frame, would be retained within the basement area and this would mediate to some extent against the carbon emissions that would occur as a result of demolition and

construction. Also construction techniques and methods would be used to minimise that impact;

- The applicant explained that currently they were looking at a cement and cross laminated design but should circumstances changes regarding the cost and use of cement in construction then in the future then they could look at alternatives to cement;
- In response to a question about the heritage assets nearby and on the conservation area, the Planning Case Officer replied that the nearby Chapel was a non-designated heritage asset while the Boys School was Grade two listed building. It was understood that planning permission for a eight storey building on the site of the school had already been agreed;
- Replying to a question about the event space, the Planning Case Officer responded that use of the space would be sui generis. There were conditions included that outlined the hours of use for the space as well as the management of noise levels to ensure that noise breakout from the building would be 10dB or more below. Other aspects of the event space, such as queuing for example, would be covered by the Operational Management Plan (OMP);
- Replying to a query from the objectors regarding the imposing of stronger conditions to manage the event space, the Planning Service's Deputy Team Leader Major Projects responded that the Planning Service would scrutinise the OMP and would enforce against should any issues arise regarding its use. The applicant added that the space was primarily for the building occupants where they could have lectures, seminars and conferences for example. It was anticipated that it would not attract many people to the site. It was hoped the local residents and business community would use it. It was not intended to be a nightclub;
- The Sub-Committee recommended that the OMP should not only go out for consultation but also should come back to the Sub-Committee for consideration and approval;
- Replying to a question about the 8th floor setback and why it was above the median six to seven maximum stories level for the conservation area, the Planning Service's Conservation, Urban Design and Sustainability (CUDS) Deputy Manager explained that the site was outside of the conservation area. East of Leonard Circus was the conservation area with the area outside the conservation area being to the west. It was noted that the proposals were slightly lower than the previously approved Development House which was also situated in the same area of Leonard Circus;
- In response to a question about the Construction Management Plan (CMP) and how the various planning projects under way in the Leonard Circus were being coordinated by the Council, the Planning Case Officer explained that a representative for the Council's Street Scene team held monthly meetings with the various developers in the Leonard Circus area. Members noted that if local residents wished to get in touch with the group there was a telephone contact number included in the CMP;

- The Chair of the Sub-Committee encouraged the applicant to take care of the cycle route through Leonard Circus.

Vote:

For: Cllr Michael Desmond, Cllr Jon Narcross, Cllr Steve Race (Chair), and Cllr Ali Sadek.

Against: None.

Abstained: None.

RESOLVED:

Planning permission was granted subject to conditions and completion of a legal agreement in relation to S106 of the Town and Country Planning Act 1990 (as amended).

6 2021/0361: Acme Works, 13 - 17 Rendlesham Road, Hackney, London, E5 8QB

- 6.1 PROPOSAL: Erection of a nine-storey building with basement and two-storey link building at second to third floors; and works to existing building including reconfiguration of existing units, excavation of basement and erection of two-storey roof extension. Development will comprise 1031 sqm light industrial (Use Class E(g)(iii)) floor space at basement, ground and part first floor levels and 25 new residential units for a total of 32 residential units (Use Class C3); with hard and soft landscaping; refuse storage; parking and cycle parking and other associated works.

POST SUBMISSION REVISIONS:

Alterations have been made to the size of the basement, the linking element has been reduced to two storeys and alterations have been made to the overall design and the retained studios at first floor level. Additional information on child friendly design, overheating and UGF has been provided.

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

6.18 Equalities Considerations

6.18.1 The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the

Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.18.2 Having regard to the duty set out in the Equality Act 2010, the nature of the existing uses of the buildings and the likely impacts upon the adjacent traveller site, the development proposals do not raise any unacceptable equality issues.

Add the following condition

8.1.38 Screening

Prior to occupation of the residential units, details of obscure / directional glazing and privacy screens at second and third floors of the southern and link buildings on the southern and western elevations shall be submitted to the Local Planning Authority for approval in writing. The details shall thereafter be retained for the lifetime of the development.

REASON: To protect the amenity of neighbouring occupiers

Add to recommendation C

8.22 Employment and training contribution: £6,870

Employment and Training Contribution (procurement phase): = £4,639

No persons had registered to speak in objection.

- 6.3 The applicant spoke about how the proposals would provide regeneration opportunity and would make more efficient use of the existing site. The proposals would also lead to an increase in affordable commercial floorspace and would be of a substantial visible benefit as well as being sustainable with the retention of some of the existing building and being car-free.
- 6.4 Following the submissions, members of the Sub-Committee asked questions in which were responded to as follows:
- Replying to a question about the impact of the proposals on the nearby travellers site, the Planning Case Officer responded that in the earlier pre-application stage the nine storey element of the proposals were much nearer to the travellers' site. It had now been set back. Members noted that the travellers site was arranged in such a way that it did not have any windows along the elevation where it meets the building. Its windows were only facing out towards the road;
 - Replying to a question about why the existing brick building was being retained, the representatives for the applicant responded that they liked the character of it and as a practice they liked working with existing buildings;
 - The representatives for the applicant confirmed that they would retrofit the existing building;
 - Replying to a query on why no representatives from the traveller and gypsy community were present at the meeting, the Planning Case Officer responded that the application was put out for reconsultation following changes from 11 April 2023 and a there was wider letter mail out was sent on 23 June 2023 with a closing date of 17 July 2023. Letters of consultation sent to 270 adjoining owners/occupiers. There was also three site notices posted and also adverts published in the local press;
 - Responding to a question about the developers consultation with those developers developing sites at 13A Rendlesham Road and 1a the creation of pedestrian links to the adjacent development, the applicant

understood that they were in constant communication and it was in everyone's interest that they cohesively work together and create an effective urban environment;

- Replying to a question about the consultation process with those estates close to where their development and others were taking place, the representatives for the applicant responded that they understood that the landlord had a good relationship on site with their tenants. There was constant dialogue and if existing tenants wanted to stay on there was the possibility of them moving into the new build;
- The demolition and construction that would take place on site would be in line with building control regulations and in compliance with normal statutory requirements;
- Replying to a question about the access to the site, the Planning Case Officer responded that it was a narrow access and it was designed as a shared space. There would be some vehicle use primarily associated with industrial uses on site. As part of the landscaping strategy conditions were included outlining further details on how specifically that access point would be designed in order to minimise any impacts;
- Responding to a question about conversations with the other developers in creating a thoroughfare, the applicant replied that they were keen for that to happen and it was hoped that the developers would work together to make it come to pass. The intention was the creation of pedestrian links to the adjacent development and the representatives for the applicant were of the view that these links would improve the permeability of the site and would also assist in developing a light industrial brow. Having the flow throughs would be beneficial to the site. The Planning Service would like to see this development and suggested adding it the application as part of the legal agreement, however because the other application, 1a Downs Road, had already been granted planning permission they were not required to do it to link to Acme Works;
- Replying to question about the proposed mix of industrial and residential on site, the Planning Case Officer responded that the proposals were residential-led. However, in relation to the Viability Assessment the Council's Property Advisor would see the development as providing the most viable floorspace for industrial on site. It was accepted that the developers had provided as much as they could. The site was reasonable size for a light industrial site and it was noted that the existing tenants would have an opportunity to stay;
- Committee members noted that there was no affordable housing allocated on site because the development was located in a Priority Industrial Area (PIA) with affordable workspace. If had not been a PIA, the Planning Service stated, had sought an affordable housing contribution;
- Responding to a question about the Police response in the application report, the Planning Service would contact them to ask for further details. Secure by Design was conditioned as part of the next stage of the planning process;
- Replying to a question about the industrial floorspace and whether the activities that would take place on site, post-construction, would fall within what was classified as industrial use, that there were already 15 residential units on site, . so there was already an established mix of

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industrial and residential. The type of use class (use class E(g)) was such that it allowed for industrial use within a residential area. Members noted that conditions were included for insulation between the industrial and residential units;

- Replying to a question about marketing the units, the applicant responded that currently they had not explored how to market the units to potential occupants;
- Responding to a question about whether the levels of mitigation were adequate, in light of the industrial use that would take place on site not yet being established, the Planning Case Officer was satisfied that there were sufficient conditions in place to allow industrial uses to continue while residents were on site.

Vote:

For: Cllr Michael Desmond, Cllr Jon Narcross, Cllr Steve Race (Chair), and Cllr Ali Sadek.

Against: None.

Abstained: None.

RESOLVED:

Planning permission was granted subject to conditions and completion of section 106 legal agreement.

7 Delegated decisions

7.1 A query was raised over some of the contents of the delegated decisions document, specifically the bottom of page 151 and the top of page 152. The Planning Service would look into the issue.

The Sub-Committee deferred noting the Delegated Decisions document subject to the Planning Service investigating a query raised about some of its contents. The document would be resubmitted for noting at the next scheduled Planning Sub-Committee meeting.

Post meeting note:

Following a subsequent review of the document by the Planning Service, officers confirmed that the information collated and published was correct.

8 Any Other Business the Chair Considers to be Urgent

8.1. None.

END OF THE MEETING

Duration of the meeting: 6.30pm - 8.05pm

Date of the next meeting – 6 September 2023

Cllr Steve Race, Chair of the Planning Sub-Committee

Contact:

Gareth Sykes, Governance Officer

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