

LONDON BOROUGH OF HACKNEY

PLANNING SUB-COMMITTEE
06/09/2023

ADDENDUM SHEET

ITEM 6: 2022/1765: 449 Kingsland Road, Hackney, London, E8 4AU

Updated documents:

An updated Design & Access Statement (Rev F prepared by Mowat & Company dated 30/08/2023) was provided that removed references to the Juliette balcony that had been removed from the detailed design of the slot house.

An updated Daylight & Sunlight Report (Rel 5&6 Draft 3 prepared by Point 2 Surveyors Limited dated September 2023) was provided to update the length of the rear gardens at pages 23 & 24 to reflect the amended scheme which no longer proposes to extend the site boundary to the west to include the rear areas of the gardens fronting Hertford Road.

Additional Drawings Provided:

MCA585-X-02EX-270A (Existing Tramshed Short Section G-G)

MCA585-X-06GA-270A (Proposed Tramshed Short Section G-G)

Additional objections:

After publication of the committee report additional objections were received from a previous objector raising issue with the extent of the site location plan and ownership and the potential ramifications of this for access to the site as well as the installation and operation of construction machinery. Issues of ownership and access are civil matters and are ultra vires to planning legislation. A suggested DCMP condition will deal with the arrangement of construction machinery.

The objector also raised the issue of an alleged unlawful fence installed at a neighbouring property in the same ownership and requested a condition of permit to require the removal of this fence. This is not considered a reasonable condition, planning officers consider this is not a material consideration to the application and, furthermore, such matters can be investigated by the Planning Enforcement team.

Amendments to report:

Paragraph 3.8 to include the following additional summarised objections:

- Disruption to amenity due to the proposed office use and intensification of use of the site.
- Loss of community floorspace .
- Proposed layout of the office provides poor quality work space.

Paragraph 5.7.9 amended to read (in response to a revised Daylight & Sunlight Report)

One garden, at Welbury Court, receives over 2 hours of sunlight on 21 March in only **3%** of the courtyard currently, which is well below the BRE guidelines of 50%. The proposed development however would mean that only **1%** of the courtyard would receive 2 hours of sunlight on 21 March which is a **2%** absolute reduction, but proportionately is a **67%** reduction. This is a minor derogation which is primarily as a result of low existing direct sunlight levels. It is noted that direct sunlight at the summer solstice is high at **56%**.

Paragraph 8.1.3 amended to read:

Materials to be submitted

Full details, with samples, of the materials to be used on the external surfaces of the buildings, including glazing, shall be submitted to and approved by the Local Planning Authority in writing before the relevant work on the site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area **and to protect the amenity of neighbouring occupiers.**

Paragraph 8.1.5 amended to read:

8.1.5 **Demolition &** Construction Logistics Management Plan

No development shall take place until a detailed Demolition and Construction Management Plan

covering the matters set out below has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details and measures approved as part of the demolition and construction management plan, which shall be maintained throughout the entire construction period.

- A demolition and construction method statement covering all phases of the development to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to, details of dust mitigation measures during construction works, the location of any mobile plant machinery, details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means;
- A demolition and construction traffic management plan to include the following: the construction programme/timescales; the number/frequency and size of construction vehicles; construction traffic route and trip generation; location of deliveries; pedestrian and vehicular access arrangements; any temporary road/footway closures during the construction period; details of parking suspensions (if required) and the duration of construction;
- A dust management plan to include details of how dust from construction activity will be controlled / mitigated against following best practice guidance. This should include monitoring of particulate matter at the application site boundary in the direction of sensitive receptors following the SPG Mayor of London Control of Dust and Emissions Guidance.

REASON: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety and amenity. To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works.

Paragraph 8.1.6 amended to read:

8.1.6 Delivery and Servicing **ing** Plan

Prior to the occupation of the development, a Delivery and Servicing Plan shall be submitted to and approved by the Local Planning Authority, in consultation with Transport for London, setting out:

- Frequency of deliveries per day/week
- Size of vehicles
- How vehicles would be accommodated on the public highway
- identify measures to mitigate the impact of servicing and deliveries

- How sustainable freight will be encouraged and enabled, for example through the provision of on-site cargo cycle parking

Thereafter deliveries and servicing shall be carried out in accordance with the approved plan.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s).

Paragraph 8.1.9 amended to read:

Obscure Glazing

The windows located within all elevations of the tramshed and outrigger shall be obscure glazed to a height of 1.8m and fixed shut.

REASON: To safeguard the amenities of the adjoining premises and the area generally.

Paragraph 8.1.15 amended to read:

BREEAM (Pre-commencement **of above ground construction**)

Prior to the commencement of **above ground construction for** the development hereby approved, the BREEAM Interim Design Certificate shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate at least the following standards have been met, as set out in the hereby approved BREEAM Report Statement (dated 31/03/2023, prepared by SHA Environmental Limited) - targeted credits must be presented in a tracker comparing credits targeted at BREEAM Pre Assessment stage:

Minimum BREEAM Rating of **74%**

The development shall not be carried out otherwise than in accordance with the details thereby approved.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction

Paragraph 8.1.21 amended to read:

Land Use Restriction

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or any other Order modifying or revoking that Order whether in whole or in part, the **commercial floorspace located within the 'Tramshed' portion of the** development hereby permitted shall only be used for purposes within Use Class E parts (c) or (g) of that Order.

REASON: To ensure that an appropriate **commercial** use is provided at this location **to protect the amenity of neighbouring occupiers.**

Paragraph 8.1.22 amended to read:

The office use hereby permitted may only be used between the hours of 0700-2200 Monday to Friday and the hours of 1000-2000 Saturdays, Sundays and Bank Holidays. **The community use hereby permitted may only be used between the hours of 1000-2000 daily.**

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

Inclusion of the following conditions

Noise Report

Notwithstanding the approved Acoustic Assessment, a noise report which includes a detailed assessment of the impact of noise generated from the use of the community space, must be submitted to and approved by the Local Planning Authority, in writing, before the community space is occupied. This report should include any required mitigation measures to be installed in order to manage any disturbance from the community use. The development shall not be carried out otherwise than in accordance with the details thus approved which shall be implemented in full prior to the first use/occupation of the development.

REASON: To ensure that any negative impact on surrounding residential premises is minimised.

Removal of Residential PD Rights

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or any other Order modifying or revoking that Order whether in whole or in part, planning permission shall be required in respect of development falling within Classes A-H of Part 1 of the second schedule to that Order.

REASON: To protect the character and appearance of the development hereby approved.

ITEM 7: 2022/1423: Beaumont Court, Upper Clapton Road, Hackney

Updated documents:

Additional drawing to be included in the committee report:
2000A ground floor plan.

An updated Fire Strategy Statement was provided that removed references within the site description to another site (noted that the application site was also described).

Additional comments:

After publication of the committee report an objector notified the council that there were discrepancies in the floor plans shown in the committee report. The ground floor plan shown in the committee report is a superseded version, the above additional plans are the correct versions. (officer notes: all the current plans have been consulted upon and form part of the assessment of the current planning application).

The objector has also highlighted that the fifth floor plan in the revised Design and Access Statement does not consist of the latest fifth floor plan submitted as part of the application (officer notes: all the current plans have been consulted upon and form part of the assessment of the current planning application).

Transportation and servicing

After publication of the committee report further comments were received from the Council's Streetscene Team.

Paragraph 4.10 amended to include:

“In relation to accessible vehicle parking, owing to the scale of the development, a dedicated Blue Badge bay is not deemed to be a requirement at the outset. There are two existing Blue Badge bays situated on Cleverley's Road. There is additional carriageway space in close proximity to the development that could be converted for Blue Badge bay provision in future.

The proposed quantum of the development is supported by Transport and Highways teams. The design proposals are based on two-tier cycle parking which is generally not supported.

Transport and Highways teams do not support the design of the cycle parking provision. They consider that further revisions to the cycle parking proposals should come through the parking management plan”.

8.1.19 The following demolition and construction condition should be included:

Demolition & Construction Logistics Management Plan

No development shall take place until a detailed Demolition and Construction Management Plan covering the matters set out below has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details and measures approved as part of the demolition and construction management plan, which shall be maintained throughout the entire construction period.

- A demolition and construction method statement covering all phases of the development to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to, details of dust mitigation measures during construction works, the location of any mobile plant machinery, details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means;
- A demolition and construction traffic management plan to include the following: the construction programme/timescales; the number/frequency and size of construction vehicles; construction traffic route and trip generation; location of deliveries; pedestrian and vehicular access arrangements; any temporary road/footway closures during the construction period; details of parking suspensions (if required) and the duration of construction;
- A dust management plan to include details of how dust from construction activity will be controlled / mitigated against following best practice guidance. This should include monitoring of particulate matter at the application site boundary in the direction of sensitive receptors following the SPG Mayor of London Control of Dust and Emissions Guidance.

REASON: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety and amenity. To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works.

ITEM 8: 2023/0899: 108 Blurton Road, Hackney, London, E5 0NH

Additional Drawings Provided:
ZAAVIA/108BR/109 Rev A (Proposed Section AA)

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

NATALIE BROUGHTON
Head of Planning & Building Control