

Rt Hon Eric Pickles MP

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU

Date: **06 December 2013**

via email to: eric.pickles@communities.gsi.gov.uk
cc: npcu@communities.gsi.gov.uk

Dear Secretary of State,

Land at Wilmer Place and 198 -201 Stoke Newington High Street, London, N16

As you may know the London Borough of Hackney is due to determine two applications relating to the redevelopment of the above site in the near future.¹ I am writing to request that you use your powers to call-in these applications for the following reasons:

1. The site is located in a highly sensitive location, in close proximity to a number of important heritage assets. The development site itself is within the Stoke Newington Conservation Area and adjoins Abney Park Cemetery, a Grade II listed park which is also recognised by the Greater London Authority as a top-tier Site of Importance for Nature Conservation (SINC). Within this context the proper interpretation of Paragraph 134 of the National Planning Policy Framework (NPPF) will be crucial.²

As you will know the assessment of potential "harm" to a designated heritage asset – in which impacts are either judged as causing "substantial harm" or "less than substantial harm" – is balanced with a series of tests which allow for any potential harm to be outweighed by "public benefits". However, at present these terms are poorly understood and inconsistently applied by local planning authorities. Only through taking over the application for your own determination can we be assured that national policy will be applied correctly.

2. I understand the current planning application is identical to a previous application which was granted by the local planning authority on 8th August 2013, but which is now the subject of a claim in the High Court for judicial review.^{3,4}

I trust you will agree there is an unavoidable conflict of interest between the London Borough of Hackney's wish to defend its previous decision in respect of the above land and its ability to make an impartial decision on an identical application.

¹ London Borough of Hackney applications [2013/3186](#) (Full Planning Permission) & [2013/3187](#) (Conservation Area Consent)

² Paragraph 134 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

³ London Borough of Hackney applications [2013/1583](#) (Full Planning Permission) & [2013/1584](#) (Conservation Area Consent)

⁴ R (Nicholas Perry) v London Borough of Hackney [CO/13423/2013]

In order to avoid any perception or allegation of bias or pre-determination, I would strongly urge you to use your powers of call-in on this application.

The above application represents one of the largest developments currently proposed within a Conservation Area in London. It will be important therefore that every opportunity is taken to promote transparency, openness and confidence in our planning system.

I look forward to your reply.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Stephen Knight'.

Stephen Knight AM

London-wide Member of the London Assembly