

**Planning Sub Committee B - 18 December 2014**

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD on 18 December 2014 at 7.30 pm.

**Present:**           **Councillors:**            Klute (Chair), Nicholls (Vice-Chair), Kay and Khan

**Councillor Martin Klute in the Chair**

**53            INTRODUCTIONS (Item 1)**

Councillor Klute welcomed everyone to the meeting. Members of the Sub-Committee and officers introduced themselves. The Chair explained that the Sub-Committee would deal with the determination of planning applications and outlined the procedures for the meeting.

**54            APOLOGIES FOR ABSENCE (Item 2)**

Apologies were received from Councillor Picknell.

**55            DECLARATIONS OF SUBSTITUTE MEMBERS (Item 3)**

There were no declarations of substitute members.

**56            DECLARATIONS OF INTEREST (Item 4)**

There were no declarations of interest.

**57            MINUTES OF PREVIOUS MEETING (Item 5)**

**RESOLVED:**

That the minutes of the meeting held on 6 November 2014 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**58            ORDER OF BUSINESS (Item 6)**

Item B1 - 21-36 Outram Place and playground at rear, was deferred as the committee required that more work be undertaken on the feasibility study. The order of business would be B8, B7, B2, B3, B4, B5, B6 and B9.

**59            21-36 OUTRAM PLACE AND PLAYGROUND AT REAR, N1 (Item 1)**

Retrospective application for the construction and conversion of undercroft car parking area into offices, locker rooms, storage and kitchen facilities and the use of the playground, to the north of Bingfield Street for the parking of service vehicles.

(Planning application number: P2014/4049/FUL)

**RESOLVED:**

That consideration of the planning application be deferred to enable more work to be undertaken on the feasibility study.

**60            9 SHILLINGFORD STREET, N1 2DP (Item 2)**

Creation of a roof terrace on the existing flat roof to 9 Shillingford Street, to be accessed via a new staircase from the existing first floor landing, with a mechanically opening glass rooflight above.

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(Planning application number: P2014/0012/FUL)

In the discussion the following points were made:

- Concern was raised that construction work had been undertaken prior to the application being submitted to the Sub-Committee for determination.
- At No. 11 Shillingford Street there was a roof terrace at the same level which was similar in proportion and size to the proposed roof terrace.
- If the screening had been erected 2m from the back of the terrace, this may have eliminated the sense of enclosure and overlooking.
- Members of the public were advised that if they considered the roof terrace was not being built in accordance with the approved plans, they should contact Planning Enforcement.

Councillor Klute proposed that Condition 3 be amended to require 'hit and miss' slatted privacy screening to enclose the roof terrace. This was seconded by Councillor Khan and carried.

### **RESOLVED:**

That planning permission be granted subject to the conditions and informative detailed in the officer's report with Condition 3 amended as above, the wording of which was delegated to officers in consultation with the Chair.

### **61 BRECKNOCK ESTATE (16 BLOCKS), BRECKNOCK ROAD, N19 5AN (Item 3)**

New boiler flues and plume management kits.

(Planning application number: P121391)

### **RESOLVED:**

That planning permission be granted subject to the conditions and informative detailed in the officer's report.

### **62 BRECKNOCK ESTATE, BRECKNOCK ROAD, N19 (Item 4)**

Replacement of single glazed windows and doors with double glazed, aluminium framed windows and doors.

(Planning application number: P2014/3482/FUL)

In the discussion the following point was made:

- The Brecknock Road Estate Steering Group confirmed they had not objected to the application as was stated in Paragraph 10.6 of the officer's report and they supported the application.

### **RESOLVED:**

That planning permission be granted subject to the conditions and informative detailed in the officer's report.

### **63 HIGHBURY FIELDS TENNIS COURTS, CHURCH PATH, N5 (Item 5)**

The installation of 8.00m floodlighting to two existing outdoor tennis court Numbers 5 and 6 along the eastern boundary (Highbury Grove side).

(Planning application number: P2014/3720/FUL)

### **RESOLVED:**

That planning permission be granted subject to the conditions and informatives detailed in the officer's report.

**64** **HIGHBURY FIELDS TENNIS COURTS, CHURCH PATH, N5 (Item 6)**

The installation of low level floodlighting to two existing outdoor tennis courts (Courts 7 and 8) along southern boundary (Baalbec Road side).

(Planning application number: P2014/3719/FUL)

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives detailed in the officer's report.

**65** **HIGHBURY VALE POLICE STATION, 211 BLACKSTOCK ROAD, N5 (Item 7)**

Change of use from Sui Generis (Police Station) to part D2 (Gym) use at upper ground floor level, four flexible A1, A2, D1 and B1 use commercial units at lower ground and upper ground floor levels and eight residential units at upper floors; external works including alterations to front façade, alterations to rear including upper ground floor extension, new stair core and lift shaft, new balconies and other alterations to roof and rear façade.

(Planning application number: P2014/1294/FUL)

In the discussion the following points were made:

- A petition against the inclusion of one large A1 unit had been submitted. However, the current plans had a number of smaller units instead of one large unit.
- An objector raised concern that the distance between a window in the development and her own was less than 18m. The officer stated that the distance had been measured from the balcony rather than the window and the window to window measurement was over 18m. The objector requested that the balconies along the northern boundary be obscurely glazed and the applicant agreed to this.
- Officers were asked if it would be possible to restrict the use of the D2 (Assembly and Leisure) floorspace to Gym uses only. Officers confirmed that this could be conditioned.
- Objectors were reassured that no work should commence until the Construction Method Statement had been submitted and approved in writing by the Local Planning Authority.

Councillor Khan proposed a motion to amend Condition 3 to require the balconies along the northern boundary to be obscurely glazed. This was seconded by Councillor Kay and carried.

Councillor Kay proposed a motion to restrict the use of the D2 (Assembly and Leisure) floorspace to Gym uses only. This was seconded by Councillor Khan and carried.

Councillor Klute proposed a motion to amend Condition 14 to include a site access plan which detailed the roads to be used to access the site. Councillor Klute proposed that all site access must be from Blackstock Road and that the servicing of this site via the Canning Road site entrance would not be permitted. This was seconded by Councillor Khan and carried.

**RESOLVED:**

That planning permission be granted subject to a Section 106 agreement as set out in appendix 1 of the officer's report and conditions and informative detailed in the report plus

the above amendments to the conditions, the wording of which was delegated to officers in consultation with the Chair.

**66** **ST MARY MAGDALENE CHURCH, FORMER CORONER'S COURT/PARKS DEPOT, HOLLOWAY ROAD, N7 8LT (Item 8)**

Listed Building Consent in connection with conversion, extension and alteration of the existing buildings to provide a school (Class D1) and two residential dwelling houses (Class C3).

(Planning application number: P2014/3117/LBC)

Conversion, extension and alteration of the existing buildings to provide a school (Class D1) and two residential dwelling houses (Class C3).

(Planning application number: P2014/3112/FUL)

In the discussion the following points were made by members (the applicant's agent being present but not wishing to speak):

- When the previous permission was granted, the applicant had offered to reserve the two residential units in the scheme for community use. Permission was now being sought for the same development without restrictions on occupiers of the residential units.
- Members were only minded to approve last year's applications because of the occupier restriction in the Section 106 Agreement, which just tipped the balance in favour of approval.
- The Chair suggested that if the residential units were not included in the scheme, the school could be accommodated within the existing buildings. The residential units effectively displaced an area within the existing building which could otherwise be used for school rooms without the need for harmful extensions to the existing buildings.

**RESOLVED:**

That planning permission and listed building consent be refused due to the loss of residential accommodation for the voluntary of community sector secured by an agreement with the applicant in planning permission P2013/1071/FUL, the resulting loss of public benefit associated with the scheme and because of the harm to heritage assets and their setting and the loss of open area associated with the church gardens. The wording of the reasons for refusal was delegated to officers in consultation with the Chair.

**67** **WHITTINGTON PARK FOOTBALL PITCH, HOLLOWAY ROAD, N19 (Item 9)**

Increase the height of the fencing along the north west boundary of the football pitch from 5m to 7m.

(Planning application number: P2014/3121/FUL)

**RESOLVED:**

That planning permission be granted subject to the conditions and informative detailed in the officer's report.

**WORDING DELEGATED TO OFFICERS**

**9 Shillingford Street, N1 2DP**

**Amended Condition 3:** Details and samples of 'hit and miss' slatted privacy screening to enclose the hereby approved roof terrace shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the terrace.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

**REASON:** To ensure that the Authority may be satisfied with the external appearance of the building.

**Informative:** The grant of this permission does not imply approval of any aspect of the scheme constructed prior to this approval being issued.

**Highbury Vale Police Station, 211 Blackstock Road, N5**

**Amended Condition 3:**

Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:

- a) solid brickwork (including brick panels and mortar courses)
- b) render (including colour, texture and method of application);
- c) window treatment (including sections and reveals);
- d) roofing materials;
- e) balustrading treatment (including sections);
- f) lift and stair shaft cladding
- g) obscure glazed screens to balconies along the northern boundary and
- h) any other materials to be used.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

**REASON:** In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.

**Amended Condition 14:**

No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii mitigation measures of controlling noise from construction machinery during business hours

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- xi. site access plan - detailing which roads will be used to access the site. All site access must be from Blackstock Road. Servicing of this site via the Canning Road site entrance will not be permitted
- x. planned demolition and construction vehicle routes and access to the site should avoid school starting and leaving times of 8.30 to 9.30am and 3pm to 4.30pm. The management plan should provide details of how the contractor and their suppliers will achieve compliance with this condition.

The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.

**Additional Condition 15:** The D2 (Assembly and Leisure) floorspace shall be strictly limited to Gym uses only within Use Class D2. No planning permission is hereby granted for any other purposes within Use Class D2 of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order).

REASON: It is considered that the operation of any other D2 use in this location may have impacts, which should be subject of public consultation and a full planning application. The restriction of the use invokes the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995.

### **St Mary Magdalene Church, Former Coroner's Court/Parks Depot, Holloway Road, N7 8LT**

P2014/3117/LBC - The proposed extension to the Mortuary Building will result in harm to the setting of the grade II\* listed building. As a result of this harm there is a significant loss of public benefit associated with the scheme and given the loss of an area associated with the church gardens; the proposal is considered to adversely affect the setting of the listed building and the significance of this part of the conservation area. As such the proposal would be contrary to the provisions of section 12 of the NPPF and ID:18a, section 3 'Decision taking: Historic environment of the PPG.

P2014/3112/FUL - The proposed development will result in the loss of residential accommodation for the voluntary or community sector secured by an agreement with applicant in planning permission P2013/1071/FUL dated 02/10/2013. As a result of this loss there is a significant loss of public benefit associated with the scheme and also the loss of an area associated with the church gardens. The proposed increase in overall built area required to facilitate the development of the school in addition to two residential units would result in significant harm to the setting of the grade 2\* listed building in terms of scale, massing and design, and would also result in a loss of public benefit, through the loss of open area associated with the church gardens. These harms were previously mitigated by an undertaking included with the previously approved application (ref P2013/1071/FUL) to commit the occupation of the housing to community use via the mechanism of a S106 agreement. The removal of this undertaking renders the overall impact of the scheme in terms of harm to the setting of the listed building and the loss of public benefit contrary to the provisions of section 12 of the NPPF and ID: 18a, Section 3 'Decision-taking: historic environment' of the PPG.

The meeting ended at 8.55 pm

**CHAIR**