

London Borough of Islington

**Planning Committee - 13 October 2016**

Minutes of the meeting of the Planning Committee held at Council Chamber - Town Hall on 13 October 2016 at 7.30 pm.

**Present:**           **Councillors:**       Robert Khan (Chair), Martin Klute (Vice-Chair), Jilani Chowdhury, Paul Convery, Tim Nicholls, David Poyser, Una O'Halloran, Angela Picknell and Nick Ward

**Also Present:**       **Councillors:**       Claudia Webbe and Diarmaid Ward

**Councillor Robert Khan in the Chair**

**237        INTRODUCTIONS (Item A1)**

Councillor Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

**238        APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Donovan.

**239        DECLARATIONS OF SUBSTITUTE MEMBERS (Item A2)**

There were no substitute members.

**240        DECLARATIONS OF INTEREST (Item A3)**

Councillor Convery declared that he had a pre-determined view on Agenda Item B4 so would not take part in the consideration of this item.

**241        ORDER OF BUSINESS (Item A4)**

The order of business would be B3, B5, B6, B4, B2 and B1.

**242        MINUTES OF PREVIOUS MEETING (Item A5)**

**RESOLVED:**

That the minutes of the meeting held on 13 September 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**243        273 CAMDEN ROAD, LONDON, N7 0JN (Item B1)**

Demolition of existing building and erection of a 6 storey building to provide 21 residential units (8 x 1 bed, 12 x 2 bed and 1 x 3 bedroom flats) with associated landscaping and amenity space.

(Planning application number: P2015/5306/FUL)

In the discussion the following points were made:

- The planning officer stated that there should be an additional condition to require a bat survey to be submitted.
- The planning officer had been deferred at the May 2016 and September 2016 committee meetings as there were outstanding questions regarding the affordable housing provision.

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- The applicant had taken on board the committee's concerns about the number of social housing units and had now proposed one core accessed by three tenures. The affordable housing provision had changed as a consequence and the number of social rented units had increased.
- Concern was raised about the proposed £1m profit that would be extracted from the scheme. The applicant stated it would cover risk and was a standard provision. The BPS representative advised that recent government changes meant registered providers were now treated the same as private developers and this was considered to be a normal level of profit.

### **RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

**244**

### **36-44 TABERNACLE STREET, LONDON, EC2A 4DT (Item B2)**

Partial demolition of existing four storey B1 (a) office building, and construction of a new part 5, part 6 storey 2,369sqm B1 (a) office building.

(Planning application number: P2016/1655/FUL)

In the discussion the following points were made:

- The planning officer stated that the details in Condition 5 should be submitted prior to any work commencing, Conditions 6 and 8 should be complied with prior to first occupation, Condition 10 should include reference to any relevant features and Condition 15 should have the reference to TfL removed.
- The design of the proposed development was discussed. It provided more office space in a similar footprint to the existing building.

Councillor Klute proposed a motion to amend Condition 3 to require solid brickwork. This was seconded by Councillor O'Halloran and carried.

Councillor Klute proposed a motion to amend Condition 14 to include details of the type and noise output of demolition techniques. This was seconded by Councillor Nicholls and carried.

### **RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended above and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

**245**

### **55-61 BREWERY ROAD, LONDON, N7 9QH (Item B3)**

Demolition of the existing building and the erection of a 5 storey (plus basement) building including a total of 1,745 sqm of Class B1 floorspace comprising office (Class B1 (a)) and light industrial (Class B1 (c)) commercial floorspace.

(Planning application number: P2015/5102/FUL)

In the discussion the following points were made:

- The planning officer stated that the reference to TfL in Recommendation A of the officer report should be removed.
- The current use of the building was discussed.

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- The planning officer confirmed that retrospective planning permission had previously been refused for the use of the building as a mosque and an education centre. The reasons for this refusal were outlined. They included the loss of B1 floorspace.
- The community benefits of having a mosque in the building were discussed.
- The legal officer advised that the lawful use of the building was for B1 or B8 land uses. The mosque was an unauthorised land use and the building had not been used as a mosque for the 10 years required for it to become a lawful use through the passage of time. The current existence of a mosque was not a consideration for the committee.
- Concerns were raised about the scale and mass of the proposed development.
- Concerns were raised that the application had not been to the Design Review Panel.

Councillor Klute proposed a motion to defer the consideration of the application to enable it to be considered by the Design Review Panel. This was seconded by Councillor Khan and carried.

### **RESOLVED:**

That consideration of the application be deferred for the reason outlined above.

246

### **KINGS CROSS TRIANGLE SITE, BOUNDED BY YORK WAY, EAST COAST MAIN LINE AND CHANNEL TUNNEL RAIL LINK, LONDON, N1 (Item B4)**

Reserved matters relating to Buildings W1 and W2 comprising 12 to 17 storeys of mixed use accommodation for 140 Open Market residential units on the upper floors of Building W1 and 8 storeys of residential accommodation for 36 General Needs Social Rented, 23 Intermediate and 19 Open Market units at the upper levels of Building W2; four retail units at lower ground floor and podium levels (flexible class A1-A4); and associated cycle and disabled car parking, loading bay, refuse stores, storage, plant areas provided within the shared lower ground floor/basement area, as required by conditions 2,4,6,9-20 and 22-30 of outline planning permission reference P041261 granted 22 July 2008 (subject to a S106 agreement) for a comprehensive, phased, mixed-use development of part of the former railway lands within the Camden King's Cross Opportunity Area and an Islington Area of Opportunity.

(Planning application number: P2016/1030/RMS)

Councillor Convery who had declared an interest in this item, left the room while this item was considered.

In the discussion the following point was made:

- Concern was raised that the proposals for Building W3 had not yet been submitted. The planning officer advised that the outline planning permission did not require the reserved matters for Building W3 to be submitted with this application. However if the applicant sought an alternative use for Building W3 other than for community and leisure use, a new planning application would have to be submitted for that building.

Councillor Klute proposed a motion to add an informative that a change of use of Building W3 would be strongly resisted by members. This was seconded by Councillor Picknell and carried.

### **RESOLVED:**

That reserved matters be granted approval subject to the conditions and informatives set out in Appendix 1 of the officer report and the additional informative as outlined above.

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**SHIRE HOUSE WHITBREAD CENTRE [INCLUDING CAR PARK AND SERVICE YARD],  
11 LAMB'S PASSAGE, LONDON, EC1Y 8TE (FULL APPLICATION) (Item B5)**

Demolition of existing works building and redevelopment of the existing surface level car park, along with the conversion of existing Grade II listed underground vaults, to provide a mixed use development comprising of a 2 to 7 storey building providing 35 residential units (15 affordable and 20 market rate) (Class C3), a 61 bedroom hotel (Class C1), office floorspace (Class B1a), restaurant (Class A3), retail (Class A1) and gym (Class D2), along with the creation of new public realm, associated landscaping and alterations to the existing access arrangements (re-consultation following receipt of revised plans and documentation, in association with full planning application reference: P2016/0488/FUL).

(Planning application number: P2016/0536/LBC)

In the discussion the following points were made:

- The planning officer read out the detailed wording of the site allocation.
- Concern was raised that the sub-basement, with no natural light, would not attract businesses and that the presence of the hotel had resulted in the business space being moved to the sub-basement.
- Consideration was given to whether there was a saturation of hotels in the area.
- Concern was raised that the various studies undertaken listed did not all include the same hotels. The officer advised that the Lambert Smith Hampton study showed hotels within ½ mile rather than the ½ km required. It had also excluded hostels, student accommodation and similar accommodation. Therefore the CBRE was undertaken to meet the requirements.
- Concern was raised that the CBRE showed a 25% increase in hotel rooms planned for the area not including the 61 rooms in the proposed development.
- Concern was raised that since the inspector's decision, the saturation point of hotels had been reached in the area.

Councillor Klute proposed a motion to refuse planning permission due to concerns that the hotel would effectively force the majority of office space to be underground, with no light or outlook. Additionally the hotel would exacerbate the overconcentration of hotel rooms in the area. This was seconded by Councillor Nick Ward and carried.

**RESOLVED:**

That planning permission be refused for the reasons set out above, the wording of which was delegated to officers.

[Councillor Poyser requested that it be noted that he had not voted in favour of planning permission being refused.]

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**SHIRE HOUSE WHITBREAD CENTRE [INCLUDING CAR PARK AND SERVICE YARD],  
11 LAMB'S PASSAGE, LONDON, EC1Y 8TE (LISTED BUILDING CONSENT  
APPLICATION) (Item B6)**

Demolition of existing works building and redevelopment of the existing surface level car park, along with the conversion of existing Grade II listed underground vaults, to provide a mixed use development comprising of a 4 to 7 storey building providing 35 residential units (15 affordable and 20 market rate) (Class C3), a 61 bedroom hotel (Class C1), office floorspace (Class B1a), restaurant (Class A3), retail (Class A1) and gym (Class D2), along with the creation of new public realm, associated landscaping and alterations to the existing access arrangements (in association with Listed Building Consent reference: P2016/0536/LBC).

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(Planning application number: P2016/0488/FUL)

Councillor Klute proposed a motion to refuse listed building consent due to concerns that the hotel would effectively force the majority of office space to be underground, with no light or outlook. Additionally the hotel would exacerbate the overconcentration of hotel rooms in the area. This was seconded by Councillor Nick Ward and carried.

**RESOLVED:**

That listed building consent be refused for the reasons set out above, the wording of which was delegated to officers.

[Councillor Poyser requested that it be noted that he had not voted in favour of planning permission being refused.]

**WORDING DELEGATED TO OFFICERS**

**MINUTE 247**

**SHIRE HOUSE WHITBREAD CENTRE [INCLUDING CAR PARK AND SERVICE YARD],  
11 LAMB'S PASSAGE, LONDON, EC1Y 8TE (FULL APPLICATION)**

**Reasons for refusal:**

1: The proposed below ground office space by virtue of the absence of natural light and any outlook would fail to provide an adequate form of office accommodation, unattractive to future office occupiers and therefore vulnerable to conversion to a non-office use at a later date. As such the application would not provide the maximum amount of business floor space reasonably possible on the site, failing to enhance and promote the functions of the CAZ. The application is therefore contrary to London Plan (2015) policies 2.9 and, 2.10, Islington's Finsbury Local Plan (2013) policy BC8, Islington's Development Management Policies (2013) policy DM5.4, the City Fringe Opportunity Area Planning Framework (2015) and the CAZ SPG (2016).

2: The proposed hotel would result in an over-concentration of hotels and similar uses in the surrounding area and as such would be detrimental to the balance and mix of uses in the immediate locality, contrary to London Plan Policy 4.5 and Islington's Development Management Policies (2013) policy DM4.11.

**MINUTE 248**

**SHIRE HOUSE WHITBREAD CENTRE [INCLUDING CAR PARK AND SERVICE YARD],  
11 LAMB'S PASSAGE, LONDON, EC1Y 8TE (LISTED BUILDING CONSENT)**

**Reason for refusal:**

1: In the absence of a valid planning permission for the associated redevelopment of the site, the granting of listed building consent is considered to be premature. Without an associate planning permission there is no justification for the works to the listed vaults and it is therefore considered that the provisions of section 12 of the NPPF 2012 are not met.

The meeting ended at 9.40 pm

**CHAIR**