

Planning Sub Committee B - 17 December 2015

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 17 December 2015 at 7.30 pm.

Present: Councillors: Martin Klute (Chair), Alice Donovan, Robert Khan (Substitute) (In place of Tim Nicholls) and Angela Picknell
Also Present: Councillors: Paul Convery

Councillor Martin Klute in the Chair

- 165** **INTRODUCTIONS (Item A1)**
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.
- 166** **APOLOGIES FOR ABSENCE (Item A2)**
Apologies were received from Councillor Convery and Nicholls.
- 167** **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Khan substituted for Councillor Nicholls.
- 168** **DECLARATIONS OF INTEREST (Item A4)**
None.
- 169** **ORDER OF BUSINESS (Item A5)**
The order of business was B1, B2, B3, B5 and B4.
- 170** **MINUTES OF PREVIOUS MEETING (Item A6)**
RESOLVED:
That the minutes of the meeting held on 24 November 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 171** **325 CALEDONIAN ROAD, N1 1DR (Item B1)**
Change of use from a solicitors (A2) to a betting shop (Sui Generis).

(Planning application number: P2015/3360/FUL)
- In the discussion the following points were made:
- The planning officer advised that there was an element of judgement required in deciding whether there was an overconcentration of betting shops as the Strategic Planning Document (SPD) did not quantify overconcentration.
 - There were three betting shops within a 500m radius and with an additional betting shop, 3% of the 124 premises in Caledonian Road Central would be betting shops.
 - The Chair commented that increasing the number of betting shops in the area from three to four would be a 33% increase.

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- In response to a member's suggestion that negotiations with a supermarket only fell through when the supermarket failed to get an alcohol licence and this indicated interest for the existing use, the planning officer advised that a reasonable amount of marketing had taken place. The unit had been marketed as an A1/A2 unit.
- The applicant had been granted a license by a licensing sub-committee. The legal officer advised that planning and licensing were separate regimes. The planning sub-committee could consider the licensing decision but was not bound by it.
- In response to a question about whether the premises had been marketed for the required two years, the applicant advised that while negotiations with the supermarket had been taking place, there was an advertising board outside the premises but in line with standard process, no active marketing took place.
- Concern was raised that the premises was located in an area of high social deprivation.
- Concern was raised that the application was contrary to Development Management Policy DM4.3 – Location and Concentration of Uses.
- It was considered that a 33% increase in betting shops in a 500m radius created an unacceptable cumulative impact and overconcentration.
- Concern was raised that the application was contrary to Point 1.2.29 of the Mayor of London's July 2014 Town Centres Supplementary Planning Guidance.
- Concern was raised that inadequate marketing had taken place and the interest from a supermarket had indicated interest in the A1 use.

Councillor Khan proposed a motion to refuse planning permission as the premises was located in an area of high social deprivation, the application was contrary to DM4.3 plus Point 1.2.29 of the Mayor of London's July 2014 Town Centres Supplementary Planning Guidance, it would create an unacceptable cumulative impact and overconcentration and inadequate marketing had taken place. This was seconded by Councillor Picknell and carried.

RESOLVED:

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

172 **325 CALEDONIAN ROAD, N1 1DR (Item B2)**

Installation of a new shopfront including blocking up of windows to side elevation at ground floor level.

(Planning application number: P2015/3368/FUL)

In the discussion the following points were made:

- The application was for a generic shopfront.
- The application was consistent with policy.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report.

173 **325 CALEDONIAN ROAD, N1 1DR (Item B3)**

Installation of an externally illuminated fascia sign and an externally illuminated projecting sign.

(Planning application number: P2015/3487/ADV)

In the discussion the following points were made:

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- The planning officer confirmed that application was for specific wording which related to the business which had previously been refused planning permission. If another business required a sign, a new application would have to be submitted.
- The legal officer advised that the issues that should be considered were the Strategic Development Plan and public safety and amenity.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report.

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37 ARLINGTON SQUARE, N1 7DP (Item B4)

The enlargement of the existing single storey rear extension at basement level and reconfiguration of the patio and minor internal alterations.

(Planning application number: P2015/3626/FUL and P2015/3674/LBC)

In the discussion the following points were made:

- The chair advised that he had called in this application based on the application description as he thought it could be contrary to the council's emerging basement policy. It had become clear from looking at the plans that this was not case and the reason for calling in this application no longer stood.
- The application was consistent with policy.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report.

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627-635 HOLLOWAY ROAD, N19 5SS (Item B5)

Installation of air conditioning plant and machinery at the rear of the site.

(Planning application number: P2015/2002/FUL)

In the discussion the following points were made:

- Possible noise levels and the noise calculations were discussed in detail.
- The applicant stated that these units had been installed in approximately 1,000 Tesco convenience stores and they had been specifically designed to be quiet. There had not been any complaints or enforcement action in reaction to these.
- Following discussion about British Standards, the noise officer stated that Condition 3 was consistent with policy and did not require any amendments.

Councillor Klute proposed a motion to amend Condition 4 to state that the equipment be immediately switched off if there was non-compliance with Condition 3 and not be restarted until remedial works ensured compliance with Condition 3 This was seconded by Councillor Khan and carried.

Councillor Donovan proposed that Condition 4 be amended to amend the timescale of the noise compliance report to be completed within three months. This was seconded by Councillor Khan and carried.

RESOLVED:

That planning permission and listed building consent be granted subject to the conditions set out in Appendix 1 of the officer report plus the amendments to Condition 4 as set out above.

WORDING DELEGATED TO OFFICERS

325 Caledonian Road, N1 1DR (Agenda Item B1)

Reason for Refusal:- The proposed change of use would result in a negative cumulative impact on the amenity, character and retail function of the Local Shopping Area due to an unacceptable over concentration of betting shops in this section of the Caledonian Road LSA. The proposed use would lead to an excessive cluster of betting shops within a radius of 500 metres of each other in close proximity to local schools and sensitive community facilities and would be located in the lowest decile (10%) most economically deprived area of the borough. Therefore the proposal is unacceptable and contrary to policy CS14 of the Core Strategy (2011), policies 4.3 and DM4.6 of the Islington Development Management Policies (2013) and the adopted Cally Plan Supplementary Planning Document January (2014), the emerging Location and Concentration of uses Supplementary Planning Document (Consultation draft July 2015) and paragraphs 1.2.27 to 1.2.32 of the Major of London's: Town Centre Supplementary Planning guidance (July 2014).

627 - 635 Holloway Road, London, N19 5SS (Agenda Item B5)

Amended Condition 4: Within three months of the completion of the development hereby approved, a report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 3. The report shall be submitted to and approved in writing by the Local Planning Authority and the mechanical plant and any noise control measures shall be maintained as such thereafter. The hereby approved equipment shall be switched off if found to not be functioning in compliance with the submitted noise details and not used again until it fully complies with condition 3.

Reason: In order to safeguard the amenity levels of adjoining occupiers.

The meeting ended at 8.50 pm

CHAIR