

**Planning Committee - 17 November 2015**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 17 November 2015 at 7.30 pm.

**Present:**           **Councillors:**       Robert Khan (Chair), Fletcher (Vice-Chair), Klute (Vice-Chair), Chowdhury, Nicholls and Poyser

**Councillor Robert Khan in the Chair**

**141        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.

**142        APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillors Donovan and Spall.

**143        DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

There were no substitute members.

**144        DECLARATIONS OF INTEREST (Item A4)**

There were no declarations of interest.

**145        ORDER OF BUSINESS (Item A5)**

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

**146        APPOINTMENT TO PLANNING SUB-COMMITTEE (Item A6)**

**RESOLVED:**

That Councillor Donovan be appointed to serve on Planning Sub-Committee B with immediate effect until the appointment of her successor.

**147        MINUTES OF PREVIOUS MEETING (Item A7)**

**RESOLVED:**

That the minutes of the meeting held on 8 September 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**148        205 OLD STREET, LONDON, EC1V 9QN (Item B1)**

Demolition of existing single storey Post Office building and erection of a new two storey building comprising of a flexible retail (A1-A3) unit and new Post Office (A1) and associated back of house operations.

(Planning application number: P2015/2259/FUL)

In the discussion the following points were made:

- The planning officer stated that an additional condition should be added to secure the phased delivery programme to ensure the post office remained open during the construction works.

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- The planning officer stated that the reference in Condition 7 to 'the 2006 Building Regulations' should be replaced by 'the 2013 Building Regulations'.
- The planning officer confirmed that the Finsbury Local Plan applied to the Post Office.
- The planning officer confirmed that the noise conditions were standard conditions and there were no specific concerns. Although the Northern Line was close, it was not anticipated that there would be any impact from this.
- The existing access road was discussed. The road was not adopted or constituted as a highway and there were safety concerns about the road. Although currently the emergency services could use the road if necessary, they would still be able to cross the area if necessary after the removal of the road. Baldwin Street led to the servicing yard and could also be used for emergency vehicles.
- The legal officer advised that that an objector's concern about ownership of the land was not a matter which was relevant to making a decision on the application.
- The planning officer confirmed that refuse collection was carried out by the council and this arrangement would not change.
- Objectors raised concern over construction noise. The Chair expressed sympathy but stated that the committee was unable to refuse an application based on construction noise. He explained that conditions were in place to limit noise, the contractors were obliged to be part of the Considerate Contractors' Scheme and there was a requirement to comply with the Code of Construction Practice. Non-compliance could be reported to the council and this could be dealt with by Planning or Public Protection.

Councillor Khan proposed a motion that the Construction Management Plan should be signed off by him, as chair. This was seconded by Councillor Klute and carried.

Councillor Klute proposed a motion that the part of the Construction Management Plan which related to residents be drawn up in consultation with residents. This was seconded by Councillor Khan and carried.

Councillor Klute proposed a motion that the standard hours of construction work be included in a condition, that the height of the building should be marked on the plans, that a condition be amended/added to require details of the filtering arrangements for extraction be submitted to the Local Planning Authority for approval. These were seconded by Councillor Poyser and carried.

### **RESOLVED:**

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report as amended by the additional and amended conditions outlined above, the wording of which was delegated to officers 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 set out in Appendix 1 of the officer report.

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### **22-23 TILEYARD ROAD, LONDON, N7 9AH (Item B2)**

Re-configuration and refurbishment of existing two storey office building, a three storey roof extension and five storey side extension to create a total of 2,072sqm (GIA) of Class B1 space (net increase of 1,159 sqm (GIA) of accommodation).

(Planning application number: P2015/1204/FUL)

In the discussion the following points were made:

- The planning officer advised that paragraphs 4.2 and 11.65 of the officer report should refer to a five storey building and not a six storey building as stated.

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- The planning officer stated that Condition 19 should be revised to read, "The small workspace unit, located in the western most location of the approved ground floor plan (PL101 Revision 3) shall be laid out in accordance with this approved drawing prior to the occupation of the development and shall not be amalgamated with the remainder of the ground floor office floorspace".
- The planning officer stated that an additional head of term should be added to require compliance with the code of local procurement.
- The application was policy compliant.

### **RESOLVED:**

That planning permission be granted subject to the conditions 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 County Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

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### **52 TOLLINGTON WAY, LONDON, N7 6QX (Item B3)**

Demolition of existing single storey nursery building (D1 use class) and erection of four storey residential (C3 use class) building comprising 15 units (3 x 1 bed, 11 x 2 bed and 1 x 3 bed) with associated landscaping and cycle parking.

(Planning application number: P2015/2900/FUL)

In the discussion the following points were made:

- Daylight and sunlight to windows both in the proposed development and neighbouring properties was discussed. Due to some of the windows in the proposed development being set back, they failed the VSC test which tested how much light hit the windows. There was however, an acceptable level of light in the rooms as there were also side windows to the rooms. Six windows in the neighbouring properties failed the test. These were ground floor windows and the failure was marginal. A member stated that the orientation of the building minimised loss of light.
- The planning officer confirmed that the police had been consulted and had not responded. In the officer's view, there would be more windows in the proposed development which would increase natural surveillance.
- The proportion of affordable housing offered was discussed. The council's target was 100% for council owned developments and this development proposed 56%. This was due to the council having to buy the land which meant the purchase costs had to be offset by selling some units.
- The planning officer confirmed that the Independent Viability Appraisal had identified that there may have been an overpayment of £200,000 but the council had been competing with private developers on the open market. If the site made a profit, this would be put into the fund for the wider programme across the borough.

### **RESOLVED:**

That planning permission be granted subject to the conditions in Appendix 1 of the officer report and subject to the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1 of the officer report.

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### **CHARLES SIMMONS HOUSE, 3 MARGERY STREET, LONDON, WC1X 0HP (Item B4)**

Demolition of a four-storey residential building and a two-storey community building (D1 Use Class) and five garages. Construction of a part four, five and six storey mixed use building comprising 25 residential units (7 x 1 bed units), 16 x 2 bed units and 2 x 3 bed units), a community centre (D1 Use Class) and a flexible A1/A3/D1 unit and provision of play space and landscaping works.

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(Planning application number: P2015/3050/FUL)

In the discussion the following points were made:

- The scheme provided 59.7% affordable housing. The target for council owned developments was 100%.
- The planning officer confirmed that although the council did not include profit in its viability, the Independent Viability Appraisal had included it to enable comparison between schemes.
- There were exceptional costs associated with this site due to there being two subterranean tunnels and having to purchase back leases. There would also be a loss of revenue from the existing flats, the community centre and garages.
- The officer confirmed that to increase the subsidy for the Housing Revenue Account would impact on the wider programme for the borough.
- The planning officer confirmed that there was now a consistent approach to the calculations for schemes but each site had a different context.
- The scheme was well designed and had been to the design review panel.
- There should be a meeting between the planning chairs, the Executive Member for Housing and the planning officers to consider the strategic wider programme of council developments.

### **RESOLVED:**

1) That planning permission be granted subject to the conditions in Appendix 1 of the officer report and the prior completion of a Directors' Agreement securing the heads of terms in Appendix 1 of the officer report.

2) That a meeting take place between the planning chairs, the Executive Member for housing and the planning officers to consider the strategic wider programme of council developments.

**WORDING DELEGATED TO OFFICERS**

This wording has been provided by officers following the meeting and is included here for completeness.

**MINUTE 148**

**205 OLD STREET, LONDON, EC1V 9QN**

**ADDITIONAL CONDITION:**

No demolition or construction work shall take place on site unless and until a Demolition and Construction Environmental Management Plan (DEMP) assessing the environmental impacts of the demolition and construction phases of the development including (but not limited to):

- a. noise;
- b. air quality including dust, smoke and odour;
- c. vibration; and
- d. TV reception

has been submitted to and approved in writing by the Local Planning Authority, with the decision to be taken by the Planning Committee.

Noisy construction shall only take place during the following hours:

- 8am and 6pm, Monday to Friday and
- 8am and 1pm, Saturdays.

Noisy works must not take place outside of these hours (including Sundays and public and bank holidays).

The report shall assess impacts during the demolition and construction phases of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The report shall also detail the consultation that has been undertaken by the applicant with local residents in preparing the Demolition and Construction Environmental Management Plan, as well as summarise the key consultation responses and how they have been addressed by the proposed Plan.

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

**REASON:**

In order to minimise impacts on the amenity of neighbouring residents. These details are required to be finalised prior to any demolition or construction works commencing so as to ensure that the carrying out of those works protect the amenity of adjoining properties during that process.