

**Planning Sub Committee A - 9 May 2017**

Minutes of the meeting of the Planning Sub Committee A held at Council Chamber, Town Hall, Upper Street, N1 2UD on 9 May 2017 at 7.30 pm.

**Present:**           **Councillors:**       Klute (Chair), Nicholls (Vice-Chair), Poyser, Gantly and Wayne  
**Also Present:**       **Councillors:**       Webbe and Ward

**Councillor Martin Klute in the Chair**

**271        INTRODUCTIONS (Item 1)**

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

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

Apologies were received from Councillors Convery and O'Halloran.

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

Councillors Wayne and Gantly substituted for Councillors Convery and O'Halloran respectively.

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

The Chair informed the meeting that due to issues around predetermination Councillor Nicholls, the Vice Chair would be chairing the meeting while Item 4 – Barnard Park was being considered, and that he would be leaving the room during this period.

Councillor Poyser declared a personal interest in item 5 as he was a member of the Islington Society.

**275        ORDER OF BUSINESS (Item 5)**

The chair informed the meeting that based on the level of public interest, the items on the agenda will be taken in the following order, B4, B1,B6,B3, B2 and B5.

**276        MINUTES OF PREVIOUS MEETING (Item 6)**

**RESOLVED:**

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That the minutes of the meeting held on 21 March 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

### **277**      **19 SOUTHCOTE ROAD, ISLINGTON, LONDON, N19 5BJ (Item B1)**

Erection of a single storey lower ground floor rear infill extension with sloping roof finish and alteration to an existing rear lower ground floor window.

(Planning application number: P2016/3953/FUL)

In the discussion the following points were made:

- In response to concerns about overshadowing, the Planning Officer advised that the overall height and sloping roof of the proposed extension was considered acceptable and would not lead to a material impact on daylight receipt or sense of enclosure to the neighbouring outdoor space.

#### **RESOLVED:**

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

### **278**      **270 HOLLOWAY ROAD, LONDON, N7 6NE (Item B2)**

Demolition of existing building and construction of a five storey mixed-use building comprising a ground floor cafe/ restaurant (A3) and four 2-bedroom flats (C3) including associated residential cycle parking and private amenity space to first floor flat at the rear with roof level solar pv panels and rear flue to the rear elevation

(Planning application number: P2016/1602/FUL)

In the discussion the following points were made:

- In response to a question on the design, location and overall dimensions of the proposed rear flue, the Committee requested that condition 5 to be amended to include specific dimensions, final location and size of the rear flue.

Councillor Klute proposed a motion to amend the condition relating to the design of the flue. This was seconded by Councillor Poyser and carried.

Delegated Condition Wording:

CONDITION: Notwithstanding the hereby approved plans, detailed plans detailing the final design, scale, location, diameter and colour finish of proposed rear flue, extraction systems and other plant associated with the A3 unit hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the A3 unit hereby approved.

These details shall also include fan noise data and silencer specification, hours of operation and any other noise and vibration mitigation measures. The flue/stack shall discharge the extracted air no less than 1.0m above the roof eaves of the building to which it is affixed.

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The flue shall be fitted with fine filtration or Electrostatic Precipitation followed by carbon filtration (carbon filters rated with 0.1 second resistance time) or alternatively fine filtration followed by counteractant / neutralising system to achieve the same level as above. The fan and silencer shall be regularly checked, maintained and serviced in accordance with the manufacturer's/installer's guidelines.

Any noise and vibration mitigation measures shall be carried out strictly in accordance with the details hereby approved and shall be maintained as such thereafter. The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned in accordance with the manufacturers/ installer guidelines; and any filters and parts requiring cleaning or replacement shall be easily accessible.

The flues/extraction systems shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the commercial units to which they relate and maintained as such thereafter into perpetuity.

REASON: In the interest of protecting future residential amenity and the appearance of the resulting building(s).

### **RESOLVED:**

That planning permission be granted subject to the conditions set out in Appendix 1 and the amended condition stated above

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### **798-804 HOLLOWAY ROAD, LONDON, N19 3JH (Item B3)**

Demolition of the existing building and erection of a part two, part four, part five storey building with 598 sqm retail floorspace (Use Class A1) at ground floor and basement levels, 310 sqm office (Use Class B1) at first floor, and 9 residential units above (Use Class C3; 4 x 1 beds, 4 x 2 beds, 1 x 3 bed), including cycle and waste storage and outdoor amenity space.

(Planning application number: P2016/4529/FUL)

In the discussion the following points were made:

- The Planning Officer acknowledged that the scheme before the Committee would be delivering 9 flats and not 13 flats, and that the concerns raised by the objector was based on a misunderstanding around the planning history.
- The Legal Officer confirmed that a clause had been included in the draft legal agreement ensuring that if a future proposal comes forward to increase the number of residential units on site, that the total number of residential units on the site would be considered when assessing the affordable housing requirements; and that this clause would enable the Council to still consider the total number of residential units on site in any future proposal.
- The Legal Officer acknowledged that conditions had been drafted to remove future permitted development rights.

### **RESOLVED:**

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

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**BARNARD PARK, COPENHAGEN STREET, ISLINGTON, LONDON, N1 ONL (Item B4)**

Councillor Nicholls was in the Chair for this item as Councillor Klute left the meeting and was not involved in the consideration of this item.

Refurbishment of east side of Barnard Park involving replacement of existing sports pitch (8,990 square metres) with a new sports pitch (2,835sqm), the creation of a large 'Village Green' grass area (2,812sqm), and other works including planting and landscaping, construction of turfed areas and re-design of pathways.

(Planning application number: P2016/1109/FUL)

In the discussion the following points were made:

- The Planning Officer advised that a supplementary report was circulated prior to the meeting setting out further responses received since the drafting of the report. Additionally a verbal update was provided by the Planning Officer at the meeting advising that since the supplementary report, two (2) letters of support had been received and 4 letters of objection. Again, no new issues had been raised. In total, the Council had received 302 responses, 233 in support, 64 objections and 4 letters providing comments.
- Discussion around concerns regarding rubbish bins and if it was possible to address those concerns within the scheme – the applicant advised it was possible to address these concerns;
- It was queried by Members if the existing sport pitch was entirely free for access, with the response being that it is but only in daylight hours given there being no lighting for evening use;
- It was noted that the proposals would introduce a greater degree of flexibility for local people;
- It was queried how many hours of use of the proposed 7 a side pitch would be free access, to which it was responded that there would be, the detailed amount of free access to be secured as part of the Community Use Agreement via a Directors letter agreement (equivalent to a s106 agreement);
- Members queried the impacts on biodiversity by the proposals (the site being within a Site of Importance for Nature Conservation) with the response being that biodiversity would be enhanced with greater planting and landscaping;
- Members again queried the actual loss of sport pitch and was it not a 70% reduction, to which it was replied that the loss was 36% due to the provision of the central area that could be used for informal and formal use including being bookable via the same booking system stated above
- Members queried the wording of policies relating to the protection of existing play spaces by resisting their loss unless there is an 'exceptional' circumstance – including where there are overriding planning merits.
- Members took the decision that there would be the following overriding planning merits/benefits from the redevelopment of the park:
- biodiversity enhancements;

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- new pathways to improve accessibility and connectivity;
- additional open/ recreational spaces;
- improved quality of sport pitch (able to be used as a 7 aside or as 2 no. 5 aside pitches);
- improving the opportunities for informal recreation such as joggers; and
- would provide a more diverse and multi-functioning park than the current park layout enables.

In the context of the limited amount of green space within the borough and the growing population, Members considered these benefits to outweigh harm caused by the reduction in size of the playspace (DM6.3) / 'free for use' sports pitch facility (DM6.4) . In this regard, the proposal was found on balance to be acceptable and to provide high quality replacement sports pitch facilities albeit 36% reduced in size but to also cater for a wider range of informal recreation users and that the proposal accorded with the overarching strategic policies of the Core Strategy CS16 and CS17 and Islington's Development Management Policies (2013)

### **RESOLVED:**

That planning permission be granted subject to the conditions and informatives and Directors Service Level Agreement as set out in Appendix 2, and subject to referral to the Secretary of State and the signing of a service level agreement.

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### **LAND TO CORNER OF CALEDONIAN ROAD AND STANMORE STEET, 229 CALEDONIAN ROAD, LONDON, N1 0NH (Item B5)**

Installation of freestanding internally illuminated advertisement display panel (6 sheet) on the Land to corner of Caledonian Road and Stanmore Street, 229 Caledonian Road London N1 0NH

(Planning application number: P2015/4848/ADV)

In the discussion the following points were made:

- The Committee was advised that Islington Society had sent their objections to the Council granting applications for unnecessary street clutter of advertising signs.
- The Planning Officer advised that following the decision to defer the application to clarify the location of the sign, the site address had now been adjusted accordingly and the amended drawings now reflected the changes in the proposed signage's location.

### **RESOLVED:**

That Advertisement Consent be granted subject to the conditions set out in Recommendation A.

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### **THE ALBAN BUILDING, REAR OF 71-73 UPPER STREET, 1 ST ALBAN'S PLACE, LONDON, N1 0NX (Item B6)**

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Demolition of existing single storey workshop and the construction of a three storey building comprising of office (Class B1) floorspace at the lower ground/basement level and part of ground and first floor levels, with the creation of 3 x 2 bedroom residential apartments over the remaining ground, first and second floor levels.

(Planning application number: P2016/2659/FUL)

In the discussion the following points were made:

- The Planning Officer reported that 2 additional responses had been received by the Council but that no new issues were raised in those that hadn't already been reported previously.
- The Planning Officer reported that the drawing showing the comparative section of the proposed scheme, together with the existing building and the previously refused scheme, shown on page 187 was incorrect (drawing no. 025). He advised that the profile of the previous scheme was shown incorrectly on that drawing. The correct drawing is no. 025/Rev.A.
- The Planning Officer also advised that the height of 6.3m on the previous scheme referred to the brick parapet, and did not include the roof structures (page 178, paragraph 6.6) that measured a further 1.8m above the parapet. The previous scheme therefore was a total height of 8.1m.
- The Planning Officer informed Committee that issues relating to the installation of louvres and obscure glazing on the first floor rear elevation could be resolved with a condition.
- In the discussion Members advised that the scheme appeared to represent an overdevelopment with an intense living environment, with many exhausts extending over the rear of the development site. The front of the site faces the alleyway (St Albans Place) where intense commercial activity (servicing and refuse collection) takes place hard up against the ground floor of the application site. This has a significant potential for noise (such as bottle collections and movement of refuse bins) and disturbance in extremely close proximity to the proposed residential units (in particular at ground floor level). These issues were raised by the Inspector in their decision notice (paragraph 13) and Members did not consider these concerns to be addressed by the proposal.
- It was also commented on by Members that a site visit to the site revealed that the site sits on a very tight alleyway that the area is intensely commercial and difficult in terms of achieving high quality residential.
- Concerns were raised that issues identified in the Inspector's letter relating to inadequate outlook from the proposed residential units and therefore the resulting poor quality living environment had not been sufficiently addressed and that reasons for refusal be delegated to officers and the Chair of the Committee.

Councillor Klute proposed a motion to agree reasons for refusal and was seconded by Councillor Nicholls.

**RESOLVED:**

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That planning permission be refused for the reasons set out above, the wording of which is to be delegated to Planning officers and the Chair of Planning sub Committee to agree.

REASON 1: The proposed development will provide a substandard level of accommodation to the detriment of the amenity for future occupiers, by reason of poor outlook to the principle living spaces, and to the rooms with more extensive outlook there is a significant amount of unsightly visual clutter associated with the mechanical services of the adjoining commercial premises, which would also impact negatively on the quality of the living environment, contrary to policies DM2.1 and DM3.4 of Islington's Development Management Policies (2013), and Policy CS12 of the Core Strategy (2011).

REASON 2: Access to the development would be via a heavily used commercial service alleyway which is also used for refuse storage, resulting in a substandard level of visual amenity and safety when accessing the property. There would also be unacceptable levels of noise at unsocial hours from both deliveries and collections of refuse and empty bottles, and also human activity around the adjoining emergency exits relating to a number of commercial premises accessing the alleyway, resulting in a very poor level of amenity for occupants within the properties with the potential to prejudice the operation of adjoining land. In this regard the proposals are considered to be contrary to policy CS12 of the Islington Core Strategy (2011) and policies DM2.1, DM3.4 and DM3.7 of Islington's Development Management Policies (2013).

The meeting ended at 10.17 pm

**CHAIR**