

**Planning Sub Committee B - 27 February 2018**

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 27 February 2018 at 7.30 pm.

**Present:**           **Councillors:**       Alice Donovan-Hart (Chair), Robert Khan, Jenny Kay and Kat Fletcher

**Councillor Alice Donovan-Hart in the Chair**

**335       INTRODUCTIONS (Item A1)**

Councillor Alice Donovan-Hart welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

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

Apologies were received from Councillor James Court.

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

There were no declarations of substitute members.

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

There were no declarations of interest.

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

The order of business would be B4, B1, B5, B2, B3, B6 and B7.

**340       MINUTES OF PREVIOUS MEETING (Item A6)**

**RESOLVED:**

That the minutes of the meeting held on 8 January 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**341       14 BONHILL STREET, EC2A 4BX (Item B1)**

Erection of a five storey rear extension at 1<sup>st</sup> to 5<sup>th</sup> floor levels to create 336.7 square metres of additional office space (B1), removal of existing building plant from rear of the site and location of new plant equipment at roof top level within new acoustic enclosure, inclusion of a gantry walkway to the plant area at rooftop level and creation of a new entrance and external alterations at ground floor level.

(Planning application number: P2016/2078/FUL)

The planning officer reported that a noise assessment was undertaken at Iomart in November 2017 and the sound levels were not in breach of their sound condition at the time of measurement. The acoustic assessment undertaken by the applicant had advised that the noise impact of this application could result in a potential increase to the sound level by the Iomart plant of up to 2dBA at the worst case scenario. A noise condition was proposed to mitigate impact and it was considered that the reasons for deferral had been addressed.

In the discussion the following points were made:

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- It was noted that there was an ongoing enforcement investigation into the noise generated at Iomart which was a separate issue from this proposed planning application.
- A change in noise level of 2dBA was not detectable by the human ear and the Sub-Committee considered that the application could not be refused on this basis.
- The noise officer stated that as a result of the application under consideration, a change of temperature (through reduced air-flow) would affect the measurement however, it was considered that the 3dBA detailed in the report submitted by MLM Group was the worst case scenario and for most situations there would be a 1dBA increase.
- It was stated that given that this proposal would largely generate no more than an unperceivable 1dB increase it was not considered by the Sub-Committee that a refusal on the basis of a single decibel increase in noise at Iomart could be successfully defended.

### **RESOLVED:**

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

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### **24 AND 26 ALMINGTON STREET, N4 3BG (Item B2)**

Change of use from Sui Generis use (Hostel) to C2 use (Residential children's home) together with a joint single storey rear extension at ground floor level to facilitate conversion into single residential unit.

(Planning application number: P2017/3903/FUL)

In the discussion the following points were made:

- The home would be registered with and regulated by Ofsted and there was a condition for the applicant to submit an operational management plan for approval.
- The facilities would enable eight children to remain in the Borough near family, friends and local support network.
- It was noted that streets did not have a 'quota' at which point they are saturated by too many children and that the management arrangements would ensure that the accommodation would support appropriately the children who would reside here as well as protect residential amenity.
- The proposed development was planning policy compliant.

### **RESOLVED:**

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

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### **19-21 CHALLONER HOUSE, CLERKENWELL CLOSE, EC1R ORR (Item B3)**

Provision of addition office space (use Class B1) through the erection of a replacement mansard roof to Nos. 20 and 21; the rear extension of Nos 19, 20 and 21 with a part one, part two storey rear extension between first, second and third floor levels; erection of a fourth floor roof extension above No. 19 with reinstatement of parapet, partial reinstatement of historic roof form and chimney, with contemporary extension and new plant enclosure to the rear; alterations to existing front and rear fenestrations and creation of new window openings to side and rear elevations; reinstate historic detailing to the frontages of Nos 19, 20 and 21; excavation of an extended basement level at Nos 19, 20 and 21; and the provision of x 13 photovoltaic panels and a biodiverse roof above third and first floor levels respectively at the rear.

(Planning application number: P2017/2089/FUL)

The planning officer advised that for Peabody Block E, the applicant had obtained access and could confirm that Room 3 and 4 on each floor were bathrooms which did not require assessment as stipulated by BRE guidelines. The remaining windows were confirmed to serve bedrooms (a lesser requirement to daylight and sunlight than main living rooms). In this regard, of the 60 windows tested, 6 failed those tests.

In the discussion the following points were made:

- Concern was raised regarding light spill and it was suggested that the wording of condition 11 be amended in order to ensure that automated roller blinds and light fittings with sensors were installed.

Councillor Alice Donovan-Hart proposed a motion to amend the wording of condition 11 to replace the work 'might' to 'shall'. This was seconded by Councillor Jenny Kay and carried.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and including an amendment to condition 11 as outlined 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.

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**DISUSED SINGLE GARAGE, 16 JAPAN CRESCENT, N4 4BB (Item B4)**

Demolition of existing disused derelict building and construction of two storeys over basement single dwelling hours (C3 use class) and associated excavation at basement level.

(Planning application number: P2015/4983/FUL)

The planning officer advised that since the report had been published a letter of support had been submitted and two further conditions were proposed in relation to the construction method statement and to prevent the use of the basement as a bedroom. He further advised that a pre-action protocol letter had been received from objectors. Legal advice was given that limited weight should be given to this.

In the discussion the following points were made:

- The Sub-Committee raised concerns that a pre-action protocol letter had been issued before a decision had been made.
- Following the review of the Structural Method Statement by an Independent company, the Sub-Committee was satisfied that the development now complied with the requirements of the Basement SPD (2016).
- The additional condition preventing the use of the basement as a bedroom reduced concerns regarding the space standards for a two bedroom dwelling.
- The Sub-Committee would not want to see the plans amended to include a bathroom at basement level.

Councillor Jenny Kay proposed a motion to condition the creation of the basement as laid out in the approved plans and for no change therefrom to take place without the prior approval of the Council. This was seconded by Councillor Alice Donovan-Hart and carried.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the original officer report and the additional conditions outlined above; and

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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.

Additional conditions as requested at Sub-Committee.

CONDITION: The development hereby approved shall be carried out in accordance with the approved Structural Method Statement, Hurley Palmer Flatt, July 2016Ref: PUR09923-Jpn Cr – 160728 and Structural Method Statement Addendum dated 30/11/2017.

In the event that there are amendments to the design of the approved excavation works at basement level, updated structural engineers report and excavation strategy including methodology for excavation and its effect on all neighbouring boundaries and neighbouring buildings shall be submitted to and agreed in writing by the Local Planning Authority prior to such works commencing.

The development shall be carried out in accordance with the approved details and retained thereafter.

REASON: To ensure that the development does not adversely impact on neighbouring residential amenity and that it continues to accord with the Islington Basement Development SPD.

CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (2015) (or any order revoking and re-enacting that Order with or without modification) there shall be no alteration to the layout at basement level and this level shall be constructed in accordance with the approved plans and retained thereafter.

REASON: To ensure the development provides an acceptable standard of accommodation.

CONDITION: The basement study room hereby approved shall only be used for the purposes of a study and shall not be used as a bedroom.

REASON: In the interests of ensuring that the consented dwellinghouse accords with the requirements of the minimum unit and amenity space standards as set out in the National Housing Standards

### **345 FOXAMA HOUSE, 17-18 HAYWARD'S PLACE, EC1R 0EQ (Item B5)**

Erection of a fourth floor roof extension to provide additional office accommodation (Use Class B1), alterations at third floor level to remove dormer windows and infill front façade to match lower floors, extension to existing rear external staircase up to fourth floor and installation of new air conditioning plant and enclosure at fourth floor.  
(Planning application number: P2017/3258/FUL)

The case officer reported that since the publication of the report a further two objections had been received but they raised no new issues to those summarised in the report already. The London Fire Brigade had responded raising no objections. The case officer reported that a condition requiring a Building Management System to automatically switch off the lighting was recommended. The roof area was conditioned not to be used except for maintenance.

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In the discussion the following points were made:

- This application was a resubmission of a grant of permission in 2015, however this latest application included the installation of a new air conditioning plant and enclosure at the fourth floor.
- No 43 Sekforde Street had been included in the daylight/sunlight report. Room 2 of 43 Sekforde Street would lose 26% daylight distributed which was not considered sufficient grounds for refusal given the urban location. It was noted that this formed part of the grant in 2015.
- The noise officer had reviewed a submitted noise assessment and had not raised an objection subject to proposed conditions restricting noise levels and a timer restricting hours of operation.

### **RESOLVED:**

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

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### **NORTHWAY HOUSE, 257-258 UPPER STREET, N1 (Item B6)**

Change of use at ground floor level from Class B1 (a) to mixed A1/A3 sandwich bar/café (sui generis use).

(Planning application number: P2017/3435/FUL)

The planning officer reported the following amendment to condition 2 and requests from the applicant to conditions 3 and 5 detailed in the report:-

Condition 2 – Volume 2 February 2018 to replace the wording 21 December 2017.

Condition 3 – the addition of allowing waste collections from 2pm to 7pm every day.

Condition 5 – to add that the unit would not be open to the general public outside the hours of 5am to 11pm.

In the discussion the following points were made:

- It was noted that waste would not be kept on the street for collection but kept on the premises until the collection vehicle arrived.
- The applicant required a waste collection between 2pm and 7pm every day and was concerned that this was not included in condition 3.
- The applicant required that condition 5 be amended in order that staff could attend the premises to accept deliveries outside of the opening hours (which only applied to patrons).
- Although 2 year marketing had not been provided to justify the loss of office floorspace from this employment growth area, the site was also located within a local shopping area and the proposal only sought the change of use to the ground floor. Weight was given to the consideration that the Local Shopping Area seeks active ground floor frontages to contribute to the vitality and vibrancy of such areas as well as to the changing public realm context which would become more and more suited to an active retail function rather than ground floor office use.
- Members felt that on-balance, due to the reduced office floorspace only at ground floor being lost to a use that was otherwise supported by policy in this instance, the scheme was suitable for support.
- It was suggested that a waste management operational strategy could be required as part of the planning conditions to ensure clarity that no waste would be stored on the pavement.

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Councillor Jenny Kay proposed a motion to amend for officers to further consider the servicing and delivery arrangements and hours of operation and reword in consultation with the Chair. This was seconded by Councillor Alice Donovan-Hart and carried.

### **RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and the amendments to conditions outlined above the wording of which was delegated to officers and as set out below.

#### Condition 2:

CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans: Letter dated 21 December 2017, Letter dated 23 January 2018, Delivery and Servicing Management Plan vol. 2 dated February 2018, Planning, Design and Access Statement dated September 2017, Marketing Report and Recommendations dated August 2017, site location plan, NORWAY-Pret-01, NORWAY-Pret-03 Rev. A. REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.

#### Condition 3:

SERVICING ARRANGEMENTS (COMPLIANCE): All service vehicle deliveries /collections/visits to and from the ground floor mixed use unit at Northway House, 257 – 258 Upper Street N1 1RU hereby approved must not take place outside hours of: 0200-0600 daily, or 1400-1900 daily for the collection of waste and recycling only. Noise levels during these times must be kept to a minimum, including avoiding slamming doors, leaving engines running, loud voices and other associated noise creating activities.

REASON: To ensure that resulting servicing arrangements do not adversely impact on existing and future residential amenity.

#### Condition 5:

HOURS OF OPERATION (COMPLIANCE): The ground floor mixed use unit hereby approved shall not operate (be open to members of the public) outside the hours of:  
0600-2200 Monday-Friday  
0630-2100 Saturdays  
0630-2030 Sundays and Bank Holidays

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

#### Additional condition 6:

CONDITION: Prior to the first use of the premises as an A1/A3 (sui generis use), an Operational Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Operational Waste Management Strategy shall be implemented at all times and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that resulting waste collection and servicing arrangements do not adversely impact on existing and future residential amenity.

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**PALMERS ESTATE, 1-39 GREATFIELD CLOSE, 1-12 LITTLEFIELD CLOSE, 1-12 MANORFIELD CLOSE; 2-24 (EVENS) WARD ROAD, 21-32 WARRANDER ROAD, N19 5UE (Item B7)**

Replacement of existing single glazed metal windows with double glazed aluminium units to all elevations.

(Planning application number: P2017/2749/FUL)

- Members were of the view that the replacement windows would improve the thermal efficiency of residents homes and help alleviate fuel poverty and supported the proposals in line with officer recommendation.

**RESOLVED:**

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

The meeting ended at 9.45 pm

**CHAIR**