

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

RESOLVED:

That the minutes of the meeting held on 5 March 2019 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

79 **43-53 BREWERY ROAD, N7 9QH (Item B1)**

Replacement and extension of rear portion of building at ground and first floors, creation of larger loading bay at ground floor facing Brandon Road, extension of building at second, third and partial fourth and fifth floors, re-cladding of front and rear elevations and provision of lift run and plant on roof, in association with use of building for Class B8 (self-storage) purposes.

(Planning application number: P2018/0136/FUL)

In the discussion the following points were made:

- Members noted the addendum report setting out further details in relation to the daylight/sunlight assessment of Simla Court on the North side of Brewery Road.
- It was noted that there were three daylight/sunlight tests; the vertical sky component (VSL), the no skyline/daylight distribution test (NSL) and the annual probable sunlight hours. All tests were equally important.
- The test for annual sunlight hours had shown no failures. The VSC and NSL assessment results were detailed in full in the addendum report.
- The BRE guidelines suggested that reductions should be kept to less than 20%. The planning officer stated that some transgressions of up to 30% had been accepted on occasion reflecting the dense urban area.
- It was noted that some rooms would be facing a reduction of over 30% however, as the applicant had been unable to gain access to the properties, it was not known whether or not these rooms were habitable or how large they were.
- There had been a leaflet drop to all residents regarding the testing and a letter sent but no response had been obtained. Plans of the properties had not been sourced.
- Members noted that the applicant had taken the worst case scenario and the assumption had been made that all rooms were habitable, were deep and had only one window.
- It was noted that the reduction in daylight distribution for the second floor level at Simla Court, in some cases was over 50% and the remaining daylight distribution level was to 6.3 sq of the room. This was comparable to the existing daylight distribution levels in the ground floor rooms, where the rooms complied or nearly, with BRE guidance in terms of having reductions in daylight distribution of being less than 20%.
- The proposal was considered to be acceptable in land use terms although it was noted that, as the unit would primarily be used for storage it would not involve high numbers of employees.
- Members raised concern that a decision would be made on assumptions regarding the room use and size rather than actual knowledge and it was considered that the applicant needed to make further efforts to obtain accurate information about the internal layouts of Simla Court, possibly by contacting the Housing Association directly.

Councillor Graham proposed a motion to defer the application in order for the applicant to obtain further details on room size and uses at Simla Court in order that the Committee could consider more accurate daylight/sunlight measurements. This was seconded by Councillor Picknell and carried.

RESOLVED:

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

80

BLOCK C, ISLINGTON SQUARE, 5-6 ALMEIDA STREET AND 128-130 UPPER STREET, N1 1AE (Item B2)

Amalgamation of two A1 units and change of use to flexible A1 or D1 (nursery only).

(Planning application number: P2018/1587/FUL)

In the discussion the following points were made:

- The proposal was to amalgamate two A1 units into a single flexible use unit for A1 and/or D1 use (childcare nursery only).
- The officer provided a verbal update to alter the wording of condition 4 (operation hours) to clarify the difference between operating hours for the A1 and D1 uses.
- The northern retail unit did not have a street frontage and was not on the pedestrian arcade. It was an unconventional shape and had differing floor levels which was problematic for retailers.
- The shape of the northern retail unit physical factors were an advantage for a nursery in terms of fit.
- The flexible planning permission would allow occupiers to switch planning uses should the nursery use prove unsuccessful. The use in operation at the end of the ten year period would then become the lawful use from that date onwards.
- The loss of a retail unit due to amalgamation was considered acceptable due to the odd shape, size and that the policy DM 4.1 did not apply in this instance as it was in relation to established retail units.
- It was considered that most parents would walk to the nursery given the close proximity to transport links. Regarding pick up and drop off it was noted that the surrounding streets were within a Controlled Parking Zone.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and the amendment to condition 4 detailed below.

CONDITION 4: The flexible A1 (retail) hereby approved shall not operate except between the hours of:

07:00 until 23:00 Monday to Saturday; and
09:00 until 18:00 on Sunday and Public Holidays.

The flexible D1 (nursery only) hereby approved shall not operate except between the hours of:
08:00 until 20:00 Monday to Sunday and Public Holidays.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring occupiers of their premises and residential amenity

81

KINGS CROSS TRIANGLE SITE BOUNDED BY YORK WAY, EAST COAST MAIN LINE & CHANNEL TUNNEL RAIL LINK, N1 (Item B3)

Application for approval of reserved matters in relation to Building W3 pursuant to outline planning permission for mixed use development ref: APP/V5570/A/07/2051902 (LBI ref: P041261)

Planning Committee - 2 April 2019

Building W3 is proposed to be formed of a three storey building comprising of 725 square metres of gym facilities (Class D2), 451 square metres of nursery/crèche space (Class D1) and a 174 square metre café/retail unit (Classes A1-A4) and discharge of conditions 14 (Structures), 15 (Floor Plans), 16 (Refuse Storage) and 28 (Noise).

(Planning application number: P2018/4210/RMS)

In the discussion the following points were made:

- Members noted the timber cladding document tabled at the meeting.
- The planning officer reported an amendment to condition 2 for the applicant to submit material details in conjunction with the tabled document and an additional condition relating to dynamic thermal modelling.
- It was noted that no further response had been received from Network Rail and the applicant advised that they had held monthly meetings with them and issues had been dealt with at outline planning stage.
- Samples of materials were passed to the Committee including samples which showed the appearance of the timber after three years of weathering. The applicant had been advised stability of 50 years through the treatment process.
- The applicant advised that the timber may need cleaning or recoating but not before ten years. The King's Cross Estate would be responsible for out maintenance work.
- The applicant agreed with an additional proposed condition regarding operating hours of between 7am to 10pm.

Councillor Kay proposed a motion to condition operating hours of 7am to 10pm. This was seconded by Councillor Graham and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, approval of reserved matters be granted subject to the conditions and informatives set out in Appendix 1 of the officer report with the amendment to condition 2 and two additional conditions regarding thermal dynamic modelling and the operational hours as detailed below and details of the discharge conditions 14 (Structures), 15 (Floor Plans), 16 (Refuse Storage) and 28 (Noise) be agreed.

Amended Condition 2: Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:

- a) Aluminium cladding;
- b) Brick screen;
- c) Windows and doors;
- d) Roofing materials;
- e) Roof terrace materials;
- f) soffits;
- g) ground floor signage;
- h) any other materials to be used.

The proposed species of timber cladding/fins; timber coating and protection maintenance regime for the timber shall be in accordance with the details hereby approved as set out in the submitted KXW3 Timber Cladding Report.

The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.

Planning Committee - 2 April 2019

Additional Condition: All uses within Building W3 hereby approved shall not operate outside the hours of 0700 hours and 2200 hours on Mondays to Sundays unless otherwise agreed in writing by the Local Planning Authority.

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

Additional Condition: Prior to the construction of the building, details of Dynamic Thermal Modelling shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the risk of overheating has been addressed.

82 **240 SEVEN SISTERS ROAD, N4 2HX (Item B4)**

Stopping up order of existing highway comprising part of the footway to the south of Seven Sisters Road, to the front of 240a and 240 Seven Sisters Road, under Section 247 of the Planning Act 1990 to enable the redevelopment of 240 Seven Sisters Road (including 240a, 240b and 240c) under extant planning permission: P2017/3429/FUL dated 14/02/2019.

(Planning application number: P2019/0769/FUL)

RESOLVED:

That the starting of the stopping up process be approved subject to the applicant entering into an indemnity agreement to pay all the council's costs in respect of the stopping up.

The meeting ended at 9.15 pm

CHAIR