

London Borough of Islington

Planning Sub Committee B - 11 February 2020

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 11 February 2020 at 7.30 pm.

Present: **Councillors:** Kay (Chair), Klute and Poyser

Councillor Jenny Kay in the Chair

9 **INTRODUCTIONS (Item A1)**

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

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

Apologies were received from Councillors Spall and Woolf.

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

There were no declarations of substitute members.

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

There were no declarations of interest.

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

The order of business would be as per the agenda.

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

RESOLVED:

That the minutes of the meeting held on 1 October 2019 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

15 **60 MORLAND MEWS, LONDON, N1 1HN (Item B1)**

Conversion of 33 existing garages and 32 storage units to create six new residential units (1no. studio, 1 no. 1 bed, 4 no. 2 bed) (following external alterations and front extensions), a community centre and caretaker's office and the use of three further existing garages for refuse and cycle storage, together with associated landscaping and estate improvement works.

(Planning application number: P2019/1945/FUL)

In the discussion the following points were made:

Planning Sub Committee B - 11 February 2020

- The Planning Officer informed the meeting of an update to Condition 2 so as to clarify that the following drawings; BMM-LGA-00-00-DR-A-100-01/Rev.P3, BMM-LGA-00-00-DR-A-100-03/Rev.P3, BMM-LGA-00-00-DR-A-100-04/Rev.P3 should have the suffix 'dated October 2019' added.
- Members were advised that the site is not within an Employment Growth Area, or within the Central Activities Zone. It is within the Barnsbury Conservation Area.
- With regards to the impact of the scheme on the amenity of neighbouring amenities, the Planning Officer advised that the proposal accords with policy DM2.1 of the Development Management Policies 2013.
- On the proposed removal of 2 trees, Members were advised that the trees are considered poor in quality (being Category U trees which are classified as unsuitable for retention). In addition the officer has recommended a condition to ensure the protection of the remaining trees during construction. A further landscaping condition is recommended to ensure maximisation of green space/landscaping (including a commitment to replace the trees to be lost where possible).
- The Planning officer advised that although the proposal would result in the loss of 33 no existing garages and 32 no storage units within the wider estate, the proposal would still retain 37 no. garages and 48 no. storage areas which the applicant has suggested would be available for letting to residents of the estate. Members were reminded that there is no protection for retaining car parking within the Development Plan.
- On the quality of the proposed dwellings, the meeting was advised that the proposed units are considered good standard residential accommodation that will receive acceptable level of daylight/sunlight, and exceeds the minimum floorspace standards.
- Members heard representation from a number of objectors and the issues raised included the loss of garage for storage space for existing residents; increase in density; loss of privacy; loss of the existing community facilities; poor standard of residential accommodation; lack of daylight and the proposed amenity space not being up to standard.
- Councillor Champion, the ward councillor acknowledged objectors concerns in particular the impact of the scheme on the amenity of the existing residents.
- On the nomination rights, the Chief Executive of Barnsbury Housing Association (BHA) in response indicated that existing tenants will be offered first refusal after which it would be offered to council tenants through waiting lists.

Planning Sub Committee B - 11 February 2020

- In response to issues raised by the objector, the BHA Chief Executive acknowledged the difficulty in building social housing in the borough due to the high prices of land, reminding the meeting that the scheme being proposed followed a period of consultation with residents and meetings with planning officers.
- The BHA Chief Executive informed members that although the scheme would result in the provision of social housing with high quality design, Barnsbury Housing Association has committed to making improvements to the public realm, improve biodiversity, providing cycle spaces which will be beneficial to existing and future residents.
- The Planning Officer advised members that to mitigate the loss of existing facilities, the proposal will include new dedicated facilities with a community room(43sqm) and caretakers office(27sqm).
- With regards to the impact of the scheme on the conservation area and heritage assets, the meeting was informed that although no objections were received from the Design and Conservation Officer, officers have recommended a condition requesting that further details and samples of the brickwork for the main elevations, window and door treatment and pavement details (including retention of the granite sets) be submitted for approval .
- In response to a suggestion on loss of storage and garage space, the applicant indicated that every resident who loses a garage due to this proposal would be offered an alternative space.
- During deliberations, Members acknowledged objectors concerns, the need for applicant to reflect on how it has managed the whole process with its residents, the committee's familiarity with the process of converting garages to flats and issues that arise from such schemes.
- Members acknowledged that in this instance the loss of the existing ancillary garages and storages was considered acceptable in land use terms and compliant with Council policies. Members were reminded that members are constrained in light of the decision of the Planning Inspector at the appeal hearing.
- The Chair proposed that the application be granted as per the recommendations in the officers report, including the applicants commitment to the provision of alternative storage spaces for existing residents to be included in the Head of Terms as an agreed management arrangement. The final wording of the Head of Term to be delegated to officers and the Chair. This was seconded by Councillor Klute

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted

representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report 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.

16 74-76 ST JOHN STREET, ISLINGTON, LONDON, EC1M 4DZ (Item B2)

Change of use of part ground floor, basement and lower basement from Use Class B8 (storage) to flexible commercial use within Use Classes A3, A4 and D2.

Replacement of ground floor facade and entrance doors, and fenestration to enclose existing ramp.

(Planning application number: P2018/1580/FUL)

In the discussion the following points were made:

- The Planning Officer advised that since the publication of the agenda, further correspondence had been received from objectors requesting amendments to conditions 2 and 8 if members were minded to grant planning permission.
- Members were advised that the site lies within Clerkenwell Green Conservation Area and Central Activities Zone and 50m to the rear of the site is the listed Grade I Charterhouse building.
- The Planning Officer advised the meeting that issues for consideration are acceptability of the loss of B8 Use, the acceptability of the introduced Use classes A3/A4/D2, the impact on the neighbouring amenity and the impact of the proposal design on conservation and heritage matters.
- The Planning Officer advised members that most of the physical alterations would be to the entrance of the building as it will be replaced with a modern glazed element and officers have considered the application in context of its potential harm to the character or visual appearance of the host building, the surrounding conservation area, and the setting of the adjacent and adjoining statutorily listed buildings.
- Members were advised that in this instance, the existing frontage to be altered, which is largely blank, does not make a positive contribution to the streetscene and its removal is considered to be acceptable in principle.
- The Planning Officer reminded members of a similar application which was previously refused in 2017, which was subsequently upheld at appeal and the primary difference between the previous and the current application is that the previous application also included A1 retail within a flexible commercial use. Reasons for refusal given were unjustified loss of B8 floor space and impact of a potential loss of 5580sqm A1 unit outside the town centre.
- With regards to the loss of existing B8 floor space, members were informed that the applicant had provided evidence to demonstrate that the site had

been subject to active continuous marketing for a number of years, information which council officers have reviewed and are satisfied that it meets the objectives and requirements as outlined in Appendix 11 of the Development Management Policies 2013.

- Members were advised that considering the proposal no longer includes an A1 retail element, it was not necessary for officers to carry out a sequential test to support the location of a significant amount of retail space in an out of Town Centre location.
- With regards to the proposed flexible A3/A4/D2 use, Planning officer reminded members that although the area around Farringdon has a significant concentration of late licensing premises, officers having carried out a land use survey of the ground floor units of the buildings fronting St John's Street and neighbouring areas and have concluded that there is not an over-concentration of either A3 restaurant/café or A4 drinking establishments within this section of St John Street. Members were advised that the proposed use would complement the existing mix of uses within the vicinity, subject to appropriate management.
- In terms of the previously refused application, officers informed members that although concerns were raised about how the previous proposal failed to demonstrate how its flexible use could be accommodated without impacting the amenity of the neighbouring residents, the planning inspector in his findings noted that amenity concerns could be addressed by imposing conditions. This is a material consideration with this proposal.
- The objector informed the meeting that although she had no objections about the change of use of the basement levels in principle, the introduction of Use Classes A3, A4 and D2 has the potential to impact the amenity of neighbouring residents unless controls are put in place. The objector requested that if members were minded to grant planning permission, conditions 3 relating to hours of use be amended and was concerned that condition 8 regarding the scheme of management was too ambiguous and requested that a detailed noise assessment detailing the specific maximum level of noise from the gym use be submitted.
- The objector was also concerned about the positioning of the extractor especially as it would introduce new odour and noise considerations to the area. The objector requested that this issue should be thoroughly investigated or controlled by way of a planning condition.
- The Objector had significant concerns with the A4 'drinking establishment' use being proposed especially as this could cover a wide range of use, requesting that planning permission if granted should exclude dance halls from A4 use.

Planning Sub Committee B - 11 February 2020

- In response to issues raised above, the agent advised of the difficulty in generating any interest in the original use despite the amount of marketing hence the recent proposal to change of use. Members were advised that at this stage concerns about extraction details could not be provided as it is not certain about future occupiers however a condition relating to extraction type has been included in the permission if granted which will address it.
- With regards to concerns about the basement being used as dance halls, the Planning Officer advised that Dance halls is D2 use and not A4 use and any breach from its permitted use will be a matter of enforcement.
- The Planning Officer advised members of a number of recommended conditions ; Condition 3 which restricts the hours of operation and Condition 5 restricting servicing and delivery to approved hours. In addition members were informed that condition 6 is in place to limit noise breaking from the future use and a management scheme required by Condition 8 is to be submitted and approved by officers. Details of the flue and the extraction system would also have to be submitted prior to any work commencing.
- In clarifying the hours of operation, the Planning Officer indicated that Condition 3 restricts the hours of use for any A3, A4 or D2 unit to

Monday to Thursday 7am – 11pm

Friday to Saturday 7am – midnight

Sunday and Bank Holidays 8am – 10pm

- In response to objectors request for planning conditions to be strengthened especially with regards to odour and flue/extraction concerns, the Planning Officer advised that in terms of noise it is covered in the report and any request to extend hours of operation will require applicant to apply for licensing hours.
- Members acknowledged that although the scheme of management specifically addresses noise and vibration concerns, the wording of conditions 8 and 9 relating to the scheme of management and the flues/ extraction system be amended to read 'prior to construction' instead of 'prior to first occupation'. Wording of the amended conditions was agreed.
- During deliberations, Members acknowledged Committee being constrained by the previous appeal decision, insufficient information regarding future occupiers so as to address the extraction concerns, noting licensing hours will constrain activities in the premises and noting that the management scheme specifically addresses noise and vibration concerns.

Planning Sub Committee B - 11 February 2020

Councillor Kay proposed a motion to grant Planning Permission. This was seconded by Councillor Klute and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives (including amended Conditions 8 and 9) set out in Appendix 1 of the officer report 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.

The meeting ended at 9.35 pm

CHAIR