

London Borough of Islington

**Planning Committee - 9 September 2019**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 9 September 2019 at 7.30 pm.

**Present:**      **Councillors:**      Klute (Chair), Kay (Vice-Chair), Picknell (Vice-Chair), Mackmurdie, Clarke, Convery, Graham, Poyser and Woolf

**Councillor Martin Klute in the Chair**

**103      INTRODUCTIONS (Item A1)**

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

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

Apologies for absence was received from Councillor Spall.

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

There were no declarations of substitute members.

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

Councillor Poyser declared a personal interest in item B5, The City University as he was a postgraduate student many years ago.

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

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

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

**RESOLVED:**

That the minutes of the meeting held on 4 June 2019 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**109      34 DRAYTON PARK ISLINGTON, LONDON N5 1PB (Item B1)**

Refurbishment and extension of existing building to provide a part 1/part 5 storey building comprising 3,054sqm flexible business (Use Class B1) floorspace and 209 sqm restaurant (Use Class A3) floorspace (1,298sqm overall additional floorspace) with ancillary plant room and storage at basement level.

(Planning application number: P2019/0228/FUL)

Prior to the committee presentation, the planning case officer raised several points of clarifications and corrections, these matters included:

- Page 38 of the Agenda, Condition 7 relating to cycle parking provision, the condition notes that the scheme shall provide for no less than 60 spaces. However, a total of 54 spaces are proposed. The provision of 54 spaces is acceptable against planning policy and standards (Appendix 6 of the DMPD requires 41 spaces);
- Page 43 Condition 24 relating to the rear wall planter, the proposed planter would be artificial and therefore does not require irrigation, therefore it is suggested that reference to irrigation should be removed from the condition wording;
- There was a typo graphical error relating to the address of Item B1, which was immediately rectified by Democratic Services. Letters sent to consultees had the correct site address as does the officer report throughout, therefore this will not prejudice the determination of this item;
- Paragraph 10.36 of the report on Page 24 notes the height of the rear boundary wall at 1.9m from the garden level of the neighbouring properties, where in fact the rear boundary wall measures 2.2m from that point (from those properties to the rear);
- Paragraph 10.68 of the report (Page 30) notes that the existing 2.7m high rear wall would be extended in height by virtue of an 850mm planter on top bringing the total height of the rear boundary treatment to 3.55m in height 'as measured from the raised garden level of those properties to the rear, which back onto the site.' However, the extended boundary treatment due to the introduction of the proposed planter would increase the height of the boundary treatment from 2.2m to a height of 3.0m as measured from the raised garden levels to the rear and the 3.55m measurement as referenced would actually represent the new height of the boundary from the patio level at the application site. This is made clear in the next paragraph 10.69 of the report which addresses the respective level changes;
- Paragraph 10.69 which notes the proposed planter would be 800mm in height whereas it would actually measure 850mm in height which is made clear on drawing 3086/221/A.
- 10 objections were noted within the report (Page 14, paragraph 8.2), however it should be clear that a total of 7 objections were received.

In the discussion the following points were made:

- Members were advised that condition 20 has been agreed with the applicant which ensures that the external part of the rear patio is to be used at certain time of the day protecting the amenity of the adjoining residents.
- The planning officer informed members that the site has been vacant for a long time and the scheme being proposed would replace the existing floor space with higher quality, more accessible and more flexible employment space.

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- In response to concerns about the scheme's inability to meet the council's CO2 reduction target, Officers advised that this will be offset by a carbon offset contribution from the applicant
- The meeting was informed of overlooking concerns from the proposed scheme into neighbouring habitable rooms and the increased noise and disturbances from users of the patio area. In response Officers highlighted the proposed rear patio area was designed with features to prevent overlooking from it, which included the use of a rear wall planter and use of an obscured glazed canopy which would be installed above the proposed rear patio doors.
- On the matter of overlooking and privacy, an objector expressed concerned in relation to a prospective impact of the development from the upper levels, however, Officers highlighted the separation distanced of 28.8m between the rear wall of the proposed extension and those residential properties to the rear (south) which would ensure that there would not be harmful loss of privacy or mutual overlooking
- In response to objectors concerns, the agent informed the meeting that they had engaged with local residents to address their concerns by lowering the patio and introduced a canopy and a planter .
- On the question of whether a condition could be imposed restricting smoking by users of the patio , the planning officer advised that it is not possible to impose a condition restricting people from smoking however it could control the hours of use of the terrace and recommend that a management plan be considered by officers .
- On the question on whether there was a specific condition to install window blinds to protect the privacy of neighbouring occupiers, officer stated that although a condition regarding privacy is it included but nothing specific on blinds.
- In response to the use of artificial plant instead of natural plants, the meeting was advised that this was suggested by applicants to mitigate the issue of overlooking with some form of screening and was agreed as a long term solution in a sustainable way. A suggestion on whether the height of the rear wall could be extended was noted.
- Members agreed for two additional conditions to be included with the permission, a condition to extend the boundary wall to protect the amenity rather than the use of an artificial plant and another condition for applicants to submit a management plan which will address smoking concerns from users on the roof terrace. Members agreed that the wording of the two additional conditions be delegated to officers. This was seconded 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 set out in Appendix 1 of the officer report, and additional conditions noted 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.

**Condition 24 - Rear wall planter (and maintenance of plants and irrigation details)**

**Notwithstanding the plans hereby approved, details of a raised rear boundary wall and/or planter screen (to include the use of live natural planting and an ongoing maintenance regime) to the external terrace area and the properties to the rear (south) of the development site shall be submitted to and approved in writing by the Local Planning Authority prior to the external terrace area being brought into use. There after the raised boundary wall or planter and plants shall be maintained in accordance with the approved details for the life of the development.**

**REASON: To protect the amenity of neighbouring occupiers.**

**Condition 25 – Rear patio area operational management plan**

**CONDITION: Details of measures to adequately mitigate against noise and disturbance affecting neighbouring residential properties and an accompanying Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the external patio terrace area at ground floor level being brought into use.**

**The building shall thereafter be operated strictly in accordance with the approved measures to mitigate against any harmful impact on the amenities of neighbouring residential properties and the approved Operational Management Plan unless otherwise agreed in writing by the Local Planning Authority.**

**REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.**

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**EMIRATES STADIUM, 75 DRAYTON PARK, LONDON, N5 1 BU ( (COACH PARKING LOCATIONS: QUEENSLAND ROAD, HORNSEY ROAD, SOBELL CENTRE, HORNSEY STREET, FINSBURY PARK) (Item B2)**

The applicant is seeking a permanent permission following approval of details application P2015/1142/AOD for the previously consented locations (Planning application number: P2019/2022/AOD)

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Prior to the committee presentation, the planning case officer raised several points of clarifications and corrections, these matters included:

- The following corrections be made to Condition 3 relating to the restricted use of Sobell Centre – replace 12 Coaches with 11 Coaches and remove the words “or such other location as advised by the MPS”.
- Comments from TfL and Hackney Council were received which raised no objection to the proposals.
- An Incident Report (regarding the dumping of waste in January 2019) from a resident of Queensland Road was sent to the officer prior to Committee
- Response made by Steer on behalf of the applicant, this was circulated prior to the meeting, and copies made available on the night for members if needed.

In the discussion the following points were made:

- The Planning officer informed members that Arsenal Football Club is seeking to secure a permanent permission for match day coach parking locations for the 2019/20 season. Members were reminded that the planning committee had granted temporary permissions to the club previously so that a full assessment on issues such as security, traffic and neighbouring amenity.
- The Planning highlighted the arrangements and restrictions that is applied in coach parking locations (Queensland Road, Hornsey Road, Sobell Centre, Hornsey Street and Finsbury Park) in order of priority.
- The officer reminded members about the original plans to use the Stadium undercroft, however in light of advice received from the Metropolitan Police Services Counter Terrorism Unit, the undercroft was never used.
- The Committee heard evidence from 3 objectors on issues such as lack of trained parking stewards resulting into damage to the glass canopy above No.1 Queensland Road and drivers ignoring the Council’s anti idling campaign. Concerns were raised about the air quality in particular and contrary to the Council’s Air quality strategy as published on the council website.
- The agent in response informed the meeting that the club has facilitated different permutations of coach parking over the last 13 years with some tweaks introduced in certain locations and the present arrangement has been in place for over 5 years.
- On the issue regarding sewage being deposited, the agent advised of only one instance and both driver and coach company were penalised. Also on the issue of damage to the glass canopy, agent noted that this was not related to

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the coach .

- On the suggestion about reducing some of the locations, the meeting was advised that this would limit the ability to be resilient especially if and when more parking is required. The meeting was advised that evidence shows that overtime there will be fewer coaches being used to attend matches by football fans.
- In response to the air quality concerns, members were advised by the agent that when applications for permits are received, all coach operators are notified of the future requirement that kicks in when the Mayor of London's ULEZ comes into the operation in 2020 and the need to switch to cleaner vehicles, and which will apply to all coaches bringing supporters into the area.
- The meeting was advised that due to improvements to the various modes of transport, there is evidence of a downtrend of coach travel to the Emirates which was to be welcomed.
- In response to a question on how the council's enforcement team is able to support the stewards in multiple coaching locations, the meeting was advised that although the officer fully funded by Arsenal would be based at Queensland Road (the site where most coaches would be parked), if other locations would also be used then the Council would deploy additional enforcement staff at the other locations – the requirement would be established at the pre-match planning meetings.
- Members requested the existing funding arrangement for an enforcement officer be included as a Head of Term to ensure the funding was secured on an ongoing basis.
- In response to concerns about increasing the number of coaches from 12 to 18, the meeting was advised of that there would be no increase, no changes from the previous temporary permissions that were granted and no plans to increase the number of coaches.
- A suggestion to retain a temporary permission for a period of 5 years was proposed by Councillor Clarke and seconded by Councillor Picknell. Vote was taken and motion was defeated.

### **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 for the approval of details on a permanent basis ,subject to the conditions set out in Appendix 1 of the officer report and conditional upon 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 and an additional Head of Term set out below.

**Additional Head of Term: Continuation of existing arrangements where by the Applicant fund 1 x enforcement officer on an ongoing basis.**

**Informative - You are advised to inform all coach operators of the future requirement that come into force when the Mayor of London's ULEZ becomes operational in 2020 and the need to switch to cleaner vehicles.**

**111 OLD STREET STATION, OLD STREET, ISLINGTON, LONDON, EC1Y 1BE  
(Item B3)**

Excavation and construction of a new station entrance to provide access to St. Agnes Well and Old Street Station. Construction and installation of a public lift to provide access to St Agnes Well; a service lift and bin store adjacent to the existing clerestory; and associated works including external cladding of the existing clerestory and proposed service lift and bin store.

(Planning application number: P2019/0528/FUL)

In the discussion the following points were made:

- The Planning Officer advised that additional comments have been received from Hackney Council. Members noted the comments were largely supportive but did raise concerns relating to changes proposed to the roadway in the London Borough of Hackney. Members advised that they appreciated the concerns, however officers advised that they fell outside of the scope of the planning application.
- Members were advised that planning permission is required for particular elements of the scheme such as a proposed new station entrance, a new passenger lift, a refuse store/plant enclosure and service lift and the installation of new cladding
- Members were reminded that at present the Old Street Station lacks a sense of place in the public realm and that the elements before the committee were crucial to the wider scheme as reconfiguration of the roundabout could not take place unless a new station entrance is constructed to account for the loss of some of the other subway entrances.
- Members noted the Council's statutory duty to preserve and enhance/to do no harm to heritage assets. Members acknowledged this duty and placed great weight on this. The officer explained the significance of the Leysian Mission building and members agreed. It was agreed that harm to the setting of the building would be less than substantial harm, and that notwithstanding the statutory duty to place great weight on this, the benefits were considered to outweigh the harm. The benefits include promoting safer

cycling and pedestrian facilities, an iconic design with biodiverse green roof, improvements to accessibility and the wider public realm.

- Members acknowledged that the revised proposal had come a long way from the first iteration of the scheme – and praised TfL’s co-operation and willingness to liaise with officers to overcome earlier material issues.

**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 set out in Appendix 1 and subject to conditions to secure the following and delegated to the following: the Head of Development Management Team, the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes ( additions, removals or amendments) to the conditions.

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**PAUL ANTHONY HOUSE, 724 HOLLOWAY ROAD, ISLINGTON, LONDON, N19 3JD (Item B4)**

Two storey roof extension to the existing building to create additional office space (B1a Use Class) along with associated refurbishment and external alterations.

(Planning application number: P2018/3191/FUL)

In the discussion the following points were made:

- Planning Officer advised that although the proposal is now a minor development, as major applications for the same site had been considered by the planning committee on two previous occasions, it is agreed that in the interest of consistency it has been brought back to the main Committee.
- Members were advised that since the application was considered by the committee there have been notable revisions to address concerns raised such as designs to the extensions and the scale and massing of the proposal.
- Members were informed that site is located within Archway Town Centre and Archway Key Area. The proposal would result in an increase in office floor space and employment.
- Members were advised that a comprehensive assessment of the proposed development on surrounding windows, rooms and gardens had been undertaken in accordance with BRE guidance and practice and results of the assessment show good levels of adherence with only minor transgressions to all but one property.
- The Planning Officer set out the representations received in relation to the application as set out in the officer’s report which had been addressed by the application. Issues such as daylight and sunlight had been addressed

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following a number of revisions on the massing and design.

- Three objectors addressed the Committee. Objections included loss of privacy as a result of overlooking from windows due to the additional floors and location of bin store in Fairbridge Road and its associated nuisance such as noise, smell and hygiene.
- In response to the decision not to locate the servicing, deliveries and refuse collection on Holloway Road, members were advised that this is a Red Route and that TFL had lodged objection to servicing from the Holloway Road. Also the forecourt has limitation for vehicles to manoeuvre, turn around and exit, the frontage is partially blocked by a bus stop.
- In response to concerns that the revised daylight/sunlight assessment excluded the dwelling of one of the objector and how the hours of use of the terrace would be monitored, the Planning Officer acknowledged that the assessment did include the objector's property and the results did not exceed the BRE guidelines. In terms of the hours of use, the meeting was advised of condition 7 which will address any concerns and protects the amenity of neighbouring properties.
- In response to concerns that their views were not being considered, the agent advised that the scheme to provide office space conforms with the Council's local plan as this brings back into use a building which has been vacated for a long time. In terms of overlooking, the meeting was advised that the design of the scheme has been altered and the massing has been shifted towards Holloway Road away from Fairbridge Road.
- The agent advised that as an office building rubbish levels would not be comparable to residential building so concerns about vermin and litter would not be an issue for Fairbridge resident's. Members were informed that TFL's objection to servicing from Holloway Road had driven the decision to locate the services on Fairbridge Road and that as part of the application, a management servicing plan has been submitted.
- In response to concerns that the applicant had given more consideration to TFL's objections rather than those of the resident's concerns, the agent advised TFL being a statutory consultee had concerns with vehicles reversing onto or off the Holloway Red Route and subsequent disruption to the free flowing traffic especially during the construction period and safety.
- Members were concerned that TFL were not being consistent in their objections as the siting of the bus stop in this particular location is only a recent feature to cater for driver changeover as it is close to Holloway bus garage. A suggestion that the agent explore further discussion with TFL especially as car parking has been removed from the scheme was noted and agreed. Members also noted that other office buildings in the vicinity and on the bus route on Holloway road allowed servicing and refuse collection to

take place from Holloway Road.

- Members acknowledged that this was an improvement on their previous scheme and that issues such as overlooking and sunlight/daylight loss had been addressed but would recommend further discussion with TFL on alternative service arrangements.
- A suggestion that application be deferred so as to enable agent a further opportunity to discuss with TFL. In addition members agreed that this would be an opportunity for agent to meet the residents on their concerns.

Councillor Klute proposed a motion to Defer application on the grounds of further discussion with TFL and with residents. This was seconded by Councillor Poyser and carried.

**RESOLVED:**

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

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**THE CITY UNIVERSITY, 10 NORTHAMPTON SQUARE, LONDON, EC1V 0HB  
(Item B5)**

Alterations and extension at 6th and 7th floor levels of the University Building to provide an extension to the library as well as replacement of the glazing units on the 1st - 6th floor facades and associated works.

(Planning application number: P2019/1124/FUL)

In the discussion the following points were made:

- Members were reminded that the substantive application was considered by the Committee on 4 June where the Committee resolved to grant permission subject to conditions and planning obligations. At that time an objection letter from The 20<sup>th</sup> Century Society had been received on the day of the meeting but had not been taken into consideration. The letter was attached in full to the Agenda.
- Members were also reminded that they were informed at the committee meeting on 4<sup>th</sup> June that a listing application for the host building had been made in the days immediately preceding the meeting, and that the application was outstanding at the time of the meeting. Members also noted that the objection from the 20<sup>th</sup> Century Society made reference to the listing application, and recommended delaying the committee decision until the outcome of the listing application was known.
- The Planning Officer explained that notification had now been received advising that the listing application had been declined by Historic England. The committee considered that the HE decision to decline listing took away from any weight attaching to the 20<sup>th</sup> Century Society objection.

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- The objector raised similar concerns highlighted during the previous meeting on 4 June and they included the impact of the scheme on the existing listed Georgian houses due to its massing and that the height of the extension would have an adverse effect on the character of the square.
- In response to a question on whether any other circumstances had changed since the application was considered at the 4 June meeting, the Planning Officer advised that the 20<sup>th</sup> Century Society objection had been taken into account and carefully considered, along with the commentary from Historic England, however the objection did not alter the officers recommendation, as set out in the Committee report.

### **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, the Committee's previous resolution to grant planning permission was unaltered, and that permission be granted subject to the conditions 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.

The meeting ended at 11.00 pm

**CHAIR**