

London Borough of Islington

Planning Committee - 23 April 2020

Minutes of the meeting of the Planning Committee held remotely via Zoom on 23 April 2020 at 7.30 pm.

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

Councillor Martin Klute in the Chair

155 GUIDANCE FOR MEMBERS OF THE PUBLIC PARTICIPATING IN AN ISLINGTON COUNCIL VIRTUAL MEETING USING ZOOM (Item A1)

The Chair outlined guidance for the virtual meeting for the Committee, officers and the Public

156 INTRODUCTIONS (Item A2)

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

157 APOLOGIES FOR ABSENCE (Item A3)

Apologies were received from Councillors Graham, Woolf and Spall

158 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A4)

There were no declarations of substitute members

159 DECLARATIONS OF INTEREST (Item A5)

There were no declarations of interest

160 ORDER OF BUSINESS (Item A6)

The order of business would be as per the agenda

161 MINUTES OF PREVIOUS MEETING (Item A7)

RESOLVED:

That the minutes of the meeting held on 2 March 2020 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

162 158-160, PENTOVILLE ROAD, LONDON, N1 9LJ (Item B1)

Demolition of existing single storey building and erection of part one, part 4 storey plus basement office (Use Class B1(a)) with associated works (Departure from Development Plan). Reconsultation on planning application due to a revised

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description of development and submission of revised drawings and supporting documentation

(Planning application number: P2019/2290/FUL)

In the discussion the following points were made:

- The Planning Officer informed the meeting that no additional updates had been received since the publication of the agenda.
- Members were advised that in terms of Local Plan, the Planning Officer advised that the site is within the Kings Cross and Pentonville Road Key Area, the Central Activities Zone (CAZ), Northdown Street Employment Growth Area and the Cross Rail 2 Safeguarding Area.
- On the issue of Land Use, meeting was informed that site had been vacated by an educational operator teaching make-up and beauty application before 2007 and subsequently occupied by a beauty company which vacated the premises in 2017. Members were advised that the site had not been in use recently as a social infrastructure.
- The Planning Officer acknowledged that the existing structures are not appropriate for social infrastructure uses although it had been previously used for this purpose for a short period. Members were informed that the loss of an educational facility is contrary to policy, exceptional circumstances make it acceptable to depart from the policy.
- The Planning Officer informed the meeting that the proposal provides 1,196sqm (GIA) of B1(a) use (office) floorspace, Affordable workspace unit at 5% GIA which is to be leased to the Council, to be secured via a planning obligation within S106 Legal Agreement.
- Members were advised that following consultation responses received from Design and Conservation officers, the scheme is now considered to be in accordance with Policy 7.6 of the London Plan Policies and the aims and objectives of Development Management policies DM2.1 and DM2.3, following a number of revisions carried out by the applicant which are highlighted in the report.
- With regards to housing provision, the Planning Officer informed members that a financial contribution of £159,467 has been secured by legal obligations for the provision of off site housing.
- Member welcomed the proposals especially as the premises had not been in use for an educational function for some time. The proposal is not considered to give rise to unacceptable impacts upon neighbouring residential amenity

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

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.

163

22-23 TILEYARD ROAD & PART OF 226-228 YORK ROAD ROAD, LONDON N7 (Item B2)

Demolition of existing buildings and structures and erection of a part 3- and part 5-storey (plus basement) building to create Class B1(c) (light-industrial), Class B1 (office) and A3 (ancillary café) floorspace; service yard; cycle parking; plant refuse / recycling facilities; and associated works

(Planning application number: P2019/3300/FUL)

Councillor Picknell left the meeting during consideration of this item and therefore did not take part in the discussion or vote on this item

In the discussion the following points were made:

- Planning Officer advised meeting that site is within the Vale Royal Brewery Road Locally Significant Industrial Site (LSIS) and not affected by any formal heritage constraints. In addition, Members were informed that although several buildings within the site are attractive Victorian warehouse style buildings, there are no immediate adjacent designated heritage assets or conservation areas.
- Members were reminded that an earlier application at the site, and covering an adjoining site was refused planning permission on grounds of land use, neighbouring amenity, design, sustainability and the absence of an appropriate Section 106 legal agreement.
- The meeting was informed of applicants subsequent appeal to the Planning Inspectorate which was dismissed on grounds of design and neighbouring amenity.
- The Planning Officer noted that applicant had endeavoured to address the reasons the appeal was dismissed.
- In response to a question the Planning officer outlined the landscaping proposals, and that it would be implemented prior to occupation of the

building.

- The Planning Officer acknowledged that the proposal will not involve the net loss of industrial floor space which is in accordance with Part B of Policy DM5.3.
- A Member welcomed the proposals following long negotiations between planning officers and applicant especially with the use of the Tileyard site by providing space for the music/entertainment sector.
- The Planning Officer informed the meeting that issues with the design and style of the development and loss of light concerns had been addressed.
- It was further stated that the floor plans encouraged a hybrid style of lettings which is to be welcomed as it encourages flexible use.

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

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.

164 5-10 BRANDON ROAD, N7 9AA (Item B3)

Demolition of existing building and structures and erection of a 5-storey building (with part basement) to provide a minimum of 3,726m² of Use Class B1(c) / B8 floorspace and a maximum of 6,902m² flexible Use Class B1 floorspace, with service yard, cycle parking, and refuse and recycling facilities.

(Planning application number: P2019/3186/FUL)

In the discussion the following points were made:

- The Planning Officer informed the meeting that no additional updates had been received since the publication of the agenda and that application site is located within the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS).
- Members were also reminded that an earlier application was refused on grounds of height, design and land use considerations and (in particular lack of floorspace being proposed which is suitable to the Locally Significant

Industrial Site(LSIS)).

- The Planning Officer informed members that the proposal now proposes a scheme that will ensure no net loss of priority floor space and more than the equivalent of 65% of the plot ratio, and is therefore acceptable in land use terms.
- Members were informed that the proposal had been assessed by the Design Review Panel, and that its suggestions had been included in the scheme by the applicant which has resulted in a scheme which is of a good standard of design. .
- A Member welcomed the proposals, that the design is an improvement on the current site and the proposed landscape features and biodiversity measures are now in accordance with planning policy.
- The Planning Officer acknowledged that the scheme will not result in undue impact on neighbouring residential amenity in terms of daylight/sunlight, privacy or an increased sense of enclosure.
- Members welcomed the scheme, that it is acceptable especially as it is in accordance with Islington's Policy as highlighted in the report.

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

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.

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**HOSTEL & PREMISES 38-44 ISLINGTON PARK STREET, LONDON N1 1PX
(Item B4)**

Change of use of existing HMO (House of Multiple Occupation) to allow the creation of 7 no. self - contained residential units – 3 no.1bed flats, 2 no. 3 bed houses, and 1 no. 5 bed house. Excavation at lower ground floor level to increase the floor to ceiling heights and enlarge the existing rear light wells. Alterations to the front and rear elevations including installation of metal railings, new access gates, and proposed landscaping, refuse and cycle parking provision and other associated works

(Planning application number: P2019/2651/FUL)

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In the discussion the following points were made:

- The Planning Officer informed members of the following updates – Floor plans PL11-PL14 (proposed lower level ground to proposed second level floor plan) in condition 2 of the Committee report need to be amended to Rev. P2. These revisions were submitted during the course of the application to demonstrate a soft spot in the proposed dwelling where a floor lift could be located had been changed to the installation of a lift and to address inclusive Design Officer comments.
- In addition, the Planning Officer highlighted changes to the Heads of Terms – Correct recommendation (a) – Requiring the 7 no.units to be for social rented housing including the requirement for the nomination rights for the 'Move On' units to return to Islington in accordance with local authority lettings policy should the GLA 'Move On' scheme cease to exist.
- The Planning Officer advised the meeting that the site is not within an Employment Growth Area, Employment designated area or within the Central Activities Zone.
- Members were reminded that the loss of the existing vacant HMO is considered acceptable having consulted the Council's Environmental Health Team who manage and license HMO's within the Borough. The team had assessed the existing accommodation as not of good quality.
- Members were advised that the Council's Housing Team had not objected to the loss of HMO and welcomes the change of use as the proposal would deliver affordable homes which is one of the Council's key objectives identified in Part G of Policy CS12 of Islington's Core Strategy Policies (2011).
- The Planning Officer acknowledged that excavation works is to be carried out in the basement and is considered acceptable in design terms, and that the proposed works are compliant with the Council's Basement SPD in regards to its structural impact. The Building Control Officer had reviewed the application and raised no objections to the excavation works from a structural perspective.
- A member of the public stated that whilst he supported the proposal and had a good relationship with One Housing Group who had been supportive in discussions with him, he did have concerns over the excavation works to the basement, which according to a structural engineers report could cause cracking and problems to his property. He requested for a waiver especially on this issue. (Following questions from the committee the objector clarified that his use of the term 'waiver' was intended to mean that he was requesting that the committee agree to omit the basement excavations from the application.)

- In response to the objectors concerns, the applicant stated that a structural engineers report had been submitted with the application. The Planning Officer acknowledged no works would commence until a structural report had been submitted and were issues to arise in the future this would be addressed through Party Wall agreement. Meeting was informed that a structural engineer would be engaged on site to assess any problems. The Chair stated that in addition if the applicant wished to engage his own structural engineer then the applicant would be liable for the cost of this under the Party Wall Act.
- Members welcomed and supported the scheme considering that the building that had been abandoned for quite a while and importantly the addition of the new social rented housing units.

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

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

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REDWOOD COURT, 85 SUNNYSIDE LONDON, N19 3SN (Item B5)

Proposed rooftop telecommunications upgrade involving; the replacement of existing antennas, dish and cabinet with 6 no. new antennas, 3 no. dishes and 2 replacement equipment cabinets to facilitate 5G coverage.

(Planning application number: P2019/1652/FUL (Council Owned Building))

In the discussion the following points were made:

- The Planning Officer informed the meeting that although the site is situated within the Whitehall Park Conservation Area, there are no statutory or locally listed buildings in the vicinity of the site nor is Redwood Court listed, so there is no impact on heritage assets.
- Members were reminded that issues for consideration with the proposal include the impact of the proposals on the character and appearance of the Conservation Area, public benefits, impact on the amenities of surrounding occupiers and public health implications.
- With regards to the impact of the proposal on the character and appearance of the conservation area, the Planning Officer highlighted concerns of the Design and Conservation Team with regards to telecommunications equipment being installed on roof tops. The Team recognised that considering the host building is not an undesignated heritage asset and is

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considerably higher than its neighbours it will only have a neutral impact.

- Members were reminded that installations of any telecommunications is governed by national and international legislation and guidance which requires the need to comply with limitations imposed by the International Commission of Non-Ionising Radiation Protection (ICNIRP).
- A Member of the public expressed concerns about health risks in connection with 5G masts, especially to children, and that residents had not been informed of the proposals before commencement. A resident requested for public discussion of the dangers of 5G with residents before decisions are taken to erect them on tenants properties prior to applications being approved.
- A neighbouring resident stated that she had concerns about 5G and the effects of radiation and believed that 4G is perfectly adequate for mobile phone use. In addition, she noted that there is evidence of associated dangers with prolonged use of 5G mast and its technology.
- The applicant stated that all telecommunication equipment and its installation operates to international standards and must be in compliance with ICNIRP guidelines. The applicant indicated that the equipment is low sound generating, designed to be in full compliance with guidelines and sufficiently separated from nearby residential accommodation to cause any disturbance.
- In response to public health concerns raised by objectors, the Planning Officer informed the meeting that colleagues in Public Health had considered the proposal and provided guidance that risks to public health is low and that the deployment of 5G does not pose a threat to the health and safety of residents (the public Health commentary on 5G, which was included with the papers was noted by the Committee). In addition members were advised that the electromagnetic radiation emitted by the proposed antennas would comply with ICNIRP Guidelines, and that the proposed installation has the appropriate certification.
- In response to consultation concerns, the Planning Officer stated that 179 letters of consultation had been sent to residents in the block and surrounding area, and no responses were received. The applicant on the other hand stated that although he did not have precise details of the consultation carried out but was sure the company's consultation plan which included contacting the Ward Councillors would have been carried out in addition to the Council letters of consultation.
- A Member stated that whilst recognising that the application met certification standards telecom companies had to recognise the need to be in discussion with the public to allay their fears given the concern over 5G, that for future applications the applicant's consultation process needs to be more robust.

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The applicant stated that for future applications they would undertake to contact residents affected in addition to Ward Councillors.

- In response to a suggestion for applicants to facilitate public meetings prior to applications being put forward to planning committee so as to allay public safety concerns, the Planning Officer highlighted Paragraph 116 of the National Planning Policy which states that Local authorities must determine applications on planning grounds only and not question the need for an electronic communication system, or set health safeguards different from the International Commission guidelines for public exposure.
- It was noted that in the report there was evidence from the Director of Public Health on the scientific advice on 5G, and that in view of this and the ICNIRP certificate the Committee were not in a position to reject or ignore such advice.
- A view was expressed that 5G masts seemed to be erected in a haphazard manner across the borough, mainly on high rise Council blocks, and that there needed to be a more co-ordinated approach by providers to the erection of masts.
- Councillor Clarke proposed an amendment to the recommendation for the application to be deferred for further consultation with residents which was seconded by Councillor Mackmurdie. Motion to defer was put to vote, which was lost by 5 votes to 2.

Councillor Klute proposed a motion to grant planning permission. This was seconded by Councillor Kay.

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.

The meeting ended at 9.35 P.M.

CHAIR