

London Borough of Islington

**Planning Committee - 14 November 2024**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 14 November 2024 at 7.30 pm.

**Present:**      **Councillors:**      Klute (Chair), Hayes (Vice-Chair), North (Vice-Chair), Convery, Craig, Ogunro, Jeapes, Nanda and Hamdache

**Councillor Martin Klute in the Chair**

**130      INTRODUCTIONS (Item A1)**

Councillor Klute welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.

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

Apologies were received from Councillor Clarke.

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

There were no declarations of substitute members.

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

There were no declarations of interest.

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

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

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

**RESOLVED:**

That the minutes of the meeting held on 15 July be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**136      MEMBERSHIP OF PLANNING SUB COMMITTEES 2024/25 (Item A7)**

Meeting was advised that at the meeting of Annual Council on 19 September 2024 membership of the Planning Committee was agreed.

Chair informed the meeting that Vice Chair of the Planning Sub Committee's be appointed by the respective bodies.

**RESOLVED:**

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- a) That the Sub-Committees be confirmed as five member Sub-Committees and that the terms of reference be noted.
- b) That the allocation of seats was determined in accordance with the advice in the report.
- c) That Councillors North, Convery, Craig, Jeapes and Ogunro be appointed as members of Planning Sub-Committee A for the current municipal year or until their successors are appointed.
- d) That Councillors Hayes, Clarke, Klute, Hamdache and Nanda be appointed as members of Planning Sub-Committee B for the current municipal year or until their successors are appointed.
- e) That it be noted that Councillor North had been appointed Chair of Planning Sub-Committee A and Councillor Hayes had been appointed Chair of Planning Sub-Committee B for the municipal year or until their successors are appointed.
- f) That it be noted that any member who was a member or substitute member of the Planning Committee could substitute at any meetings of either Sub-Committee if they had not been appointed as a member of the Sub-Committee.

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### **NEW RIVER HEAD, LAND REAR OF 28 AMWELL STREET, LONDON (Item B1)**

Change of use and conversion of Grade II listed buildings known as the Engine House, Boiler House, Coal Store and Windmill Base from Class E (Commercial, Business and Service) to Class F1 (Learning and Non-Residential Institution) for gallery, exhibition and education use with ancillary shop, cafe and office uses. Occasional use as an events venue for private hire. Reconfiguration of North Stores and construction of foyer link between North Stores and main buildings. Provision of landscaping and public realm enhancements including creation of a pedestrian route through the Site. Reconfiguration of new vehicular and pedestrian access into the site from Amwell Street and pedestrian and servicing access from Myddelton Passage. External lighting scheme also proposed. (Joint Listed Building Consent submitted ref: P2024/1543/LBC).

(Planning application number: P2024/1540/FUL & P2024/1543/LBC)

In the discussion the following points were made:

- The Planning officer informed meeting that site covers an area of approximately 0.17 hectares, in a back land location to the rear of Charles Allen House, 28 Amwell Street and lies northeast of Amwell Street, close to the junction of Amwell Street with River Street, and southwest of Myddelton Passage. It was noted that site is located in the New River Conservation Area and contains various Grade II listed buildings.
- Meeting was advised that the land remains in its original use as part of an operational water provision facility, that Thames Water maintains an operational pump within the ground floor of the pump house building. It was also stated that Thames Water requires continued access to a borehole to the northeast of the windmill base and to part of the north stores building, however, Thames Water

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- have released parts of the site for other possible uses, subject to planning permission and listed building consent being granted.
- Key planning considerations include the principle of land use, design and conservation, neighbouring amenity, transport, inclusive design, sustainability, trees, fire safety, planning obligations and planning balance.
- Planning Officer informed meeting that building has been left for a number of years and is in state of disrepair and notably internally it needs attention
- In terms of land use, meeting was advised that the proposal is a change of use from Thames Water Infrastructure facility to Use Class F1 (Learning and non-residential institution) which will now be the primary use. In addition the proposal offers an Ancillary Office and Café Use, a new pedestrian Pathway from Amwell Street to Myddelton Passage, the Heritage Interpretation Across Site and the Occasional Private Hire Use which will be controlled via Operational Management Plan (Condition 5).
- Meeting was advised that since previous was granted consent in May 2022 there have been three main Changes, increased width of Café Terrace, the removal of second floor to East End of North Stores and the removal of western extension to West End of North Stores (Education Studio).
- In terms of planning balance, meeting was advised that the new use will be the optimum viable use of the site and justified via NPPF guidance.
- Planning Officer reminded meeting that changes proposed to North Stores are less harmful to heritage as more historic fabric is being retained, that the footprint of North Stores remains as existing with only internal/external refurbishments now required.
- Planning Officer acknowledged that although there are some limited extra heritage harm identified by the café terrace extension, on balance there are heritage benefits to North Stores, noting that it has a neutral impact when compared to extant scheme.
- Meeting was reminded that proposals to rent out office space to third parties has been removed from scheme, that same planning obligation and benefits that were agreed as part of previous application also form part of the current application which provides social and cultural benefits to the immediate area and wider borough. In addition the new cultural use will bring further socioeconomic benefits to the borough beyond those captured via S106.

Councillor Klute proposed a motion to Grant planning permission and Listed Building Consent. This was seconded by Councillor North 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, 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 and listed building consent to be granted subject to the conditions set out in Appendix 1

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### **48 CHISWELL STREET, LONDON, EC1Y 4XX (Item B2)**

Partial demolition, recladding and refurbishment of existing building alongside erection of two storey roof extension to provide Class E(g)(i) Office floorspace, alongside Class E(a) Retail use at ground level. The proposals also comprise the delivery of cycle parking at

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basement level alongside the provision of landscaped roof terraces, the installation of replacement plant equipment and associated enclosure, and all associated and ancillary works

(Planning application number: P2023/3522/FUL)

In the discussion the following points were made:

- Planning Officer advised that since the publication of the agenda, the Accessible Transport Contribution and the Employment and Training Contribution has been amended, that the new amounts secured are policy compliant and reflect the reduction in proposed floorspace made in the time since application was first submitted. Condition 5 has been updated to reflect the changes.

- The site is immediately adjacent to and partly within the Chiswell Street Conservation Area which contains an enclave of buildings dating from the mid-18<sup>th</sup> century to the mid-19<sup>th</sup> century. It was also noted that site is opposite the Brewery Conservation Area and the Barbican Conservation Area and quite close to St Luke's Conservation Area. In addition to above, Planning Officer stated that the existing building is quite prominent in the townscape and forms part of the setting of these heritage assets and that development of the site has the potential to affect the setting and significance.

- Key planning considerations include land use; design and appearance, building height, neighbouring amenity, transport and highways, energy and sustainability and planning balance.

- In terms of land use, meeting was advised that site is located in the Central Activity Zone (CAZ) and an international and national significant office location and is a site allocation within the Bunhill and Clerkenwell Area Action Plan for the intensification of office floorspace. It was noted that the applicant proposed a 5.554sqm (GIA) uplift in floorspace compared to the existing building.

- Planning Officer acknowledged that the basement office floorspace would not benefit from exceptional level of natural light or external outlook as is achieved with the upper floors, noting that the space would be provided with dedicated access and adequate floor to ceiling heights and a well-considered layout.

- Meeting was informed that the Council's affordable workspace team advised that the affordable workspace offered could be challenging to let due to its size and location in the basement. It was noted also that the applicant could not offer the space on the upper levels of the building where the location would be more attractive to prospective tenants.

- Members were reminded that whilst the policy position is to secure AWS space on-site, the Council's AWS Team are satisfied that an off-site contribution is appropriate in this circumstance and that it will enable the AWS within the borough on other sites. Planning Officer stated that the amount has been agreed with the applicant and would be secured through an obligation within the S106 agreement.

- Meeting was advised that proposals are broadly consistent with local policy in terms of land use and would result in the intensification of office use within the CAZ and the Bunhill and Clerkenwell AAP area

- In terms of design and conservation it is considered that the applicant proposes a high quality level of architecture with a much improved façade treatment and high quality materials which lends well to a better relationship with the street, strengthened legibility, an improved corner treatment with a more generous public realm, increased urban greening and new external amenity for future occupiers.

- Meeting was advised that the proposal represents a departure from the development plan as it would not comply with Local Plan policy DH3, relating to Tall buildings which states that buildings of more than 30m will be acceptable in principle only on designated sites. Also the increase in height leads to less than substantial harm to neighbouring heritage assets

- The proposed increase in massing and building height on the site would have a greater impact on neighbouring amenities when compared to the existing built form and it is

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- acknowledged that there are negative impacts in terms of daylight. However, it is not considered that these amenity impacts are sufficiently harmful to justify a reason for refusal.
- The application proposes a number of energy efficiency measures and proposes to retain a very significant proportion of the existing building structure. Whilst the proposed reduction in carbon emissions would be lower than policy requirements, it is accepted that this is a result of retaining the existing structure and on the whole, the energy and sustainability measures are considered to be a benefit of the scheme.
  - On balance, the harm created by the breach of the tall building policy and the harm to heritage assets that results, is outweighed by the scheme benefits, notably the high-quality architecture and improved façade, and the range of community benefits agreed through the 106 (off-site contribution to affordable workspace to be secured by the council; employment and training benefits for the local community). The proposal is considered to be acceptable and is recommended for approval, subject to conditions and a S106 agreement to secure suitable planning obligations and financial contributions in order to mitigate the impacts of the development.
  - The applicant's team has worked with council officers to refine the design, that the building line on Chiswell Street has been pushed back following officer advice so that it does not appear too dominant, close off street views or disrupt the established building line.
  - Meeting was informed that the detailing and materials have been refined and the proposed cladding material is now a brown glazed brick which works well and compliments the colour palette and materials in the immediate context. Details and samples of the proposed brick work is to be secured through condition 3.
  - With regards to the cladding and façade treatment, meeting was advised that applicant proposes to remove the existing cladding and introduce a new façade design which is considered an improvement upon the existing situation and would achieve a high-quality finish which would be much more contextually appropriate.
  - Meeting was advised of the rear of the existing building as being already dominant and that the proposed development would include some additional massing and height in this area. Applicants have worked with Officers to refine this part of the building to minimise any adverse impacts on the neighbouring site.
  - With regards the roofs and terraces, meeting was informed of limits to provide urban greening on the site because the building footprint covers almost the entire area however opportunities for greening have been maximised as far as possible through the provision of planted terraces and green walls. Also additional amenity space for future users is welcomed. It was also noted that the design of terraces and balustrading is well considered and would not result in any visual 'clutter' visible from street level.
  - Planning Officer advised that the existing building has a height of approximately 31.82m above adjoining street level at its highest point and not including the outline plant equipment which could add up to an additional 3 meters in overall height. It was noted that the proposed development would result in a tall building which is taller than the existing tall building on site and on a site with no allocation for a tall building, hence it is advertised as a departure from the Local Plan.
  - It was noted that despite some beneficial design refinements to the proposed building such as using complimenting materials, resulting in some minor level of less than substantial harm to the neighbouring assets, the harm principally results from the height and scale of the proposal and could only be eliminated by reducing the height and scale significantly.
  - On the impact of the development on neighbouring amenity, planning officer that although a commercial building it is assessed as if it is a residential building, that a sufficient distance exists between the site and neighbouring amenities, that the proposed massing would not create an unusual or unreasonable relationship to surrounding properties in the surrounding area.
  - In addition it was stated that as site is set away from neighbouring residential properties there are no overlooking and privacy concerns especially as windows on rear elevation would have narrow aperture and features deep spandrels to overlooking to Whitbread Estate.

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- Meeting was advised that a noise report has been submitted which has been conditioned to address any issues from the plant equipment and any noise from the use of the amenity terrace, which is considered acceptable subject to conditions securing an operational management plan and restricting hours of use.
- On daylight loss, planning officer advised that results from the assessment show that properties within the Whitebread Estate, Sundial Court and Bunhill Row would experience some level of non-compliance with the BRE thresholds.
- Similarly with regards sunlight impact, analysis shows that of all the assessed properties 15 rooms would experience proportional reductions in Annual APSH in excess of 20%.
- It was also noted that 24 neighbouring amenity areas including the private amenity spaces of Whitebread Estate properties and the estates shared amenity space were tested for sun-on-ground and it shows that the private amenity spaces of one property in Cooper House and two properties in Shire House would experience considerable reductions in the amount of overshadowing experienced as a result of the proposed development.
- Planning Officer informed meeting that the submitted Daylight and Sunlight Impact Assessment confirms that all affected amenity spaces would achieve BRE compliance receiving at least 2 hours in 50% of the space by 11<sup>th</sup> April and indicates that it is likely that unacceptable levels of sunlight occur for 6 weeks of the year.
- On the issue of transport and highways, meeting was informed that refuse store is located within dedicated servicing bay and delivery and servicing will use dedicated servicing bay within development.
- All on-site parking has been removed, there is a provision of 230 long stay cycle parking spaces, 42 short stay spaces and 28 accessible parking spaces.
- A number of energy and sustainability measures have been introduced with the result that there is a reduction of 19.3% carbon emissions and that a financial contribution of £118,100 has been secured from the applicant to offset the remaining carbon emissions. The Scheme's BREEAM rating is excellent, that the proposed PV array will generate annual power of 16,300 kWh. Planning Officer noted that the lifetime carbon is 953.4kg CO<sub>2</sub>/m<sup>2</sup> which is 43% below the GLA's WLC benchmark and 18% below the GLA's aspirational WLC benchmark.
- In summary planning officer stated the impact of the development such as the tall building on site with no tall building allocation, limited daylight and sunlight impacts, overshadowing of Whitebread Estate amenity space and less than substantial harm on heritage assets, the benefits included fulfilment of site allocation re BC40, retention of existing building structure and strong whole life carbon performance, improved architecture resulting in smaller building footprint at corner of Chiswell Street and Whitecross Street, removal of all on-site car parking and larger than policy compliant provision of cycle parking and funding the delivery of a number of programmes in the surrounding area across a three-year period.
- Objections included lack of consultation with residents of adjoining properties despite living 20m to the site, concerns as a result of the proposed roof terrace have not been sufficiently addressed, that having planters by the edge of the terrace will prevent overlooking. There was also concern about light pollution and a request for automated blinds which operates at certain times of the evening due to office lights being left on. Another objector requested a condition to be secured to limit noise from the use of roof terraces or from the plant on the roof or extractors recommending it to be a minimum of 10 decibels or lower ambient noise.
- In response agent advised that the building which will be vacant in the next few months is located at the southern part of the borough at the heart of Central Activity Zone (CAZ), that the proposal represents an opportunity to activate the area which in its current form fails local residents and local economy. Members were reminded that the proposal retains over three quarters of its existing structure, thereby achieving a strong whole life carbon performance and that the proposal would revitalise the floor space for flexible users.
- The agent acknowledged no overlooking concerns noting that it will work in line with the suggestions of the objector on the issue of landscaping on the roof terrace, that technology exists to address light spillage concerns. On the use of the roof terrace, meeting was

advised that it is not accessible to the public however there will be an Operational Management Plan to address the hours of use.

·In response to the question on the lack of affordable work space on site , meeting was advised that the provision in the basement was not ideal for future letting according to the Council Inclusive and Economy Team and had issues with lack of lighting.

·On the applicants offer to the delivery of a number of programmes in the surrounding area across a three year period in absence of the affordable workspace on site, the agent acknowledged that besides what has been stated earlier, there were be apprenticeship opportunities provided and painting of on-site hoardings.

·In summary, the Chair reiterated the intention to renew the building and not replace it as good practice in the industry, that the proposed architectural treatment of the building is good, however the two extra floors to the building has raised concerns not only during the pre-advice meeting with council officers but subsequently by the GLA who have stated that it is not compliant with GLA Policy. Members were reminded of Design Review Panel's specific comments about height and massing who concluded that it is a challenge to Islington Policy, that the building is a large intrusion, noting their solution is to remove the two floors.

·Members were of the view that as the scheme is a departure from the development policy, the additional benefits described in the S106 could only be described as hypothetical and vague, that similar schemes which committee had considered and granted planning permission applicants had offered benefits which were tangible such as provision of affordable workspace with tenure in perpetuity or long leases and in this case this was not offered.

·Members were of the view that assessing the planning balance was not possible with this scheme and should be deferred so that applicant could address the 3 main issues, the height and massing of the proposal, the S106 needed to be clarified as the details are not specific and clear and applicants to consider if the affordable workspace could be provided on site.

Councillor Hamdache proposed a motion to defer the application. This was seconded by Councillor North and carried.

**RESOLVED:**

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

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**BARNBURY ESTATE , LONDON N1 (Item B3)**

Application to vary Condition 3 (Approved Drawings) and 52 (Number of Dwellings) of planning permission ref: P2022/1898/FUL, dated 23/03/2023 for:

“Hybrid planning application for the phased redevelopment of the site comprising:

Phased demolition of all existing buildings and structures, site preparation and enabling works (including excavation), phased construction of buildings (including basements) comprising residential units (Use Class C3); Hard and soft landscaping works including public open space access and highway alterations, car and cycle parking provision, and; All other associated ancillary works (No Matters Reserved for future approval (the “detailed element”)); and

Site preparation and enabling works (including excavation), phased construction of buildings (including basements) comprising residential units (Use Class C3) and flexible commercial, business and service floorspace (Use Class E) and local community floorspace

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(Use Class F2); Hard and soft landscaping works including public open space, access and highway alterations, car and cycle parking provision, and; All other associated ancillary works (All Matters Reserved for future approval (the “outline element”))”

The applicant seeks to vary Conditions 3 and 52 to allow for amendments to Phase 1A of the development. Revisions to the massing and layouts of buildings A3, B1 and B2 are proposed to accommodate second staircases and to accommodate an increased number of homes, brought forward to the first phase of the development (the total number of homes provided across the development would remain as consented). Amendments to the elevational design are also proposed.

(EIA Application)  
(Departure from the development plan)

(Planning application number: P2024/2412/S73)

In the discussion the following points were made:

- Since the publication of the agenda, meeting was advised of an additional representation however did not raise no new considerations. It was also noted that HSE have provided further comments regarding the new design information provided by the applicant stating that concerns raised have been suitably addressed.
- Meeting was advised that planning permission was granted in 2022, that the application seeks a minor material amendment (under section 73) to the extant planning permission.
- Members were reminded that since planning permission was granted, the Building Safety Act 2022(BSA) has come into effect, a new legislation which identifies residential buildings over 18m in height as high risk building and are now subject to stricter regulatory standards. There is now a requirement for residential building over 18m to be provided with a second means of escape.
- It was noted that presently the consented scheme would have access to only one stair core so proposal would bring the development into compliance with the Building Safety Act. Applicant has begun the process of a comprehensive redesign to ensure that all relevant homes would have access to the two stair cores.
- Application proposes amendments to Phase 1 A of the approved development to provide second means of escape to all homes within Blocks A3, B1 and B2 and to increase the overall number of homes provided across Phase 1A by 32, to a total of 134. In addition amendments to the elevational design are also proposed.
- Planning Officer reiterated that whilst the application proposes an additional 32 homes within Phase 1A, no change is proposed to the total number of homes and housing mix across the wider master plan, that a total of 914 homes would still be provided with 32 fewer homes being delivered in the outline element of the development.
- Meeting was advised that applicant seeks to vary condition 3 and 52 to allow for amendments to Phase 1A and that revisions to the massing and layouts of buildings A3, B1 and B2 are proposed to accommodate a second staircase and to accommodate an increased number of homes, brought forward to the first phase of the development, noting that the total number of homes provided across that development would remain as consented.
- Key planning considerations include land use; design and appearance, trees, quality of residential accommodation, neighbouring amenity, fire safety and planning balance.
- In terms of the land use, Planning Officer stated that notwithstanding the amendments to the dwelling mix and housing delivery timescales, the application is broadly consistent with the approved scheme. Also the amendments would not affect the previously approved retail, nursery, and community spaces and the overall number of homes provided so considered in accordance with the London Plan and the local development plan.
- With regard to the design and appearance considerations, meeting was a advised that although the proposed design amendments would result in an increase in height and



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massing, it is considered that this would not detract from the principles of the consented masterplan nor the architectural quality. Meeting was advised that the proposed changes have been carefully designed to accommodate the new fire safety measures.

·As consented, the development would result in the loss of 150 trees, with 52 existing trees retained and the planting of 202 replacement trees an uplift of 52 new trees on the site.

Meeting was advised that applicant has submitted adequate information to demonstrate that the proposed replacement planting would re-provide the canopy cover loss within 11 years, an improvement on the consented tree planning scheme which stated 15 years.

·On the quality of accommodation, the proposed amendments within the application will result in revised layouts to all homes to be delivered in Phase 1A, that of the 134 homes proposed in Phase 1A all would exceed the GLA's minimum space standards and 26% would meet the best practice space standards.

·Planning Officer acknowledged the increased number of single aspect within Phase 1A, and poor daylight levels as regrettable, however in accordance with Local Policy H4, no single aspect units be north facing or facing onto key roads or significant sources of noise or pollution. It was also stated that given that the proposal would result in the delivery of a second means of escape in an emergency in line with the Building Safety Act, and given the overall planning balance the increase in single aspect units is acceptable.

·Planning Officer acknowledged that although the increased massing would result in buildings A3 and B1 extending northwards and closer to the existing buildings on the northern side of Copenhagen street, any overlooking from these changes would be across public highway and therefore considered acceptable.

·The Planning Officer acknowledged that the proposed layouts and changes to scale and massing has resulted regrettably in a considerable number of rooms not meeting the BRE guidelines for daylight levels within Phase 1A, albeit with some instances of improvements noting that this is due to amendments to the building layouts and massing which have been made to address the Building Safety Act (BSA).

·In terms of loss of sunlight and its impact, meeting was advised that 68% of rooms would fail to receive at least 1.5hrs of sunlight more than the 58% rooms in the consented scheme. As stated above with daylight loss this is due to changes to the layout, the increase of the single aspect units and the need to comply with BSA.

·The proposed changes would have a lower level of less than substantial harm on neighbouring listed buildings and conservation area. The proposed changes is not considered to be increased level of harm compared to consented.

·On the quality of residential accommodation, meeting was advised that all units meet or exceed GLA's minimum space standards, 26% of the units meeting GLA's best practice space standards. In addition all units continue to be provided with good quality amenity space. The proposed amendments are not considered to give rise to additional overlooking concerns subject to conditions securing details of overlooking mitigation.

·Meeting was advised that the applicant has sufficiently considered fire safety for the current stage of design, that condition 33 has been secured requesting for an updated fire strategy which will ensure that all fire safety matters are addressed prior to the commencement of superstructure works.

·Meeting was reminded that all proposed amendments relates to Phase 1A only, that any further changes applicant would be required to apply for a new permission.

·No changes to car parking from the consented scheme and additional spaces have been provided to respond to additional homes.

·In summary the planning officer in reiterating the impacts of the development such as the less than substantial harm to heritage assets, loss of 5 additional trees, the increase in number of single aspect units and increased daylight and sunlight impacts, he highlighted the benefits of the amendments as it's compliance with Building Safety Act, the expedited delivery of replacement affordable homes, more efficient decant strategy which will minimise disruption for residents and replacement of lost tree canopy cover being brought forward 4 years earlier.

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Councillor Klute proposed a motion to grant planning permission. This was seconded by Councillor North 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 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 9.30 pm

**CHAIR**