

London Borough of Islington

**Planning Sub Committee A - 31 October 2017**

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 31 October 2017 at 7.30 pm.

**Present:**           **Councillors:**       Angela Picknell (Chair), Nicholls, Gantly and Ward

**Councillor Angela Picknell in the Chair**

**41           INTRODUCTIONS (Item A1)**

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

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

There were no apologies for absence.

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

There were no declarations of substitute members.

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

There were no declarations of interest.

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

The Chair stated that the order of business would be B6, B1, B7, B3, B2, B5 and B4.

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

**RESOLVED:**

That the minutes of the meeting held on 4 September 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**47           10-11 CLERKENWELL GREEN, ISLINGTON, LONDON, EC17 0DP (Item B1)**

Erection of a single storey roof extension, part four storey rear extension, excavation at lower ground floor and internal and external alterations including new shopfront, to create an additional 555 square metres of B1 office floorspace, creation of roof terraces at first and

fourth floor front elevation and on the rooftop at fifth floor level, installation of planted screen and installation of plant equipment to rear of rooftop.

(Planning application number: P2016/4972/FUL)

In the discussion the following points were made:

- The Planning Officer advised Members that the item for consideration was deferred at the last meeting on 4 September 2017 for an updated sunlight and daylight test report. Officers also confirmed that the massing of the proposed extension was the same as previously presented at the last Committee.
- Members were informed that the submitted Daylight and Sunlight report concluded that rooms which experienced transgressions in the BRE guidelines were located predominantly on the lower floors of the building at 8 & 9 Clerkenwell Green and that the retained levels of both daylight and sunlight was consistent with the levels of loss experienced in a close knit urban environment. Officers confirmed that the site specifics and the levels of sunlight/daylight levels were not of such a degree that officers could justify a refusal on this basis.
- In response to concerns about overlooking and loss of privacy and where values no changes had been made to the form or volume of the proposed extensions, that consideration had been given to the position and proximity of the proposed extensions in relation to the adjacent residential properties on 8 & 9 Clerkenwell Green and other adjoining properties and the existing relationship and structures on site.

**RESOLVED:**

That planning permission be granted subject to the conditions and heads of terms (to be secured by S106 Legal Agreement) set out in Appendix 1 of the officer report.

48

**112-114 ISLINGTON HIGH STREET, LONDON, N1 8EG (Item B2)**

Demolition of existing furniture store and erection of new 2-storey building containing 2 x 1-bedroom apartments in yard space behind 112-114 Islington High Street. Construction of new furniture store in rear garden. Associated external alterations including alterations of accesses and provision of bicycle and bin storage.

(Planning application number: P2017/2382/FUL)

In the discussion the following points were made:

- Members were advised that at the meeting of the Committee on 10<sup>th</sup> May 2017, the previous planning application was considered an unacceptable form of development and refused planning permission.
- The Planning Officer informed the meeting that although there had been some alterations to the previous scheme such as installation of additional windows to the eastern elevation of the two storey building; alterations to the proposed external stair case and fire escape route and an increase in the private amenity space to each residential unit, the design of the proposed two storey building was considered an inappropriate form of development and there was still an issue of the overdevelopment of the site due to inappropriate scale and massing of the proposals.
- The Planning Officer advised Members that the scheme would provide a poor standard of accommodation for future occupiers and access to the scheme fails to deliver a legible and logical approach and entry contrary with Policy DM2.2 of the Islington Development Management policies 2013.

- In addressing concerns that the proposed scheme would provide poor living conditions for future occupiers, the agent advised that the scheme would provide high standard quality accommodation with habitable rooms of full height. The agent also stated that the proposal would not extend beyond neighbouring properties building lines.
- Members were concerned with the standard of the residential units especially for future occupiers and agreed that the scheme was not policy compliant and that most of the reasons for refusal had not been addressed fully in the revised scheme.

Councillor Picknell proposed a motion to refuse planning permission on grounds stated above. This was seconded by Councillor Nicholls and carried.

**RESOLVED:**

That planning permission be refused for the reasons set out above, the wording of which was delegated to officers.

REASON: The proposed 2 x 1 bedroom residential units are considered to provide a poor standard of internal living accommodation by reason of their single aspect nature resulting in a poor outlook. The units would therefore fail to provide an adequate living environment for prospective occupiers. The proposal is therefore considered contrary to the London Plan 2016 policy 3.5 and 3.6, policy CS12 of Islington's Core Strategy and policies DM3.4 (Housing Standards), DM 6.1 (Healthy Developments) & DM 3.7 (Noise and vibration (residential uses) of the Islington Development Management Policies 2013.

REASON: The construction of a two storey standalone building to the rear of the site represents an inappropriate and overdevelopment of the site by reason of the overall scale and massing of the proposed development. The development, by reason of the proposed bulk, scale and massing, would fail to be subordinate to, and would not respect or respond positively to, the existing buildings and would form dominant and discordant feature within the surrounding conservation area and wider urban setting. The proposed development is therefore considered to be contrary to policies DM2.1 and DM2.3 of the Islington Development Management policies 2013 and the Islington Urban Design guidance 2017.

REASON: The access to the proposed two residential units located to the rear of the site fails to deliver a legible and logical approach and entry contrary with policy DMP 2.2 (Inclusive Design) of the Islington Development Management policies 2013 and Islington Inclusive SPD.

**49      146 SEVEN SISTERS ROAD, LONDON, N7 7PL (Item B3)**

Demolition of existing commercial unit (B2). Construction of building over basement and four upper storeys to provide three storeys of B1(a) commercial space (490sqm) on the basement, ground and first floors and two storeys of residential (C3) accommodation at the second and third floor levels comprising one x 2-bedroom 4 person flat, two x 2-bedroom 3 person flats and two x 1-bedroom 2 person flats to create 5 self-contained units. Provision of cycle storage and refuse facilities and associated alterations.

(Planning application number: P2017/1889/FUL)

In the discussion the following points were made:

- The Planning Officer updated Members of an additional comment that had been received from the refuse and recycling team, after the publication of the agenda raising no objections to the scheme.
- Members were advised that the proposed development was considered policy compliant with a financial agreement for £115,000 towards Affordable off site Housing and £5,000 towards carbon offsetting to be provided to the local authority, prior to issuing a decision notice.
- Members discussed the prevailing character and building heights of the area and assessed the scheme against a previous refusal of permission to ascertain if the main reasons for refusal had been adequately addressed.
- Members welcomed the proposal as policy compliant, acknowledging the benefits of redeveloping a site that currently accommodates a low scale and visually poor existing building into a development that would deliver an attractive and productive mixed use building providing employment and additional much needed housing (with affordable contributions).

**RESOLVED:**

That 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.

50

**24-137 ELIA STREET, LONDON, N1 8DF (Item B4)**

Retention of 38 front and rear replacement steel communal entrance doors each with associated clear laminated glass panels and Steel Zintec solid panels and new door entry system to the residential properties at 24-137 Elia Street.  
(Planning application number: P2017/2409/FUL)

In the discussion the following points were made:

- The Planning Officer informed Members that item was before Committee as the application was Council owned development. The Officer advised that although works had been completed the proposal involved replacing the timber framed and poor quality doors with rear replacement steel communal entrance doors each with associated clear laminated and Steel Zintec solid panels and new door entry system.
- Officers informed members that updated proposed plans detailing the front doors treatment had been received which accurately reflected what had been installed on the site and officers recommended that this drawing be included in the approved plans list. Therefore, drawing numbers ELS-DR001 and ELS-DR005 to ELSDR0023 inclusive are to be superseded by amended drawing numbers ELS-DR001 Rev A and ELS-DR005 Rev A to ELSDR0023 Rev A inclusive.
- Members noted the changes to the entrance doors as proposed and considered the development to be policy compliant.

**RESOLVED:**

That planning permission be granted subject to the conditions set out in Appendix 1 of the officer report with an update to the approved plans list.

51

**LAND TO THE REAR OF 30-32 DRESDEN ROAD, LONDON, N19 3BD (Item B5)**

Section 73 application to vary condition 5 (Code for Sustainable Homes) and remove condition 7 (screening measures) in relation to planning permission P2013/4213/FUL dated 28/08/2014 for the erection of a two storey dwelling (at lower ground and ground floor level) to the rear of 30 - 32 Dresden Road.

(Planning application number: P2017/1056/S73)

In the discussion the following points were made:

- The Planning Officer advised Members that the S73 application was to vary conditions 5 and 7 from an existing permission which was granted on 15 July 2014.
- Members were informed that following the Ministerial Statement in March 2015 deleting a requirement to comply with a Sustainable Homes rating of no less than Level 4, the Council was not in a position to object to the removal of the reference to 'Code for Sustainable Homes' in Condition 5, however officers would suggest that condition 5 be reworded to meet these demands and not simply have it removed. Members were advised that the Council with its specific and rigorous sustainable policies for new build developments would still expect CO2 reductions and water usage targets.
- With regards to the removal of Condition 7 from the planning permission which related to overlooking concerns between the proposal and the rear window of the neighbours to the south, the Planning Officer advised that a site visit had confirmed that the nearest southern windows (32 Dresden Road) was over 18 metres from the windows serving the new dwelling and also other windows on the neighbours along Dresden Road was over 20 metres away from each window, which was over and above the Council's normal requirement to protect neighbours from overlooking which was 18 metres.
- Members were advised that the principle of the development had already been established under the original approval which the applicant was currently implementing. Also on the petition that was submitted, the meeting was informed that this was not a material consideration to this assessment.
- Members were informed that although the original permission required work to commence before the 28<sup>th</sup> August 2017, a site visit by officers had confirmed that excavation works to form part of the basement had commenced on site within the legitimate timeframe.
- The applicants queried the necessity for condition 6 (Car Free Development) which was attached to the Section 73 application but had not been included as a condition on the original scheme. Officers made members aware that the Section 73 process allows for both the removal and addition of conditions to a scheme which are relevant. Policy DM8.5 of the Development Management Policies resists provision of vehicle parking for new homes unless exceptional circumstances can be demonstrated. In line with this policy, it was considered appropriate to add this condition. Officers confirmed that they recommended this condition achieving a car free development be maintained.
- Members noted the Council's expectations and planning policies to ensure that new developments were car free and agreed the officer's recommendation.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 and subject to the 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.

**44 PEAR TREE STREET, LONDON, EC1V 3SB (Item B6)**

Demolition of the existing building and the redevelopment of the site to include the construction of a 5 storey including basement level mixed use development containing 863sqm office floorspace G1A (Class B1) on the lower ground, ground and first floors and 8 residential units (Class C3) on the second, third and fourth floors (6 x 2 beds, 2 x 3 beds). Provision of refuse & recycling facilities and cycle parking facilities on the ground floor and associated alterations.

(Planning application number: P2017/0865/FUL)

In the discussion the following points were made:

- Cllr Picknell and planning officers advised members that they had visited both adjoining neighbouring sites on Thursday the 26<sup>th</sup> of October 2017 at 26 Bastwick Street and the Pietra Lara Building to fully appreciate the merits of this particular case and its relationship to both adjoining properties.
- The Planning Officer advised that since the agenda was published one additional objection had been received in relation to overlooking into the courtyard area and loss of sunlight.
- The Planning Officer informed the meeting of changes to the application following the dismissal of the previous scheme at appeal in March 2016. The changes related to the design, height and bulk of the development and alterations to the rear terrace sizes, treatment and the inclusion glazed fin screening feature.
- In response to overlooking and loss of privacy concerns from the adjoining Pietra Lara building, Members were advised that by positioning the windows and balconies on the east elevation and by including obscurely glazed fins this would minimise the loss of privacy and overlooking issues. Officers advised members that there would be limited opportunities for direct overlooking of adjoining rear windows as a result of the developments recessed terraces and glazed screen feature. Officers discussed the potential adverse impacts of the screen feature and the rearward projection and height of the building in term of loss of daylight/sunlight, outlook, privacy and enclosure levels in detail. Officers discussed the appeal scheme plans and appeal inspector's findings also. Consideration was given to the separation distances, opaque finish of the screen and the set back of the proposed built form as key determinants in the case.
- With regards to concerns about the massing, height and bulk of the proposal, Members were advised that the proposed footprint of the building had been designed to respect the building lines of the surrounding properties and the proposed building covers the full footprint of the site at basement, ground and first floor levels. Members and officers discussed a length the prevailing building heights and typology around the site in determining the acceptability of the proposed massing within the development.
- In response to concerns raised by the Design officer, the Planning Officer advised that the proposed stair overrun/plant equipment would be set back 4.7 metres from the front building line and would measure 2.4 metres in height above the height of the roof at fourth floor level.
- Objectors raised concerns that issues around the loss of outlook had not been addressed in the report by officers, and the reported levels of daylight and sunlight loss was inaccurate. An objector requested Members to either defer the item so as to enable Officers address some of their concerns that had not been addressed in the report of if minded to grant planning permission to include a condition restricting the working hours to normal hours from Monday to Friday.

- Members were advised that the scheme had now been amended to ensure that sunlight and daylight loss to neighbouring properties was minimal and that windows in City University which currently experienced poor levels especially at the lower ground floor rooms were student accommodation for students which are a transient population as compared to a permanent residential accommodation. With regard to the impact on the windows of 26 Bastwick Road, the Planning Officer advised that this loss was to secondary windows on the north elevation facing the application site and not the principle windows to this units main living space which was considered to be acceptable bearing in mind the site specifics and dense urban location.
- Officers confirmed that the council did not require a sunlight/daylight report for properties across the public highway within Dance Square as these are across a highway in a dense urban location and are not directly opposite the site in this case.
- Officers confirmed that the revised scheme was considered to adequately address previous amenity concerns for both prospective and adjoining occupiers to an acceptable degree in relation to any material loss of daylight/sunlight, outlook, overlooking, privacy nor any undue sense of enclosure.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 and the 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 with an amended Condition 4 set out below to ensure that working hours for the development on site are only from Mondays to Fridays and not at all on Saturdays and Sundays.

CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The Statement shall also include:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Construction works on the site are restricted to Mondays to Fridays only and not at all on Saturdays, Sundays or public holidays.

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

REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.

Erection of roof extensions to Blocks A, B and C to provide 4 self-contained flats (2 x 2 bed flats and 2 x 1 bed flats). Erection of a 4 storey infill rear extension to Blocks A and B to enlarge 4 existing studio flats to create larger 1 bedroom flats. Elevational improvements to street elevations of all blocks and the provision of refuse & recycling and cycle storage facilities and associated alterations.

(Planning application number: P2017/0209/FUL)

In the discussion the following points were made:

- The Planning Officer advised Members that an additional letter of objection had been received since agenda was published which raised concerns on the revised scheme on issues related to the proposed improvements to the elevation, the Juliet balconies, the full height windows, the service shaft blocking light and ventilation, the loss of a fire exit door and safety concerns about the zinc material.
- The Planning Officer informed Members of an amendment to paragraph 10.28 in the report, that it should read 'the proposed service shaft would not provide light and ventilation to the bathroom as it is not open at the top floor'.
- In response to questions about fire safety concerns, the Planning Officer advised that although a written response had not been received from the Fire Service, no objections had been suggested following a telephone conversation and building control had requested conditions to be included as part of the planning permission.
- With regard to the relationship between the leaseholders and freeholders, the Legal Officer advised that this was not a planning consideration.
- Members were informed that applicant had agreed to increase the length of the shaft up to the top of the building so as to address concerns of residents about the loss of light to their bathroom following the erection of the 4 storey infill rear extension.
- Members were concerned that residents had not been consulted by the applicant and that officers had not received a written response especially in light of the proposed loss of a fire exit door from the Fire Service.
- Members noted the closeness of the adjacent locally listed building and boundaries of the conservation area. Members also considered the councils design and conservations officer's objections to the scheme. In discussing the design merits of the scheme members raised concerns regarding the overall design, scale, bulk, massing and zinc finish to the proposed roof extension and considered the proposed front balconies to be a discordant feature.
- Members suggested a refusal on grounds of the design, the loss of amenity for present occupiers, the erection of an inadequate ventilation shaft with associated poor ventilation and a contrived access arrangement to the shaft through an existing flat.
- Members also raised concerns regarding the loss of existing fire doors and lack of an integrated fire strategy for the scheme as a whole.

Councillor Picknell proposed a motion to refuse Planning Permission based on the agreed reasons stated below. This was seconded by Councillor Ward and carried.

**RESOLVED:**

That planning permission be refused for the reasons set out above, the wording of the reasons for refusal which was delegated to officers to be agreed by the Chair.

REASON 01: The proposed roof extensions (Blocks A, B & C) and balconies by reason of their inappropriate design, bulk, scale, massing and finishing materials would form a discordant and dominant features when seen from both the public and private realms. The



extensions would cause visual harm to the character and appearance of the host building and wider urban setting. The proposal would fail to preserve or enhance the setting of the adjacent locally listed building and the Tollington Park Conservation Area. The proposed development is considered to be contrary to policy 7.6 of the London Plan (2015), policies CS8 (Enhancing Islington's Character) and CS9 (Protecting and Enhancing Islington's Built and Historic Environment) of the Core Strategy (2011); DM2.1 of the Development Management policies 2013 and the Islington Urban Design Guidelines 2017.

Reason 02: The proposed development would result in the unacceptable loss of amenity levels to existing occupiers of the host building Block A in terms of loss of light and natural ventilation to the existing bathroom and corridor windows of these units and would create a contrived and unacceptable maintenance accessway to the proposed enclosed ventilation shaft/well through the proposed enlarged flats. The proposed development therefore fails to comply with DM2.1 of the Development Management policies 2013 and the Islington Urban Design Guidelines 2017.

The meeting ended at 10.45 am

**CHAIR**