

London Borough of Islington

**Planning Committee - 9 July 2018**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 9 July 2018 at 7.30 pm.

**Present:**           **Councillors:**           Klute (Chair), Kay (Vice-Chair), Convery, Graham, Khondoker, Chapman, Cutler, Nathan and Woolf

**Councillor Martin Klute in the Chair**

**9           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.

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

Apologies were received from Councillor Picknell.

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

There were no declarations of substitute members.

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

There were no declarations of interest.

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

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

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

**RESOLVED:**

That the minutes of the meeting held on 7 June 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**15          36-44 TABERNACLE STREET, LONDON, EC2A 4DT (Item B1)**

Partial demolition of existing 4-storey B1(a) office building, and construction of a new part 5, part 6-storey 3,592sqm B1(a) office building.

(Planning application number: P2018/1410/FUL)

In the discussion the following points were made:

- The Chair advised the committee that a previous application had been granted. This meant the committee should only consider differences between this application and the previous one.
- The planning officer advised that the application sought to increase the floorspace by building on the open service yard. There would still be two SME units at ground floor level.
- In response to members' questions about refuse arrangements and other schemes approved for the area, the planning officer advised that the senior highways officer

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had assessed this and had confidence in the refuse collection arrangements and the implications of the scheme in relation to other schemes in the vicinity.

- The planning officer advised that the energy officer was now satisfied with the application.
- The planning officer stated that with the uplift in workspace, the affordable housing contribution had been increased from £84,000 to £329,920.
- In response to a question from a member, the planning officer stated that the SME units would be at 100% market rent.
- The applicant confirmed that the uplift in floorspace was 30% with the SME floorspace increasing to 5% of the new total floorspace. The planning officer indicated that the Heads of Terms would reflect this figure.
- In response to a request from a member to include affordable workspace, the applicant advised that this would not be possible from a commercial perspective and confirmed that this was not required by policy.
- Glazing and light pollution were discussed and it was considered that the condition in the report would secure mitigation measures were in place.

### **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.

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### **7-8 WAKLEY STREET AND 328 CITY ROAD, LONDON, EC1 (Item B2)**

Demolition of all existing buildings and erection of part 1, part-2 and part 5 plus basement buildings to provide 3,330sqm of commercial (B1) floorspace and 670sqm of residential (C3) floorspace over 8 units. Associated refuse and cycle storage.

(Planning application number: P2018/0429/FUL)

In the discussion the following points were made:

- The planning officer reported that the first sentence of Paragraph 6.5 of the officer report should read, "The proposed development will provide 8 residential units within a block fronting Wakley Street, which represents a reduction of 18 units from the previously approved scheme".
- The chair questioned whether the building would be higher than that in the previous scheme and was advised by the applicant that if it was, it was only a marginal increase.
- In response to questions about the carbon offsetting, the planning officer stated that the carbon reduction indicated in the report was based on the energy efficiency of the building and renewable energy proposals.
- A member raised concern that the affordable workspace would be let at 75% of market value which was still a significant amount. The applicant stated that the offer of 10% of the uplift in commercial floorspace as affordable workspace was in excess of policy requirements and in addition they were providing a small sites contribution and CIL contribution. The member asked the applicant to improve their affordable workspace offer and the applicant agreed to increase the offer to 50% market value for 7.5 years. The affordable workspace floorspace would remain at 10% of the uplift in commercial floorspace.
- Concern was raised about the impact the height of the building could have on the neighbouring building at No. 9. Wakley Street.
- A member requested that the reference to the living wage in the Section 106 agreement be changed to refer to the current living wage.

Councillor Klute proposed a motion to condition that the Wakley Street building should be no higher than that in the previous scheme and that there should be no plant on top of the building. This was seconded by Councillor Chapman and carried.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report plus the additional condition outlined 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 with the reference to the London Living Wage being amended to refer to the current London Living Wage and the reference to affordable workspace being amended to require the applicant to provide the space at 50% market rate for 7.5 years.

**17 GRENVILLE WORKS 2A INC. 1 GRENVILLE ROAD AND 500-502 HORNSEY ROAD, LONDON, N19 (Item B3)**

Demolition of buildings and redevelopment of the land to provide 16 dwellings and 2215sqm of commercial floorspace together with landscaping, service yards, cycle storage, bin storage and associated works across two sites. The north site (500-502 Hornsey Road) would provide 490sqm of B1 (business) floorspace at ground floor and 16 dwellings above (2x1 beds, 11x2 beds and 3x3 beds, Use Class C3) within a 3-4 storey building. The south site (Grenville Works, 2a Grenville Road) would provide 1725sqm of B1 floorspace within a 4-storey building.

(Planning application number: P2017/3242/FUL)

In the discussion the following points were made:

- The planning officer reported that:
  - The applicant should be JPA and not Dominus
  - The first line of condition 14 in Appendix 1 of the officer report should state “At least 1725sqm (GIA) of B1(c) floorspace shall be provided.”
  - Under paragraph 6.3 of the officer report, the policy team had now provided their response to the consultation and they had no comments.
  - Paragraph 7.28 of the officer report should be amended to state that it was only the building to the north that had been reduced by one storey.
  - Paragraph 161 of the officer report incorrectly stated that there were 7 objections. There had been 11 objections from 10 addresses but some had not been logged when there was a change of officer. Four objectors had had notifications sent on 4 July 2018 instead of 27 June 2018. Some of their points had been covered in the officer report in paragraph 6.2 as they were made by other objectors or had not been made by others but had been included in the officer report in the assessment. The officer addressed the remaining points in the presentation. These included – overbearing/oppressive impact; overshadowing; lack of contextual information; noise from users; cumulative impacts with other developments; light pollution and lack of consultation by the developer.
  - Additional information had been submitted by the applicant covering daylight/sunlight impacts on the adjacent garden and clarifying why additional tests had not been carried out on windows.
  - The officer advised that the following conditions should be added to the list of those in the officer report:
    - DELIVERY AND SERVICING PLAN

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CONDITION: The development shall be carried out strictly in accordance with the Delivery and Servicing plan hereby approved.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

- DELIVERIES, COLLECTION AND LOADING

CONDITION: Deliveries, collections, unloading and loading associated with the B1 commercial uses shall only be between the following hours:

Monday to Saturday - (08:00 - 20:00)

Sundays/Bank Holidays - not at all

REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic

- HOURS OF OPERATION

CONDITION: The B1 commercial floorspace hereby approved shall not operate outside the hours of 07:30 - 21:00

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

- REMOVAL OF PD RIGHTS

CONDITION: Notwithstanding the provisions of Classes C, D, G, J or M of Part 3 or Class D, E of Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by any Order revoking and re-enacting that Order, no change of use of the B1 floorspace shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.

REASON: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS 14 of the Islington Core Strategy (2011), policies DM4.1, DM4.2, DM4.3, DM4.4, DM4.12 of the Development Management Policies (2013) and Policies BC3 and BC8 of the Finsbury Local Plan. (2013)

- NO OBSCURING OF SHOPFRONTS

CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.

REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.

- PLANT NOISE AND FIXED PLANT

CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least

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5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.

The development shall be carried out strictly in accordance with the scheme so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To secure an appropriate internal residential environment.

- Concerns were raised about the differing costs shown within the viability assessments. The BPS representative stated that one figure was an electronic calculation created by the toolkit and the other figure was calculated by the applicant following the submission of a number of documents including the cost plan. BPS had run their own cost appraisal and concluded that the costs would be £8.2 million, similar to the applicant's figure and this would result in a deficit.
- In response to a question about the policy team comments, the planning officer advised that they were happy that the commercial floorspace was being maximised and considered the quality of the floorspace to be good.
- The relationship between the south side proposed development and the adjoining house was considered.
- In response to a member's question as to why there were no affordable housing contributions, the BPS representative advised that the site was deemed not to be viable. If this changed in the future, the Section 106 would induce an advanced stage viability review.
- Concerns were raised by residents regarding:
  - The impact on the adjacent property;
  - That the scheme was putting all the existing commercial floorspace on the south site and creating residential units on the north site;
  - Not all the DRP comments had been taken into account and the scheme was a bland design
  - There were existing parking issues and the scheme did not secure adequate parking controls or deliveries/servicing and it was not clear how this would be managed or enforced, taking into account the existing weight restriction on Grenville Road. Road narrowing should be required.
- Following a request from a member the applicants confirmed that they would be willing to provide the affordable workspace at a peppercorn rent for 10 years.
- A member raised concern that the applicant was unable to provide clarification on the viability figures.
- A member asked whether the current owners who had been on the site for 40 years had any outstanding mortgages or loans on the land. The applicant responded that there were no outstanding mortgages or loans on the land.
- In response to questions from members the applicant confirmed that 28 people were employed across the two sites. Each of the tenants had been offered new accommodation on site.
- In response to a request from a member that the applicants provide the affordable workspace in perpetuity, the applicants stated that the current offer of 5% exceeded the council's guidance.
- Concerns were raised about the lack of affordable housing based on a viability assessment that lacked clarity and where the applicant would be making a profit as well as benefitting from an Existing Use Value.

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- A member commented that on other sites in the borough applicants had changed their architect and planning consultant team in order to produce a more suitable scheme.
- A member noted that the applicant's commitment to providing affordable workspace rather than SME workspace should be secured with this or any future applications.
- A member raised concern about whether the development would optimise the use of the land in this locality. It was added that it might be more beneficial to have the commercial development on the northern site and the housing site on the southern site as the land use around the southern site was residential.
- Concerns were raised about design and the lack of community engagement.

Councillor Chapman proposed a motion to refuse planning permission due to concerns about viability, design and servicing. This was seconded by Councillor Khondoker and carried.

**RESOLVED:**

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

**WORDING DELEGATED TO OFFICERS**

**Grenville Works 2A inc. 1 Grenville Road and 500-502 Hornsey Road, London, N19 Minute 17**

**Reasons for refusal:**

1. The application fails to demonstrate that the proposed new dwellings would contribute to balanced and sustainable communities by providing the maximum reasonable affordable housing delivery taking into account of the borough-wide strategic target of 50% and the financial viability of the proposal, in line with the NPPF (2018), the London Plan (2016) and the borough's strategic priorities contrary to the NPPF (2018), London Plan (MALP) 2016 Policies 3.10, 3.11 and 3.12 and Islington Core Strategy (2011) Policy CS12, Islington Development Management policy DM2.1 and Islington's Planning Obligations SPD 2014 and Viability SPD 2016.
2. By virtue of its uncharacteristic elevational treatment; uncharacteristic street frontages, cluttered haphazard design appearance and design of a residential character, the proposed development would cause unacceptable harm to the public realm and streetscape; contrary to Paragraphs 17 and 56 of the NPPF, London Plan 2016 Policies 7.4, 7.5, 7.6 and 7.7; Islington Core Strategy (2013) Policy CS8; Islington Development Management Policy (2013) DM2.1 and the Islington Urban Design Guide 2017.
3. The application fails to demonstrate that adequate provision for on-site servicing, waste storage, operational parking, collections and deliveries is provided, thus the proposal would cause unacceptable harm to surrounding parking stresses, pedestrian safety and the safe and efficient operation of the highway contrary to Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM5.1, DM8.2, DM8.5 and 8.6; and the London Plan SPG Land for Industry and Transport (September 2012).
4. In the absence of an appropriate S106 legal agreement the proposed development fails to mitigate its impacts and secure compliance with the Development Plan. The proposal is therefore contrary to London Plan (MALP) 2016 Policy 6.9, Islington Core Strategy policy CS 18, Islington Development Management Policies (2013) Policy DM9.2 and Islington's Planning Obligations SPD (2014).

The meeting ended at 10.05 pm

**CHAIR**