

London Borough of Islington

Planning Sub Committee B - 27 November 2018

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 27 November 2018 at 7.30 pm.

Present: **Councillors:** Kay (Chair), Khondoker, Klute and Graham
(Substitute) (In place of Chapman)

Councillor Jenny Kay in the Chair

26 INTRODUCTIONS (Item A1)

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

27 APOLOGIES FOR ABSENCE (Item A2)

Apologies were received from Councillors Chapman and Woolf.

28 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Graham substituted for Councillor Chapman.

29 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

30 ORDER OF BUSINESS (Item A5)

The order of business would be as per the agenda.

31 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 2 October 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

32 3 BICKERTON ROAD, LONDON, N19 5NJ (Item B1)

Conversion of existing single family dwelling to create 3 self-contained units (1x 3bed/5 person and 1 x 2 bed/4person and 1 x 2bed/3 person), and demolition of existing rear outrigger and the erection of a full width ground floor rear extension, partial width first floor rear extension, roof extension with rooflights above, plus alterations to rear window openings and windows. Proposed terrace above rear ground floor level with associated balustrade and associated works.

(Planning application number: P2018/2148/FUL)

In the discussion the following points were made:

- The planning officer stated that the proposal included balustrading on the front boundary wall and the existing flank wall on the eastern side had a window which would be removed and replaced with three windows. Condition 7 would be amended accordingly to include the provision of details regarding the front boundary materials.
- In response to a member's question, the planning officer stated that Flat 3 did not have any outside amenity space and Flat 2 had a terrace. It would not be practical to provide these flats with access to part of the garden.
- The applicant was asked for his motivation for the development when the viability assessment had shown a £400,000 deficit. The applicant stated that he was anticipated keeping the flats and renting them out.
- In response to a member's question about residents' objecting to overlooking, the planning officer stated that there was 1.7m high screening on both sides which was generally accepted as the standard height to prevent overlooking.
- In response to concern about the trees in the garden, the planning officer stated that the tree officer considered that no condition was required as the trees were significantly far away from the development.
- It was considered that the development was largely policy compliant. However, there were minor issues in relation to space standards and amenity space and there was no affordable housing contribution. Although the proposed development was in a conservation area, the conservation officer had said no harm would be caused to either the host building or the wider conservation area.

Councillor Graham proposed a motion to condition that the trees could not be harmed. This was seconded by Councillor Kay and carried.

Councillor Graham proposed a motion to condition that the three windows on the eastern side be fixed shut. This was seconded by Councillor Kay 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 with the amendment to Condition 7 as outlined above and the additional conditions as outlined above, the wording of which was delegated to officers.

33

CALEDONIAN PARK CLOCK TOWER AND HERITAGE CENTRE, MARKET ROAD, LONDON, N7 9DY (Item B2)

Variation of condition 6 (hours of operation) of planning permission ref: P2016/0730/FUL, dated 23/05/2016 for the restoration of the grade II* listed clock tower and parts of the grade II* listed historic market railings and to provide a heritage centre in Caledonian Park.

The proposal included changes to the approved hours of operations for the Heritage Centre and Café.

(Planning application number: P2017/4433/S73)

In the discussion the following points were made:

- The planning officer stated that the words 'and the clock tower' should be removed from Conditions 6 and 7.

Planning Sub Committee B - 27 November 2018

- A member queried maximum occupancy figures and the planning officer stated that these would be required to be submitted by the applicant to meet Condition 12.
- In response to members' questions, the planning officer advised that the minimum closest distance between the building and closest residential property was 15m corner to corner; it was not intended that there be any amplified music and this was conditioned by Condition 12; and deliveries and parking had been conditioned in the original approval and would remain unchanged. The site management plan would require any potential anti-social behaviour to be monitored and managed by the staff present on site during the operation hours.
- In response to members' questions, the applicant advised that the extended hours were being sought as the current hours would limit the use of the facilities by the community. The opening hours sought were more in line with the park's opening hours. A member of staff would be present during any private bookings and alcohol was not allowed to be consumed. Natural surveillance of people using the facilities would reduce anti-social behaviour. In addition, there would be a full time officer on site who could respond to any anti-social behaviour issues. The maximum occupancy was approximately 35 people for the Heritage Centre and 27 people for the café. The current restriction meant that even the toilets could not be used before 10am at weekends and past 6pm in the summer when the park was open until 9pm.
- The planning officer confirmed that in the original proposal back in early 2018, the heritage centre was proposed to be opened for 13 hours longer each week in the summer than the current consented hours and 4 hours longer in winter; and the café would be open for 4 hours longer each week in the summer and 2 hours longer in the winter.
- Following a first consultation on opening hours, the applicant had reduced the proposed hours and a second consultation had been held.
- Some members considered that with the heritage centre and café not yet open, this was not the appropriate time to apply for extended hours.
- A member commented that it was sensible to have the hours of the heritage centre and café more in line with the park's opening hours. It would provide more opportunities for community groups to use the facilities.

Following the use of the chair's casting vote, the following decision was made.

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 as amended above.

34

FOXAMA HOUSE, 17-18 HAYWARD'S PLACE, LONDON, EC1R 0EQ (Item B3)

RECONSULTATION: Section 73 application for the variation of Condition 2 (drawing and document numbers) and Condition 8 (Flat roof not used as amenity space) of planning consent ref P2017/3258/FUL dated 21/03/2018 for 'Erection of a fourth floor roof extension to provide additional office accommodation (Use Class B1), alterations at third floor level to remove dormer windows and infill front façade to match lower floors, extension to existing rear external staircase up to fourth floor and installation of new air conditioning plant and enclosure at fourth floor.' The Section 73 variation is to install a metal and glass barrier on the approved roof terrace to allow part of the terrace to be used as an outdoor amenity

Planning Sub Committee B - 27 November 2018

space; and replacement of glazed sliding doors at north-east elevation with windows and a fire escape door. REASON: Revised description to include replacement of glazed sliding doors.

(Planning application number: P2018/2236/S73)

In the discussion the following points were made:

- The location of the 1.1m screen on the terrace was discussed to ascertain whether this could be moved to address an objector's concern about potential overlooking. The applicant stated that this could be changed.
- In response to a resident's concern about what the terrace could be used for, the planning officer stated that its use was ancillary to B1 office use. Any change to this would require planning permission.

Councillor Kay proposed a motion to add a condition that revised details be submitted regarding the new location of the 1.1m terrace screening. This was seconded by Councillor Graham 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 with the additional condition as outlined above, the wording of which was delegated to officers.

WORDING DELEGATED TO OFFICERS

This wording has been provided by officers following the meeting and is included here for completeness.

MINUTE 32

3 BICKERTON ROAD, LONDON, N19 5NJ

AMENDED CONDITION 7: Notwithstanding the drawings and details hereby approved, no permission is granted for the balustrade and screening to the rear first floor roof terrace shown on drawing number 1_22 Rev B or the railings to the front boundary wall shown on drawing number 3_11 Rev B. Full details and drawings of screening and balustrades to the terrace, and railings to the front boundary wall, shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the terrace. The details shall include obscure glazed screening with a height of at least 1.7m and black metal balustrades to the terrace, and black metal railings to the front boundary wall. These shall be retained thereafter into perpetuity.

REASON: To ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the St John's Grove Conservation Area, and to prevent the undue overlooking of neighbouring habitable room windows in the aim of protecting residential amenity.

ADDITIONAL CONDITION 8: The three east-facing windows to the flank elevation shown on the hereby approved drawing number 3_12 Rev B shall be fixed shut, and shall be provided as such prior to the first occupation of the development.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

REASON: To ensure that the development does not unduly prejudice the short to long term development potential of the neighbouring Silver Court site at no. 1 Bickerton Road.

ADDITIONAL CONDITION 9: Prior to the commencement of the development hereby approved (including demolition and all preparatory work) the tree within the rear garden of the property (as indicated on the architects proposed ground floor plan ref: 339_1_21_A) will need to be adequately protected. This will involve the installation of heras fencing (or suitable alternative) which will be positioned at a point approximately 4m from the stem of the retained tree and span the complete width of the garden. The fence will be secured and fixed into the ground in such a way as to prevent access and fence movement.

The protected area will be referred to as the Tree Protection Zone (TPZ) and will be area regarded as sacrosanct. No materials will be stored within this area and no construction activities undertaken within the TPZ.

To confirm compliance with this condition a photo of the installed fence will be sent to the Council which will need to confirm both its robust construction and correct positioning.

Should the tree be inappropriately damaged or destroyed during construction, or die within 5 calendar years of the completion of the development then an appropriate replacement tree providing similar canopy cover is required to be planted. The size, species and location

of the replacement tree shall be submitted to and approved in writing by the local planning authority.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy DM 6.5, policies 7.19 and 7.21 of the London Plan and pursuant to section 197 of the Town and Country Planning Act 1990.

ADDITIONAL CONDITION 10: Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To replace the three trees to be removed to facilitate the repair of the boundary wall and comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM 6.5, policies 7.19 and 7.21 of the London Plan.

MINUTE 34

FOXAMA HOUSE, 17-18 HAYWARD'S PLACE, LONDON, EC1R 0EQ

ADDITIONAL CONDITION 8: Notwithstanding the drawings and details hereby approved, revised drawings and details shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing, demonstrating a revised location of the metal glass barrier to ensure that the south-east corner of the outdoor roof area at fourth floor level is not used as a terrace. The area to be used as a terrace shall be shown dashed in blue on the plan, and the remainder of the flat roof area shall be shown dashed in red on the plan.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

The area shown dashed in red on the plan subsequently approved in writing by the Local Planning Authority shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or fire escape in case of emergency.

Planning Sub Committee B - 27 November 2018

REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policies 7.6 and 7.15 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.

ADDITIONAL CONDITION 9: The roof terrace shown dashed in blue on the plans subsequently submitted to and approved by the Local Planning Authority in accordance with Condition 8, shall not be used except between the hours of 09:00 and 18:00 Monday to Friday except in the case of essential maintenance or repair, or escape in case of emergency.

REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policies 7.6 and 7.15 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.

The meeting ended at 9.00 pm

CHAIR