

Planning Sub Committee B - 16 July 2019

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 1, Town Hall, Upper Street, N1 2UD on 16 July 2019 at 7.30 pm.

Present: **Councillors:** Kay (Chair), Gill (substitute), Klute, Poyser and Woolf

Councillor Jenny Kay in the Chair

54 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.

55 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Spall.

56 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Gill substituted for Councillor Spall.

57 DECLARATIONS OF INTEREST (Item A4)

Councillor Gill declared an interest in Item B1, 16 Tytherton Road, London, N19 4QD, as he had previously offered his support to residents objecting to the application. Councillor Gill advised that he would withdraw for this item.

Councillor Klute declared a personal interest in Item B3, Highland House, 6 - 10 Market Road, London N7 9PW, as he was previously employed by the architectural firm that had developed the application drawings.

Councillor Kay declared a personal interest in Item B4, Land & Access Ways Rear of 13-27 Cowcross Street, London EC1, as the proposed operator of the market was known to her personally.

58 ORDER OF BUSINESS (Item A5)

The Chair advised that Item B3, Highland House, 6-10 Market Road, London N7 9PW, would be considered as the first substantive item of business.

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

RESOLVED:

That the minutes of the previous meeting held on 7 May 2019 be agreed as a correct record and the Chair be authorised to sign them.

60 **HIGHLAND HOUSE, 6-10 MARKET ROAD, LONDON, N7 9PW (Item B3)**

Rebuilding parts of the existing elevations including alterations to the existing fenestration, with new glazed entrance doors to the south elevation. Infilling ground floor car park to provide additional office accommodation and internal refurbishment and reconfiguration. Proposed roof terraces to first and second floors to rear elevation. Installation of new plant equipment and associated enclosures at roof level (following removal of existing roof level structures).

(Planning application number: P2019/0187/FUL)

In the discussion the following points were made:

- The Planning Officer corrected a typographical error to proposed Condition 6 as set out in the report submitted. It was clarified that the condition should read *'Within 3 months of the installation of new items of fixed plant a report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 5. The report shall include site measurements of the plant in situ. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter. In the event the required noise levels in condition 5 are exceeded, the plant equipment shall cease until a report is submitted and approved in writing to the Local Planning Authority setting out remediation measures to prevent this. Such measures shall then be implemented within 3 months of the approval of the report, and retained thereafter.'*
- The Planning Officer summarised additional objections received since the publication of the officer's report. These included the position of the goods lift, which objectors considered would unacceptably impact on the sunlight to neighbouring properties; the angle of the ground floor roof lights; the visual impact of the proposed rooftop louvres; noise emitting from plant machinery; overlooking from the roof terrace and windows; the colour of brickwork, cladding and metal panels; and a request that details of swift boxes should be submitted to the local planning authority.
- Officers advised that the proposed development would result in some loss of daylight and sunlight to neighbouring properties, however this loss of light was within BRE guidelines.

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- Following a query on the noise and vibration report, officers confirmed that the proposed development was consistent with the borough's development management policies.
- The Sub-Committee heard objections from members of the public. These included that the development would result in a loss of light to neighbouring properties, that the angle and proposed material of the roof lights would further reduce light into neighbouring properties, that the noise from the plant machinery may be unacceptable and a pre-installation report should be submitted to the local planning authority to allow its impact to be assessed, that internal lights may be used 24 hours a day and this would cause unacceptable disturbance to nearby residents, that the development of a terrace would lead to overlooking of nearby properties, that windows should be treated to prevent overlooking, and that the visual impact of the development could be minimised by choosing materials in an appropriate colour.
- The applicant's representative addressed the Sub-Committee. It was highlighted that the application had been improved following consultation with the local planning authority and this had resulted in a reduction in the proposed footprint and height of the development. It was emphasised that the proposed development was fully compliant with BRE regulations. It was commented that the proposed development would become the headquarters of a retail business and the applicant's representative explained the ambitions and ethos of the company.
- The Sub-Committee queried if the proposed scale of the plant area on the roof of the building was necessary. In response, the applicant's representative advised that this had been reduced as much as possible, however a significant amount of plant machinery was needed for an office of this size.
- The Sub-Committee noted that an objector had called for a pre-installation report on the impact of the proposed plant machinery. Officers advised that such reports were not standard practice.
- The Sub-Committee discussed to what extent the development would impact on the light to neighbouring properties.
- The Sub-Committee considered that light emitting from the proposed development at night could be mitigated through the use of timer-controlled blackout blinds.

Councillor Woolf proposed that the application be granted subject to additional and amended conditions. Specifically: an additional condition that the angle of the roof lights be amended to approximate what is currently in place and that the roof lights be made of a translucent material; an additional condition that timer-controlled blackout blinds be installed and that details of the building management plan be submitted to the local planning authority; an additional condition that the existing and new brick areas be a natural brick colour; and an amendment to Condition 15 to clarify that terraces on the east elevation are for repair and maintenance use only. The wording of the conditions was delegated to officers. This was seconded by Councillor Klute and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to the Sub-Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out at Appendix 1 of the officer report and the additional and amended conditions set out above.

61 16 TYTHERTON ROAD, LONDON ,N19 4 QD (Item B1)

Erection of a single storey rear and side extension, including the demolition of an existing 1.2m deep single storey rear extension.

(Planning application number: P2019/0752/FUL)

Councillor Gill withdrew from the meeting for this item.

In the discussion the following points were made:

- The Planning Officer summarised the application. It was advised that seven objections had been received. Objections included that the proposed extension was too large; the development would be detrimental to the aesthetics of the street by creating a terracing effect; the extension would not provide access to the rear of the property; the proposed materials would be out of character with the property; and that the development may be unsuitable as properties in the area have subsidence problems.
- Following a question, it was confirmed that the application allowed for over 50% of the garden space to be retained.
- The Sub-Committee heard objections from members of the public. Objections included that it was an insensitive development, that the proposed development was not in accordance with the policies in the borough's Urban Design Guide, that the proposed development was only 30cm from the boundary fence and the space between the development and the boundary would not be maintained, that the proposed development would be detrimental to the street scene, and that the council should issue an Article 40 direction to extinguish permitted development rights in relation to such developments.
- The applicant addressed the Sub-Committee. It was commented that the proposed side extension would be set back two metres from the front of the property and therefore the development would not create a terracing effect, the height of the rear extension had been lowered and the side extension had been set back from the boundary fence to satisfy neighbouring residents, the applicant had previously consulted his neighbours, the materials used would match existing features, and the proposed development would be similar to existing extensions to nearby properties.

- Following a query, it was noted that the design of the proposed extensions were not identical to the extensions to nearby properties, but were similar in scale.
- The applicant clarified that the 30cm gap between the proposed side extension and the boundary fence was not intended to provide access, but was to reduce the visual impact of the development. It was also advised that a reduction to the size of the side extension would not allow the extension to function as a bathroom, as intended.
- The Committee considered the merits of the application. It was commented that the proposed extensions were proportionate and subservient to the existing property.

Councillor Klute proposed that the application be granted as per the recommendations in the officer's report. This was seconded by Councillor Poyser and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Sub-Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out at Appendix 1 of the officer report.

62 4,5,6 & 7 PARK PLACE, LONDON, N1 3JU (Item B2)

Proposed erection of a continuous roof extension across 4-7 Park Place to form roof terrace and habitable space for each unit, comprising zinc cladding, opaque screening between units, double glazed fenestration and bi-fold doors facing south towards Rosemary Gardens.

(Planning application number: P2019/0526/FUL)

In the discussion the following points were made:

- The Planning Officer summarised the application. It was advised that twelve objections had been received in relation to the application. Objections focused on the design of the extension, the loss of light to nearby properties, and that the development would result in unacceptable overlooking of nearby properties.
- In relation to the loss of light to nearby properties, officers advised that the proposed development had been assessed for compliance with BRE guidelines. It was advised that all windows passed daylight tests. Three windows at Trafalgar Point would not be compliant with BRE criteria for winter month sunlight, however none of the windows would have an annual reduction in sunlight of over 4% annual probable sunlight hours, which was not considered to be unacceptable, as per the guidance.

- The Sub-Committee heard objections from members of the public. These included that the proposed development would result in residents losing their view of Rosemary Gardens, that the development would result in acceptable loss of light to nearby properties, that the extension would have an unacceptable visual impact, that the development would be out scale with properties in the surrounding area, and that residents in the properties most affected by the loss of light would lose visibility of the sky.
- The applicant's representative addressed the Sub-Committee. It was commented that the proposed development would only have negligible impacts on neighbouring properties, that BRE guidelines were advisory and not mandatory, and that the scale of the proposed development and materials were in keeping with nearby properties.
- The Committee noted that 17 windows of nearby properties would experience a loss of daylight to some extent as a result of the proposed development, however this loss was within BRE guidelines.
- Officers advised that loss of view was not a material planning matter. The proposed development was not considered to cause demonstrable harm to neighbouring amenity by virtue of loss of outlook or enclosure.

Councillor Klute proposed that the application be granted as per the recommendations in the officer's report. 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 Sub-Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out at Appendix 1 of the officer report.

**63 LAND & ACCESS WAYS REAR OF 13-27 COWCROSS STREET, LONDON, EC1
(Item B4)**

Continuation of the use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week (Temporary Planning permission previously granted P2016/3449/FUL 07/07/17). The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only.

(Planning application number: P2019/1744/FUL)

In the discussion the following points were made:

- The Planning Officer summarised the application. It was advised that one further objection and two additional letters of support had been received in relation to the application. Objections included that a food market was not in keeping with the character of the area, that the market would result in

discarded waste and an increase in rodents, that the market would result in an increase in traffic, and that the market would have an unacceptable impact on the amenity of neighbouring residents.

- Officers noted that the area had a historical link to market activity and the application was consistent with the planning authority's policy of promoting heritage land use. Officers considered that matters related to waste management could be addressed through proposed Condition 8, which required a market operational management plan to be approved by the local planning authority. It was also noted that Condition 1 would grant temporary consent, which would allow the market to operate temporarily for 36 months. This would allow noise and other operational management issues to be monitored by the local authority.
- The Sub-Committee was advised that the market had already been operating for one day a week, with the current planning permission allowing the market to operate up to three days a week. The local authority had not received complaints related to noise or other operational matters.
- The Sub-Committee heard objections from members of the public. These included that public access to the application site posed a security risk for neighbouring residents, that the market caused unacceptable disturbance to neighbouring residents, that the market was the cause of discarded waste and drain blockages in the local area, and that the market management did not engage with local residents on operational issues. It was commented that, whilst no complaints had been received by the local authority, local residents had submitted complaints about the market to the land owner.
- The applicant's representative addressed the Sub-Committee and noted the benefits of the market. The applicant's representative proposed that a community liaison officer could be employed by the landlord to ensure a positive relationship with local residents. It was also noted that the site supervisor, required as per Condition 8, would be an additional point of contact for residents.
- Following a question, it was advised that market access issues would be addressed through a further planning application. Officers advised that this application may be determined by a Sub-Committee if it receives the requisite number of objections, in accordance with the Sub-Committee's terms of reference.
- It was suggested that granting temporary permission for a period of 12 months would be appropriate. This would allow the impact of the market to be monitored closely over the next year.

Councillor Kay proposed that planning permission be granted as per the recommendations in the officer's report, subject to an amendment to Condition 1 to grant temporary consent for a period of 12 months, and an amendment to Condition 8 to require the employment of a Community Liaison Officer to engage with local residents. The wording of the amended conditions was delegated to officers. This was seconded by Councillor Poyser and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Sub-Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out at Appendix 1 of the officer report and the amended conditions set out above.

The meeting ended at 10.00 pm

CHAIR