

Planning Sub Committee A - 1 July 2014

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 1, Town Hall, Upper Street, N1 2UD on 1 July 2014 at 7.30 pm.

Present: **Councillors:** R Perry (Chair), Poyser (Vice-Chair), Gantly and Fletcher

Councillor Rupert Perry in the Chair

1 INTRODUCTIONS (Item A1)

Councillor Rupert Perry welcomed everyone to the meeting. Members of the Sub-Committee and officers introduced themselves. The Chair explained that the Sub-Committee would deal with the determination of planning applications and outlined the procedures for the meeting.

2 APOLOGIES FOR ABSENCE (Item A2)

There were no apologies for absence.

3 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

4 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

5 ORDER OF BUSINESS (Item A5)

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

6 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 10 June 2014 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

7 110 UPPER STREET, LONDON, N1 1QN (Item B7)

Change of use at basement and ground floor levels from retail use (A1 Use Class) to professional services (A2 Use Class) inclusive of the additional floor space to the rear ground floor extension approved in December 2013 under Ref. P2013/3074.

(Planning application number: P2014/1118/FUL)

The planning officer reported that condition three of the report and the reason for condition three should be amended to remove any reference to estate agents.

In the discussion the following points were made:

- Although the objections referred to the use of the garden area at the site, this was not part of this application.

RESOLVED:

That planning permission be granted subject to the conditions and informatives in the case officer's report and amended condition as outlined above.

8 52 DUNCAN TERRACE, LONDON, N1 8AG (Item B8)

Replacement of the existing rear basement extension and ground floor terrace with a new basement extension and ground floor 2-storey half width rear extension. Replacement of non-original front basement window with two traditional sash windows and restoration of first floor cast iron balconies. Application for Listed Building Consent for the replacement of the existing rear basement extension and ground floor terrace with a new basement extension and ground floor 2-storey half width rear extension. Alterations to internal walls at basement and ground floor level; replacement of 1950's front basement window with two traditional sash windows and restoration of first floor cast iron balconies.

Planning application number: P2014/1153/LBC

The planning officer reported that condition six of the report had been amended to read "Notwithstanding the plans hereby approved, consent is granted for the steps to the front lightwell area provided they are formed of natural stone slabs to match existing materials, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing".

In the discussion the following points were made:

- The building was listed so no development was permissible under permitted development rights.
- The existing original style windows to the rear would be retained.
- Concern was raised regarding privacy, overlooking and noise nuisance from the rear extension.
- Although an existing application had been refused on appeal to the Planning Inspectorate but many of the principles of the development had been considered acceptable by the Planning Inspector.
- Concern was raised about overlooking from a possible use of the new second floor extension as a roof terrace.
- The applicant would be expected to carry out development considerately and an informative could be added to reinforce acceptable hours of operation during the development.

Councillor Fletcher proposed a motion to add a condition prohibiting the use of the second floor extension as a roof terrace and an informative to specify hours of operation in relation to the works being carried out. This was seconded by Councillor Perry and carried.

RESOLVED:

That planning permission be granted subject to the amended conditions and informatives in the case officer's report and additional condition and informative as outlined above.

9 FLAT 8, 523, CALEDONIAN ROAD, LONDON, N7 9RH (Item B9)

Creation of roof terrace area to rear flat roof at second floor enclosed with railings and timber slats.

(Planning application number: P2014/0307/FUL)

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In the discussion the following points were made:

- There was a Section 52 agreement in place restricting the use of the flat roof as a roof terrace but this did not prevent the grant of planning permission and other material considerations were also relevant.
- The railing element was just to the rear of the terrace with existing brick elements to the sides.
- The Committee could not condition hours of use of a terrace but if a statutory noise nuisance was an issue there were remedies for adjoining properties.
- The height of the brick walls to the side would be slightly higher than 1.2 metres.
- Concern was raised about historic issues with the development being built not in accordance with the approved plans and it was noted that the Section 52 agreement had been created to mitigate the impacts of this.
- The two windows immediately next to the terrace area served a landing and staircase but objectors contended that a dormer window in the roof and bedroom window to the rear elevation were also in close proximity to the proposed site.
- The other roof terraces on the adjoining site were recessed and the noise from those sites was contained.
- The applicant would be happy to raise the brick elements to the site of the roof area if required.
- The Section 52 agreement was not the issue in this instance but the impact on adjoining residential amenity.

Councillor Fletcher, seconded by Councillor Poyser, proposed that the application be approved. Councillor Perry, seconded by Councillor Gantly, proposed that the application be refused. The Chair, Councillor Perry exercised his casting vote as the votes had been cast equally.

RESOLVED:

That planning permission be refused on the grounds of impact on residential amenity due to the proximity of the neighbouring property's windows (including the dormer to the roof) and noise impacts from the proposed terrace. The exact wording for the reasons for refusal be delegated to officers.

WORDING DELEGATED TO OFFICERS

FLAT 8, 523, CALEDONIAN ROAD, LONDON, N7 9RH (Item B9)

REASON FOR REFUSAL

The proposed roof terrace would result in a detrimental material impact on the amenity of the neighbouring residents at number 525, by reason of noise and overlooking from the neighbouring windows (particularly the dormer window at 525 due to its close proximity), and as such would be contrary to policy DM2.1 of the Islington Development Management policies 2013.

The meeting ended at 8.30 pm

CHAIR