

London Borough of Islington

Planning Committee - 6 October 2022

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 6 October 2022 at 7.30 pm.

Present: **Councillors:** Klute (Chair), Clarke, Convery, Hamdache and McHugh

Councillor Martin Klute in the Chair

8 INTRODUCTIONS (Item A1)

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

9 APOLOGIES FOR ABSENCE (Item A2)

Apologies were received from Councillors Poyser, Bashir, Hayes and Jackson.

10 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

11 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

12 ORDER OF BUSINESS (Item A5)

The order of business would be as per the agenda.

13 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 5 September 2022 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

14 30-40 VALE ROYAL LONDON N7 9AP (Item B1)

Demolition of the existing buildings and structures and the construction of a new building ranging from two to six storeys (plus basement) to provide light industrial floorspace and flexible use floorspace (Use Class E(g)); along with external amenity spaces; associated access and service yard; plant area; car and cycle parking; refuse storage; and other associated works.

(Planning application number: P2022/1067/FUL)

In the discussion the following points were made:

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- Planning Officer requested that wording of condition 11 be amended to read - Details of the delivery & servicing strategy and site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved and that the development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.
REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.
- Since the publication of the report the applicant have stated how they calculated the proposed £100,000 contribution towards local employment initiatives in lieu of providing on-site Affordable Workspace by taking the cost of training support per person of £2,500 as set out in the S106 SPD and multiplied it by the maximum number of jobs the existing site is understood to have supported at its peak occupancy which is 40 jobs, under its previous use, and cites that this would cover the cost of training / upskilling the previous employment capacity of the site to current job profiles in the area.
- Members were advised that the site is a triangular shape at the north eastern end of Vale Royal at the intersection with Tileyard Road and is located within the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS), and not located within a Conservation Area nor are there any listed buildings within or in close proximity to the application site.
- Meeting was informed that previous application was refused on seven grounds on 21 October 2020, and subsequent appeal was dismissed by the Planning Inspector's letter dated 25 March 2021, and that the content of the decision letter has formed a significant material consideration in the revised scheme for the redevelopment of the site.
- The revised scheme has resulted in an uplift of floor space to 7,074sqm, that the basement to the part first floor levels one to three will be used for light industrial floorspace (Class G (g)(iii)). Also the part first floor to fifth floor levels through to eight, the proposed new building will provide flexible Class E(g) floorspace that is suitable for a range of tenants.
- The Planning Officer advised that the application does not propose to provide Affordable Workspace as part of the scheme, that the applicant's planning statement presents a hybrid employment building which will provide flexible workspace potentially suitable to a range of occupiers, including SMEs and start-ups, including the growing creative cluster at Tileyard studios and meets the needs of the expanding economic cluster, meets the needs of the type of industries already prevalent in the area, and increases the employment generating potential of the site and supports the continuing function of the Industrial and Warehouse Area (IWA).
- Meeting was informed that the Council is in the process of adopting its emerging new local plan, which is presently out for consultation on modifications until 30 October 2022, noting that officers were of the view that the emerging Local Plan policy which requires the provision of Affordable Workspace within the LSIS be given moderate weight however the applicant

considers that the Council's emerging policies regarding affordable workspace within the LSIS should be attributed minimal weight at this stage.

- Members were informed that the applicant has agreed to provide a financial contribution of £100,000 towards local employment initiatives in lieu of providing on-site Affordable Workspace.
- In terms of land use, the scheme is within the Locally significant Industrial Site, retains existing light industrial use (Use Class E(g)(iii), an uplift in Light industrial use of 1,002sqm and new flexible E(g) use floorspace of 4,935sqm).
- It was noted that Policy DM5.3 states that the Council supports the retention and intensification of uses appropriate to the role of the Locally Significant Industrial Site, however the Emerging Local Plan states that proposals for the co-location of industrial use with office and or research development use will be permitted, where there would be an intensification of industrial use on the site. It was noted that the proposed land use is not in conflict with any of the policies or the emerging local plan.
- In terms of design, meeting was advised that the revised scheme has been reduced in scale and massing thereby addressing one of the reasons for its refusal, that the scheme is policy compliant, it is a car free development; that existing crossovers and dropped kerbs will be reinstated; the provision of cycle storage spaces at ground floor levels and that the off street servicing and delivery concerns has been addressed.
- Meeting was advised that the scheme brings forward a number of energy and sustainability measures as stated in report to ensure it is policy compliant. In addition, the proposal presents green roof and wall as there was no greening that existed on site.
- Planning Officer acknowledged that current application is acceptable in design, appearance and materials and delivery and servicing concerns has been resolved as all vehicles enter and exit in forward gear.
- In assessing the planning balance of the scheme, meeting was advised of the disagreement between planning officers and the applicant on how much weight should be given to the emerging policies on the issue of affordable workspace.
- On concerns about daylight and sunlight loss, meeting was advised that the revised scheme is considered to have demonstrated an acceptable level of amenity to the Antony Gormley Studios at 15-23 Vale Royal with respect to levels of daylight and overshadowing, therefore addressing a reason given for refusal
- The applicant noted that the scheme delivers a much needed office accommodation in the borough and that Tileyard provides a range of activities in particular within the music and creative industry employing over 1200 jobs.
- The applicant reiterated that following its previous refusal, the revised scheme has been reduced in scale and massing in consultation with planning officers using the appeal letter as a guide.
- The applicant acknowledged the disparity of views on the amount of weight to be given to the emerging policies regarding on site affordable workspace. Applicant noted that as consultation on the Plan had not been completed and

objections to the draft local plan had not been addressed, minimal weight should be given to the emerging plan.

- In response to a member enquiry on the possibility of offering funds for apprenticeship retrospectively if and when the policy has been approved, the agent advised that he was not sure how this works.
- On the discrepancy of figures of £100,000 by the applicant and the £2.1m suggested by council officers, meeting was advised that the figure arises from Islington SPD.
- The Chair in summary acknowledged that in comparison to the previous refused scheme, the revised scheme has been modified, design is more acceptable especially in its reduced scale and massing and welcomed the servicing and delivery arrangements.
- Members were of the view that following discussions with the applicant during the meeting that given more time there is room for further exploration on the issue of affordable workspaces on the basis that whilst the emerging LBI policy on affordable workspace in the LSIS is still under consultation, it is unaltered from the previous consultation, and that no objections to the policy have been received in the previous rounds of consultation.
- A motion was moved by Councillor Klute to defer the item for further discussions between the applicant and officers on the provision of affordable workspace as noted above. This was seconded by Councillor Hamidache.

RESOLVED

That consideration of the application be deferred for the reason outlined above.

15

4 BLUNDELL STREET , LONDON N7 9BH (Item B2)

Demolition of the existing two storey building and erection of a part four and part five storey commercial building comprising light industrial Use Class E(g)(iii), flexible workspace Use Class E (g) and associated cycle and waste storage
(Planning application number: P2022/1543/FUL)

In the discussion the following points were made:

- Site occupies the northern side of Blundell Street, approximately 30metres from the junction with Caledonian Road, it is not within a Conservation Area. The existing use of the site is as retail in the form of tool hire and internal floorspace is approximately 290sqm.
- The proposal seeks to erect a part four and part five storey commercial building (above a basement level) comprising 2,206sqm (GIA), 1,286sqm for light industrial Use Class E(g)(iii), 992sqm flexible workspace Use Class E(g) and associated cycle and waste storage. This equates to 55% of the overall GIA floorspace of the building and 45% of the total floorspace of the building respectively.
- Main planning considerations are land use, height, bulk, scale, design and appearance, impact upon neighbouring residential amenity, transport and highways implications, energy and sustainability credentials.
- Members were reminded that previous scheme was refused planning permission on 27 January 2021 for 4 reasons notably the development's

failure to propose sufficient industrial floorspace appropriate to the role of the industrial area within a development of largely open Class E floorspace; its excessive height, dominant scale and poor design and materials as it would be overbearing and fail to respect and respond positively to existing buildings and the streetscape; its proposed building's height, bulk and massing therefore causing unacceptable impacts on neighbouring residential amenity in terms of loss of daylight and sunlight and the absence of an appropriate Section 106 legal agreement.

- The amended resubmission before committee involves the setting back of the upper most storey in order to reduce the scale and massing of the building and its impact upon the streetscene of Blundell Street.
- In land use terms, the proposal is considered to comply with the overarching land use policy as it would intensify appropriate use within the LSIS and supports the areas industrial designation.
- Planning Officer informed the meeting that condition 20 is recommended to ensure that the 1,213sqm floor space of the new building can be only be used for light industrial purposes and cannot be changed to other uses within Use Class E (including other uses within(g) such as research and development and/or office) via permitted development rights. In addition Condition 24 will also ensure that the flexible Use Class E(g) floor space of 992sqm open for use as office use, research and development and or/light industrial, shall not be changed to other uses within Class E via permitted development rights
- With regards design and appearance, proposal has been amended by way of removing a storey and further setting back the fourth floor from the principal elevation, so is now not considered to be harmful to the setting of the neighbouring building or surrounding context, thereby overcoming the previous reason for refusal for overbearing scale and failing to take the opportunity to restore coherence to the streetscene.
- Members were advised that the proposed building's front façade is aligned with its neighbour at no. 6 Blundell Street, that the projecting louvres to the front elevation has been removed ensuring that it now achieves a clear sense of order and a consistent street frontage to Blundell Street. In addition the Planning Officer advised that in line with Islington's Urban Design Guide, a dark metal cladding is now proposed to the main facing material of the building and that the windows and doors will be aluminium in a dark grey. Officers consider that the proposal is well designed and sits comfortably within its context and provides for a good quality of contemporary industrial and commercial floorspace.
- On outlook and sense of enclosure concerns, meeting was advised that the proposal is sufficiently set away from neighbouring residential properties.
- With regard to overlooking and lack of privacy, the planning officer advised that fenestration is consistent with established building line of 6 Blundell Street, and that the roof terrace is set back at fourth floor and condition 7,8 and 9 is recommended to restrict hours of use, light spillage and external lighting.
- In terms of daylight loss, 16 windows see reductions beyond BRE guideline and in terms of NSL only 8 rooms see reductions. Meeting was advised that

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whilst there are several transgressions with regards to both daylight and sunlight, beyond BRE guidance, the overall quantum is considered low whilst the reductions themselves are considered to be of minor adverse impact given the circumstances and site context.

- Planning Officer acknowledged the loss of daylight to 14 windows and 6 rooms in Fulbeck House, noting that the impacted windows are located set-back from main elevation to allow for 'deck access' and beneath an overhang.
- The scheme is car free development with no onsite and off street parking for occupiers of the building. Existing crossovers and dropped kerbs for pedestrians is to be reinstated. 18 cycle storage spaces are provided at ground floor level and the proposed off-street servicing is supported by the officers.
- Meeting was advised that the scheme brings forward a number of energy and sustainability measures as stated in report to ensure it is policy compliant. In addition, the proposal in lieu of lack of urban greening a financial contribution for street trees has been secured by s106 contribution.
- The Planning Officer noted that condition 20 has been recommended to ensure that the minimum areas (NIA) be secured for the designated use, this will ensure that the remaining 693sqm(GIA) flexible floorspace shall be restricted to Use Class E (g) only and no change to any other use within Class E
- In addition to the above, the Planning Officer advised of the inclusion of an additional condition 24 which will restrict the use of the building to the specific Class E use.
- Members were reminded a financial contribution has been secured in terms of a creation of a loading bay and parking bays on Fairbridge and Council's legal fees have been secured by s106.
- In response to the impact of the scheme on a children's play area, the Planning Officer advised that the assessment did not include the play area as it was in between the site and another development which only had a reduction of 2%.
- In response to a question on the proposed floor to ceiling height of 2.7m and whether it was ideal for the uses proposed, the Planning Officer acknowledged that policy requirement is that it should be 3m, however as this is light industrial use, this is deemed sufficient.
- The agent reminded the meeting that the proposal looks to make efficient use of a previously developed brownfields that will deliver over 2,000sqm of office space which will provide equivalent of 200 jobs.
- The agent reiterated that following the refusal of the previous scheme , the new proposal has resulted in a set back on the top floor, an improvement of accessibility across the scheme , a financial contribution towards tree planting in lieu of urban greening as scheme is unable to adhere to the 0.3 target. In addition, members were advised that this modular type of construction is an efficient accessible workspace suitable for SME's and that the floor space can be adapted flexibly throughout the life span of the building.

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- In response to concerns about the energy efficiency, sustainability and comfort for users especially in terms of its heating and cooling in the units, the agent advised that this is not an issue with similar areas where shipping containers have been used, notably in foreign countries and neighbouring local authorities as Hackney and Barnet.
- Members were advised that units will be insulated properly off site and ventilation will exist in the units with windows, an atrium at the centre from ground to top floor, that there will be vertical louvres which will provide shading prevent overheating.
- On the question of whether the building was aesthetically suitable for the location and its impact on neighbouring no 6 Blundell Street, the agent advised that similar type of cladding was used with the previously refused scheme, that no objections were received from the Council's Design and Conservation Officers.
- The agent acknowledged although not a landmark building it is a unique one and as a commercial building it will provide space for SME's, acknowledging that erecting a building of shipping containers is not ideal to state that it improves the aesthetics of the area but sits well in the industrial site itself.
- On concerns about the longevity of the shipping containers and its durability, the agent reiterated that these units are durable, reminding the meeting that it will be quality checked off site and issues as potential toxicity from paint used and pesticides will all be subjected to building control and necessary remedial actions will be carried out. Members were advised that units will be structurally sound as they are sturdy.
- Members raised concerns about the floor to ceiling height of containers, energy and sustainability, the standard of the accommodation.
- Members welcomed the innovative environment element a
- Member had reservations about siting shipping containers in the borough, that in Hackney units are smaller units and are sited in designated industrial area. The proposal is sited opposite and close to residential properties.
- On the question of the marketability of the units, the agent indicated that since the refusal of the previous scheme over 2 years ago, although not directly discussed it with the applicants, it was his belief that there is a demand for the units. Looking at other areas where shipping containers have been used such as Hackney, occupants tend to be startups, art studios, caterers etc .
- Member questioned the application especially in a sensitive area, reminding meeting of the Council's high standards, that such a scheme within a residential area such as Blundell Street is unacceptable. It was also noted that the scheme will result in cramped accommodation, that the London Square Development to the north west of the site should be the benchmark for any developer looking to provide suitable office accommodation.
- In summary, the principle of development is accepted, the issues of loss of daylight and sunlight are understood, however there are concerns that it conflicts with council policy in a number of areas.
- Members had concerns with scale and massing, its design/aesthetics, internal layout and sub standard accommodation

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Councillor Convery proposed a motion to refuse planning permission. This was seconded by Councillor Hamidache and carried.

RESOLVED:

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

The meeting ended at 9.45 pm

CHAIR