

London Borough of Islington

**Planning Committee - 10 January 2023**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 10 January 2023 at 7.30 pm.

**Present: Councillors:** Klute (Chair), North (Vice-Chair), Poyser (Vice-Chair), Clarke, Convery, Hamdache, Hayes, Ibrahim and Jackson

**Also Present:** Councillors:

**Councillor Martin Klute in the Chair**

**10 INTRODUCTIONS (Item A1)**

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

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

Apologies were received from Councillor McHugh.

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

There were no declarations of substitute members.

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

There were no declarations of interest.

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

The order of business would be as per the agenda.

**15 MINUTES OF PREVIOUS MEETING - TO FOLLOW (Item A6)**

None

**16 10-14 GARRETT STREET, LONDON, EC1Y 0TY (Item B1)**

Refurbishment of existing listed building, including internal and external alterations, alongside proposed single storey courtyard infill extension, four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works

(Planning application number: P2022/2063/FUL

The Chair informed the meeting that B1, B2 and B3 will be taken together as they

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interact together and part of the strategy presented by the applicant which is to relocate the affordable workspace from the HYLO building in Bunhill Row to Garrett Street. Planning Officer will present the planning application and listed building consent for Garrett Street first after which committee will receive a presentation on the planning application for the HYLO building. All objections relating to the 3 applications will be taken together and not individually after which the applicant will invited to respond.

Prior to the presentation, the following points were made:

- The Planning Officer informed the meeting of a number of updates, a slight error in condition 2 which has now been corrected, that Section drawing numbers 143 and 144 have been superseded by Revisions P03,
- Also condition 11: "Notwithstanding the plans hereby approved", 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. "The details shall demonstrate that the strategy would not give rise to unacceptable impacts on the highway network, in particular the flow of vehicular traffic and pedestrian safety."
- And a New condition: (Archaeology) CONDITION: No demolition or development shall take place until a written scheme of investigation (WSI) for an archaeological watching brief has been submitted to and approved by the local planning authority in writing.

In presentation and discussion, the following points were made:

- The site is within London's Central Activities Zone as well as in St Luke's Conservation Area. The consented affordable workspace in the HYLO building is to be relocated to the site. The area is surrounded by a mixture of commercial and residential uses.
- Meeting was advised that the existing building is three storeys in height and was constructed as a stables for up to 100 shire horses in 1897, that many of the original features still remain and the building is grade II statutorily listed. Members were advised that there have been a considerable number of modern interventions.
- In addition to the above, the Planning Officer stated that the original blacksmith's building has been removed and a more recent lean-to is located in the courtyard space, that there have been further minor interventions to the building which have also occurred in association with the building's more recent use as a shooting gallery and a builder's merchants which is a sui generis light industrial use.
- Meeting were informed that the existing building is relatively low-rise compared to its immediate surroundings where the buildings are generally 4-6 storeys in height, so in townscape terms, the single storey addition at roof level is not deemed to be incompatible with the surrounding character.
- The proposal involves the opening up of the bricked up windows on both north and south elevations and on the courtyard elevation. Officer advised that the profile of the ramp is to be retained with the steel elements revealed and the existing fire escape stair will be removed to reveal more of the original building.

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- The proposal is considered to result in less than substantial harm to the listed building, albeit the upper end of less than substantial harm due to the interventions such as the raising of the the floor level at 1st floor and 2nd floors by 180-380mm, reducing the floor-to-ceiling heights; the additional storey, which is considered to be in non-traditional materials; the single-storey extension in the courtyard, which exceeds the footprint of the existing lean-to; the height and extent of the eastern service core extension which further reduces the size of the courtyard and finally the proposed hard surfacing and landscaping of the courtyard would divide the courtyard into separate areas rather than unifying the courtyard to ensure it relates to the listed stable building.
- The heritage benefits arising from the proposal includes the removal of internal partitions from historically open areas with features such as the cast iron columns on the second floor being revealed again, modern accretions such as cabling, the external fire escape, and window fan vents being removed; the blocked second floor and ground windows would be restored. In addition to the above benefits a general restoration to the historic features would be undertaken.
- Meeting was advised that the above heritage benefits were not in themselves considered to outweigh the harm identified, however that in general the design is supported, that the Design Review Panel commended the scheme at the 2<sup>nd</sup> DRP Review following amendments that were made.
- 457 letters were sent out to neighbouring occupiers and initially 21 letters of objection were received including two from planning agents representing neighbouring occupiers and that following amendments to the application a further consultation letter was sent out with a number of letters of objection mainly from those already having objected plus two further letters from new objectors received.
- In terms of loss of daylight, 86-88 Banner Street, 90,92-94 Banner Street and 5 Garret Street were identified as being most affected by the proposal, however 7 Garrett Street is not affected.
- The Planning Officer stated that although majority of rooms and windows in the vicinity of the site would not be affected by the proposal, there are some that would be affected, for example kitchen and bedroom windows from ground to 3<sup>rd</sup> floor level experience losses of daylight between 20% and 42% and three further bedroom windows with losses of between 20% and 30%.
- It was noted that two rooms would be affected in 5 Garrett Street experiencing losses of between 20 and 30% in particular with the windows that serve them.
- With regards to overshadowing impacts, there are not considered to be any noticeable overshadowing impacts as a result of the proposal, i.e. there would be no reduction in the areas that would experience at least 2 hours of sunlight during the Spring Equinox, which is the standard approach to assessing overshadowing impacts.

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- In terms of outlook and sense of enclosure, it is considered that there would be an adverse impact on the outlook from some of the kitchen windows at 86-88 Banner Street, mainly as a result of the east service core.
- With regards to noise and disturbance and light pollution impacts, meeting was advised that these have been fully assessed and would be suitably mitigated by conditions in the event of planning permission being granted. Conditions 8, 9 and 10 concern sound insulation and plant noise mitigation, conditions 12, 13 and 33 concern the use of all external spaces and the management of the courtyard and conditions 14 and 15 concern light pollution.
- With regards to highway impacts and pedestrian safety, meeting was advised that the existing situation is far from ideal with the street becoming a cul-de-sac during the operating hours of Whitecross food market with poor signposting creating an unsafe situation whereby vehicles entering Garrett Street from the west are forced to turn back down the narrow street, however the application involves a contribution towards improved signposting through the s106 so that drivers are notified that there is no way through onto Whitecross Street during certain hours.
- The Planning Officer advised that transport impacts of the proposal have been assessed within the submitted Transport Statement and Delivery & Servicing Management Plans, that the predicted number of delivery and servicing vehicles would be accommodated within the on-street loading bay with reconfigured parking layouts to be financed by the applicant through a section 278 agreement.
- Members were advised that the layout submitted shows how the loading and parking bays can be accommodated without unduly impeding access to the car park of No 5 Garrett Street, with further details to be considered as part of condition discharge and the legal agreement. An updated DSMP will also need to be provided to demonstrate how the timings of delivery trips can be successfully managed to mitigate against any impacts on pedestrian safety
- On safety and security concerns, the Planning Officer informed Committee that the application has been assessed by the Metropolitan Police who have made some recommendations that have been incorporated into the proposal and others which will be addressed through condition 30 with a requirement to achieve Secured by Design accreditation in the event of planning permission being granted.
- In terms of Energy and Sustainability of the scheme, officer advised that there will be a 46% reduction in total CO2 emissions and a carbon offset contribution of £30,452, a significant reduction of embodied carbon by retaining existing building, good BREEAM rating scheme, an improved U-values and energy efficiency measures. In addition to the above, Planning Officer advised that heating and cooling to the development will be provided via Air Source Heat Pumps, provision of solar panels and a green performance plan to be secured through s106.
- The Planning Officer highlighted the s106 provisions agreed at officer level and includes a provision of 1,191 sqm of affordable workspace at ground and

first floor level at Cat B fit out in perpetuity at peppercorn rent. It also states that permission not to be implemented until an agreement for lease has been entered into for the affordable workspace, that the affordable workspace is to be practically completed ( to CAT-B fit out and in accordance with the council's affordable workspace specification ) before the council surrender the HyLo affordable workspace lease ; also contribution towards employment and training ; highway contributions and improvements as detailed within the report and carbon offset contribution and safeguarding of future connections to a District Energy Network ( DEN)

- The Planning Officer acknowledged the harm to the listed building and adverse impact on neighbouring amenity, however noting that these need to be set against the benefits of the proposal such as the provision of modern and inclusive floor space of commercial office floor space within the CAZ and the reuse of the vacant building for policy compliant uses and resulting in employment increases . Further benefits include quantitative increase and qualitative improvements in affordable workspace at a well-connected location and an improvement to the energy efficiency operation of the building and biodiversity and sustainability enhancement as detailed in the report.

Members received a presentation regarding the HyLo building (Item B3) which is linked to B1 & B2 considered above:

- The Planning Officer informed the meeting that a s73 application is being considered alongside item B1 and B2, that the amended application considered above is to relocate the affordable workspace from this site on Bunhill Row and for it to be reprovided at 10-14 at Garrett street.
- The site is about 350m away from Garrett street and that the amended application involves the replacement on site of the consented 1000sqm of affordable workspace (Class E(g) office with commercial office floor space and the reprovision of 1,191sqm of affordable workspace (Class E(g) light industrial) at 10-14 Garrett street
- The Planning Officer reiterated that the affordable workspace at Garrett street is to be provided in perpetuity (999 years) and Cat B fit out
- A new planning assessment has been undertaken which demonstrates that the relocation of the affordable workspace to an off-site location can be accepted on balance as it results in the quantum increase of affordable workspace at Garrett street. In addition it will result in the qualitative enhancement of the space through the enhanced fit out and the provision of the sought after light industrial affordable workspace at 10-14 Garrett Street
- The Planning Officer advised that this was an exceptional case, that in this very specific circumstance affordable workspace could be provided at this location.
- Planning Officer reiterated the s106 legal provisions highlighted in the presentations on B1 & B2, Garrett Street, that in the event that affordable work space was unable to be provided at 10-14 Garrett street then the consented affordable workspace will be retained and reprovided at the Bunhill site

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- In response to an enquiry about the removal of the historic hay and carriage store, the Planning Officer advised that as it was not an original feature no concerns were raised about its removal, that heritage officer considered the ground floor extension to be similar in footprint to what is there at the moment.
- With regard to conservation officers comments and the 6 recommendations, meeting was advised that they had been taken on board, that it will be monitored by council officers and if not adhered to enforcement action would take place. Also the applicants would have their own heritage consultants working on the project to ensure the recommendations are adhered to.
- On concerns that the provision of affordable workspace across the two sites could not be regarded as an increase, the Planning Officer reminded the meeting that in policy terms it does not meet the (quantum increase) criteria for the provision of affordable workspace on this site, that normally officers would not be seeking affordable workspace for a scheme of this size.
- On the surface run off concerns and it not being policy compliant, member requested that consideration should be given for the inclusion of blue roof and attenuation tank. Members were reminded that condition 29 seeks for more to be done in order to get closer to the green run off rate target
- On the proposed siting of the refuse storage, meeting was advised that its relocation to the middle of the courtyard next to the bicycle store was identified as a better location so that it can be shared by all users, commercial and affordable works space occupiers
- Meeting was advised that although further reductions of the footprint of the service core was technically possible, it would require interventions within the listed building.
- In response to the unusual request to revisit a consented scheme, meeting was advised that presently the Affordable works programme have significant amount of grade A floor space within CAZ , but don't have light industrial floor space for creative industry, that this application meets their requirement.
- Objector was concerned that no details had been provided regarding the café opening hours as it would result in additional noise and disturbance to adjacent properties, that no noise assessment had been carried out. Objector also raised the issue around the additional glazing extension at roof top level to accommodate new office space, as it would significantly increase the numbers of north and south facing windows facing neighbouring properties of less than 16 meters so resulting in loss of privacy and overlooking.
- Objector stated that the proposed glazing will also increase the potential light spill to the neighbouring amenity and that in the absence of a comprehensive noise and lighting impact assessment the council is unable to determine the degree of harm to neighbouring amenity.
- Objector questioned the proposed service and delivery arrangements, that they were based on unfounded assumptions and would result in delivery, service and emergency vehicles being forced to reverse into Golden lane or perform a U turn on Garrett street which is extremely narrow making it unsafe for cyclist and pedestrians including parents and school children who use the narrow pavements travelling to the primary school. It was also

suggested that altering the off street parking restrictions would also make it impossible for many larger vehicles that access the underground garages that serve 5 garage street.

- Objector also stated that it is unclear when the ecological survey supporting the application was carried out because without a robust survey and an accompanying ecological impact assessment the Council will be unable to conclude that the proposal would not be harmful to any protected species and could be in breach of habitat regulation and subject to judicial review.
- Another objector, resident of 74-78 banner street noted that although he is broadly sympathetic to the development of the stable and the potential restoration of buildings he had concerns in relation to the east core extension which comes across as a rather brutal structure and is out of character and its impact on the heritage and aesthetics of the site.
- In addition to the above the objector raised his concern about the approval of a mechanical plant on the roof of the extension, questioning the basis on which the plant is being approved for installation without specific conditions relating to its size or the purpose of the plant.
- in response to objectors concerns, the applicant welcomed the opportunity to work on an unusual scheme, that a lot of time has been invested on the project, noting the long standing relationship especially with regards to the HYLO building when it was considered by the committee many years ago.
- Applicant reiterated that the proposal is a well-designed contextual building that sits sympathetically within its area and is supported by council's DRP, that the team is aware of concerns raised by neighbours, noting that although the team has not been able to rectify all issues raised it will continue its dialogue with residents going forward to address their concerns.
- With regards the noise concerns post construction, meeting was advised that noise assessment had been carried out which states that there will be no detrimental effect on resident when the building is in use
- In terms of overlooking concerns, the applicant reminded meeting that the building is to be used during office hours, however the team were willing to look at some mitigation measures in relation to the glazing concerns. Members were reminded that the rest of the windows have always been there since the 1800's , that no new window is being proposed.
- On the traffic and parking issues, the applicant stated that what is being proposed is better than the existing arrangement, that presently delivery can turn up anywhere and any location, however with the scheme this will be restricted to places designed to avoid conflict with the garage . A Transport Statement has been submitted with the application, with the result that the scheme will result in a 30% reduction of the number of deliveries from the previous scheme use by a builders merchant.
- With regards the unspecified mechanical plant, meeting was advised that what is being proposed will fit within the envelope of the space specified in the plans, that the team welcome conditions in relation to this concern if required.
- Meeting was advised that ecological surveys were undertaken in an appropriate manner, that site has no ecological value and the site is being

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improved with the proposed blue roofs and the planting, that the scheme will improve the ecological space

- On the concerns about the opening hours of the café, the applicant advised that considering it is part of the affordable workspace team and being managed by Islington Council and the Inclusive Economy Team, it is likely to be operated during normal working hours .
- In response to conditions about the mechanical plant, the Planning Officer reiterated condition 5 which deals with roof level structures with details to be submitted to LPA prior to relevant works commencing
- Also conditions 9 and 10 is recommended to ensure that the plant noise is to be 5 decibels below the background levels. Officer acknowledged that if committee is minded, further wordings can be included in conditions to mitigate impact on neighbouring amenity and air quality besides the proposed conditions which address the mechanical plant harmful impact to street scene and its location.  
Cllr Poyser moved a motion to include 'neighbouring amenity' in conditions 9 & 10. This was seconded by Cllr Klute.
- On the decision to relocate the affordable workspace from the HYLO building despite previous commitment and being granted planning permission, the applicant advised that following years of dialogue with the Inclusive economy team about their requirement, the team was able to provide a better solution hence the Garrett Street which suits the inclusive team needs as it can be easily carved up for their user needs.
- Meeting was advised that most of the Inclusive Team end users have a preference for the Garrett street building rather than the HYLO building.
- On the transport and servicing access via Nags Court which was possible with the previous use and not available for the scheme, the applicant informed the meeting that the access gate is owned by a third party, that the entire strategy is dependent on the third party giving access to that gate, that despite discussions this has not been resolved so the team has had to move the design forward to find a solution that did not have those hindrances, as the team have no legal mechanism to enforce that use.
- In response to concerns about the activities of the cafe, the officer acknowledged that although condition **33** relates to the management of the courtyard services and deemed to be the area of the building that will have any significant impact on neighbouring amenity with restrictions between 8am - 7pm Monday to Friday, it was possible to include the café in conditions 13 and 33 to address any amenity concerns
- Cllr North moved a motion to include the café within the conditions relating to the courtyard. Cllr Klute seconded the motion.
- On the potential risk to the Council, the Planning Officer stated that the HYLO building is complete and partly occupied, that the affordable work space is ready for occupation if and when the Inclusive Economy Team require that space, that it will be remain ready for occupation until the practical completion of this Garrett street.
- Meeting was reminded that there is already a lease in place for the inclusive team to have the HYLO space secured and it has the choice to take up that space or to take Garrett street.



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- With regards the surface water run off, the applicant suggested that a condition can be recommended for the applicant to explore options, acknowledging that more could be done.
- In response to the question on whether the café would be on a perpetuity lease, the planning officer acknowledged that it is to be operated by the affordable workspace team.
- With regards to construction training / work placement, whether there will be opportunities for training for local work force and whether the fascinating recent history of the building could be promoted/protected, the applicant acknowledged that this would be considered going forward.
- In summary the Chair reminded committee that when the HYLO building was considered previously, as a compromise with its breach of Council's Tall building policy, the applicant offered the affordable workspace in perpetuity lease which is to be replicated on Garrett Street when completed and should be welcomed and a benefit. Also the applicants suggestion to explore blue roof and attenuation tank is to be welcomed.
- Cllr Clarke moved the above motion and Cllr Klute seconded the motion.
- Another member noted that considering the benefit of the scheme, the offer of light industrial use which is not possible within the HYLO building especially as it meets the requirements of the Inclusive Economy Team.
- Another member stated his reassurance that the council is not at risk from the applicants response and especially the provisions in the s106 that HYLO AWS will not be surrendered until Garrett street is available for occupation.
- Member acknowledged the applicant's efforts to keep the original features of the building, welcomed the net benefit in terms of affordable workspace, and the amended and added conditions imposed to mitigate the impact of the scheme on neighbouring amenity and the exploration of options to address the run off concerns
- A suggestion for applicants to improve the apprenticeship offer and for the history of the building not to be lost was noted.
- The Chair requested as an extra protection for the Council, that in Recommendation A that he be included in the list of internal consultees before it is agreed.

### **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 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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### **10-14 GARRETT STREET, LONDON, EC1Y 0TY (Item B2)**

Refurbishment of existing listed building, including internal and external alterations, alongside proposed single storey courtyard infill extension, four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as

ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works. Listed Building Consent ref: P2022/2097/LBC also submitted.

(Listed Building Consent: P2022/2097/LBC)

Item was considered with B1

**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, Listed Building Consent 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.

- 18 **HYLO BUILDING, 105 BUNHILL ROW, LONDON, EC1Y 8LZ (Item B3)**  
Section 73 application involving the variation of Condition 2 (Drawing and Document Numbers) of Planning Permission Ref. P2017/4939/S73 dated 27/07/2018. The amendment involves the replacement on site of the consented affordable workspace with commercial office floorspace.

(Planning application number: P2022/3516/S73)

Item was considered with Item B1

**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 and 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 as amended above, the wording of which was delegated to officers.

The meeting ended at 9.15 pm

**CHAIR**