

London Borough of Islington

**Planning Committee - 11 September 2023**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 11 September 2023 at 7.30 pm.

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

**Also Present: Councillors:**

**Councillor Martin Klute in the Chair**

**68 INTRODUCTIONS (Item A1)**

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

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

There were no apologies for absence.

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

There were no declarations of substitute members.

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

Councillor Jackson declared a personal interest in item B1 as he is presently a Governor Parent of Central Foundation School.

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

The order of business would be as per the agenda.

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

**RESOLVED:**

That the minutes of the meeting held on 18 July 2023 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**74 99 CITY ROAD, ISLINGTON LONDON EC1Y 1AX (Item B1)**

Partial demolition and redevelopment to erect a building up to 35 storeys (plus basement), comprising increased office floor space (Class E[g]); commercial floorspace (Class E); a multi-purpose flexible space (Sui Generis); flexible Commercial / Community Uses (Class E/ F1); alterations to and formation of new landscaping, public realm, plant, cycle storage, servicing and delivery space and

other associated works. (DEPARTURE FROM THE DEVELOPMENT PLAN)

(Planning application number: P2023/1070/FUL)

In the discussion the following points were made:

- Planning officer advised meeting that since agenda was published a letter of support from the Old Street Partnership (OSP) was received welcoming the range of employment and SME benefits and opportunities that could be generated by the scheme, the improvement to public realm and landscaping on all sides of the building and also with the pavement width being increased.
- Also a letter of objection from a South Shoreditch resident was received concerning the cumulative impact of various developments on local residential amenity through construction activities and also vehicular movements influenced by road layouts.
- There was also concern that the report does not sufficiently appraise how the proposed development might influence or preclude development coming forward at 250 Old Street, that the sites' interconnectivity should be better explored and the application site should be designed holistically with 250 in context and that the placement of windows on the elevation is also deemed to compromise development at 250 Old Street.
- Planning Officer clarified that there are no windows to the eastern elevation as it is evident on the submitted floor plans and C
- GI drawings.
- Meeting was advised that in light of the recent changes to NPPF which relates to onshore wind development, this has no planning implications for this scheme.
- In addition to the above, meeting was advised that Policy DH3 has been updated through the modifications which were consulted on in 2022 with the removal of the words "Any buildings proposed on these sites which exceed the identified maximum heights will be refused" in part C and that it is to be replaced with the words: "On sites identified as potentially suitable for tall buildings under this policy, development must not exceed the maximum building heights for that specific tall building location,"
- Finally Planning Officer informed the meeting of an addition to Heads of Terms of Recommendation A to include , the preparation and submission of a 'School Partnership Agreement' which details long-term partnership between Applicant and the Central Foundation Boys' School such as School Access and learning opportunities to Makerspace/ community space; School dedicated Access arrangements for Great Room; Programme for tailored apprenticeships, internships and work experience opportunities for the School with the Applicant and Opportunities for School pupils to be involved in the design of the construction hoardings.
- Planning Officer advised that site consists of a site allocation within the adopted and emerging Development Plan located within Opportunity Area Planning Framework in the London Plan known as Tech City. The site is also located within the CAZ.

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- Key considerations for the application include, Land Use, Design and Appearance, Neighbouring Amenity, Transport and Highways and Energy and Sustainability.
- With regards to land use, planning officer advised that the redevelopment of the building for a new office development may be acceptable if it can be demonstrated that the existing building is no longer fit for purpose. Also the site allocation states that there is potential to redevelop Inmarsat House as a distinct landmark building of up to 26 storeys (106m), that Inmarsat House forms a central part of the Old Street Tech City Cluster. Planning Officer also stated that the height and form of any development must be calibrated to not encroach into and detract from the view onto assets within the locality.
- Meeting was advised that the refurbishment and redevelopment presents an opportunity to substantially improve the quality of the local environment, to engage with Transport of London on addressing capacity issues around the Old Street London Underground Station and Thames Water on wastewater capacity.
- It was noted that Inmarsat House currently is 41m over 10 storeys, site allocation 106m 26 storeys while the proposed development is 151m and 35 storeys with 2 basement levels.
- In terms of context within the locality, Planning Officer highlighted a number of tall buildings within the locality , the White Collar Factory, Bower House, 161&250 City, the Atlas building and the Art’otel in the neighbouring borough of Hackney.
- Planning Officer noted that the development has been influenced by a variety of factors, that the Old Street Roundabout is a strategic junction in the borough and central London and highly visible from all directions , that the site proposes to be a focal point of an Old Street roundabout cluster, designed to function as the front door to the South Shoreditch tech city area and will act as the counterpoint to the other tall buildings in proximity such as the Atlas Building.
- In terms of design consideration meeting was advised that following a long period of collaboration by both the applicants and the council, the scheme has taken its cue from a variety of influences such as preserving amenity of neighbouring residents, responding to townscape, buildings orientation towards particular viewpoints, height, massing and bulk, materiality etc. The scheme is about providing the right quantum of floor space and height to create a building that is not overwhelming massive or bulky etc.
- Meeting was advised that the overall floorspace is approximately 63000sq.m and incorporates an uplift of over 40,000sqm of Category A office floorspace, and delivering over 4300sq.m of affordable workspace in perpetuity.
- In addition Planning Officer advised that the scheme will provide active frontages to all three street facing elevations and will include a café, a community space and an events space. The scheme will provide enlarged and enhanced public realm around its footprint as well as generous upper level terraces.
- It was acknowledged that the height of the building constitutes a departure from the development plan, that its additional height would constitute harm, that Islington’s Development plan and policy requires public benefits to be

accumulated and various tests responding to economic, social and environmental considerations to be passed before such height can be supported.

- In addition to the affordable workspace and the public realm benefits, the scheme achieves exceptional design standards, particularly at the podium level where outstanding elevational detail is proposed. At upper levels, the main shaft of the tower is designed with angular components to align with streets and buildings to create a visually dynamic building which changes its form and massing from different view points.
- The range of benefits that the scheme offers, many of which will be secured through a legal agreement include a substantial provision of affordable workspace, the provision of an event space that can be used by the community and community groups, a community training space for creative and manufacturing technology, a substantial contribution towards the Council's participation in a jobs and training scheme for hard to reach sections of the Borough's workforce, contributions towards cycle hire, cultural programming, CO2 offsetting and accessible transport provisions.
- It was noted that the proposed development would not give rise to negative daylight, sunlight, overshadowing and glare impacts and would in some cases improve the daylight conditions for some neighbours.
- The scheme will deliver dedicated off street servicing yard which is accessed via Cowper Street, the provision of dedicated cycle parking spaces and end of trip facilities with showers and lockers. One accessible car parking space will be provided on street in Cowper Street and several new high quality landscaped roof terraces will be constructed at various locations going up the height of the building.
- The scheme proposes the installation of 881 long stay cycle parking spaces, 176 of which would be Sheffield stands for non-standard accessible bikes. This presents an uplift from the existing 30 cycle parking spaces and 15 car parking spaces. This cycle parking provision will be supplemented by 40 short stay cycle parking spaces in various locations at ground floor level around the buildings and its external spaces.
- Members were reminded that Cowper Street is a key pedestrian route linking Old Street Station and City Road to South Shoreditch and that the underground station exit is heavily used during peak commuting times, that the street currently lacks any animated street frontage, greenery or amenity. It was stated that improvements to Cowper Street will help ease these issues and contribute to a well designed pedestrian friendly planted link between Islington and Shoreditch.
- In a response to a question on the impact of the scheme on Central Foundation School, meeting was advised that the applicant has reached out to the school to establish similar types of partnership including ways for the proposed development to overcome the school's space constraints and address employment and skills. In addition to the above, applicant aims to work closely with the school throughout the construction and operational phases to ensure that the development can align with the school in partnership. Meeting was advised that Officers have proposed to the applicants a method under which the legal agreement for this application can

use reasonable endeavours to formalise a relationship with the school to perpetuate this partnership.

- On the height concern, the Planning Officer stated that the tower is designed as omni-directional with multi-faceted facades to each edge with varying fenestration proportions and patterning, that its base 'lands' on the western part of the podium, spread over a number of floors at lower levels, before the tower begins its marked and high ascent. It dramatically 'comes to ground' only once on the site, to part of the primary City Road frontage, a successful architectural move.
- On the issue of the height of the tower, planning officer noted that given the sculpting of the tower and the general high quality of the architecture, coupled with the site's primary position within the urban structure, and having regard to the emerging cluster of towers in this part of the city, from an urban design perspective, the height of the building is considered acceptable.
- Planning Officer also acknowledged that while there are some environmental impacts with regard to sunlight and daylight on some adjacent homes, and to outlook, the microclimatic conditions generated by the tower are considered acceptable and that the impact on the new public open space to Old Street is neutral.
- In response to a question on setting precedent, the applicant justified the height from an architectural perspective framed around a response to adopted and emerging policy supported by the evidence (Tall Buildings Study), that the starting point is the site allocation informed by the aforementioned evidence which states the site's role is to be the focal building within the Old Street cluster. Applicant also stated that it would need to be of the highest quality and of outstanding architecture that adds distinctiveness to the cluster as well as respond to the Atlas building which is the nearest structure of comparable height and form.
- In terms of Architecture, members were advised that the building form is designed to create a slender and dynamic form from all angles within which it is visible, that its exposed location at a key junction means that it is visible in axial views. Meeting was informed that a design language has come forward of folding the building which ensures the presence of a proportionately modulated tower responsive to context, that the folds or breaks or cranks in the facades are specifically designed to relate to the surrounding context. Meeting was advised that the opportunity arises to create 8 external landscaped terraces, each of which responds to the height or crown of specific buildings that are appreciated in the setting and context of 99 City Road.
- The applicant reiterated the benefits of the height, that this represents a rare opportunity to provide a substantial quantum of office floorspace with minimal wider impact. It includes retention of the existing building and creation of a reduced footprint; an opportunity exists to provide for a better public realm setting, that its current inactivity and relationship with the public realm around is to be replaced with a redefined corner site – particularly at ground floor – as a place for meeting and arrival that works with the new public square at the junction of Old Street and City Road.

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- The proposal is not considered to give rise to an unduly harmful loss of outlook or unduly harmful increased sense of enclosure when viewed from neighbouring residential properties given the context of the urban location.
- Planning officer advised that building has been designed with amenity protection as a key aim, that the folds and kinks in the elevations allows for pathways of daylight and sunlight to existing buildings to be protected, that the scheme has no impact in terms of outlook or sense of enclosure and privacy as it is sufficiently set away from neighbouring residential properties and separated by established highways.
- It was noted that applicants have confirmed that 256 windows serving 140 rooms have been assessed, that 67 windows will gain daylight as a result of demolitions. On the remaining 189 windows, 155 windows show reductions which are within the BRE guidelines. It was also stated that 34 windows are affected beyond the 20% reduction whereby daylight reductions become noticeable, that 11 of these 34 retain a VSC of between 15.47% and 18.8% which would exceed the applicants' target VSC and is considered to be excellent for a densely developed city centre location where there are other tall buildings present within a narrow highway framework.
- With regards to construction impacts, planning officer advised that site is within a ULEZ and vehicular pollution is subsequently controlled, that the full and final CEMP will be more detailed and far more effective at appraising highway movements noting that it is a car free development.
- In terms of daylight, sunlight and overshadowing, planning officer advised that there is no overshadowing as a result of the height of the building or glare effect to drivers along the Old street.
- With regards energy and sustainability of the scheme , planning officer highlighted a number of measures, that 63% of structure will be reused, that the proposed building will aim to perform 46% better than Part L 2013, that no fossil fuels will be used for power, blue roofs will be provided and with the rainwater being harvested water demand will be cut by 55%, that 95% of the demolition material will be diverted from landfill and 20% of materials recycled etc.
- In addition to the above, meeting was advised that the scheme will result in a 49% reduction in regulated CO2 emissions baseline and 23.9% reduction in total emissions. Also applicant has offered a carbon offset contribution of £606,433.
- Planning Officer in summary indicated that the scheme delivers and exceeds planning and public benefits through exceptionally high quality design which is positively transformative to the OSR, substantial provision of office floorspace; substantial contribution towards affordable workspace; meaningful and effective contributions towards tackling worklessness in the Borough through the LIFT programme; providing substantial community space for teaching, training, SMEs as well as charities and local groups; providing comprehensive improvements to the quality of the public realm especially to Old Street where the pedestrian environment is currently poor; providing substantial accessible landscaped space on terraces. Terraces are user centric and not plant zones; delivering an exceptional environmental

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performance and generates no worsening of residential amenity and addresses microclimate.

- In terms of s106, meeting was advised that the following benefits have been secured by the legal agreement some of which are approximately 40,000sqm, a net increase in office floorspace; over 4200sq.m net increase in affordable workspace for perpetuity; over 200sqm for a publicly accessible meeting space known as a great room providing the flexibility also to be used by charities and LBI affiliated groups over 26 days per year; a maker space with a FabLab to provide for teaching working training and entrepreneurial space; operational budgets for both rooms; significant contributions towards the Council's role in the LIFT programme to tackle worklessness in the Borough particularly with hard to reach groups that is proven to get people into work, create meaningful start ups and generate business rates; contributions towards cultural enrichment; substantial new public realm, planting, and resurfacing; opportunities for better access for cyclists and opportunities for collaborative working, support and partnership with the adjoining school.
- In response to a member question about the microclimate impact, the inappropriate massing of the scheme and impact on neighbouring heritage assets especially in light of comments from Historic England, the Planning officer advised that the scheme has been subjected through a wind tunnel assessment, that this is a different building with a slender tower being proposed in comparison to the existing cuboid buildings.
- On the provision of the 'Great room' for 26 days for 10 years and the community space and the possibility of extending its use, applicant advised that at this stage it is unable to commit as it is difficult to foresee the future especially in light of advancement of technology, however will continue to discuss this with the authority.
- A suggestion of 10-15 year of extension was noted.
- On the impact of the construction activities on the pupils of Central Foundation School and immediate benefits, applicant highlighted the various offers both during and post construction, however are willing to continue discussion with the schools besides the offer of internship, placements and design of hoardings around the site. A suggestion to amend S106 so as to ensure that developers and school continue further discussion was noted.
- On concerns about traffic flows around the proposed building and in particular its impact on surrounding roads, the planning officer advised that traffic assessment had been undertaken and no objections from TFL. A suggestion to amend the wording of Construction and Environment Management plan was noted.
- In response to a question on whether the design architect for the scheme will be retained for the whole period of construction, the planning officer acknowledged that this has been secured in s106 agreement.
- Islington Society raised concerns about the height of the building and its impact on the streetscene, that it is contrary to the recently Local Plan approved by Islington's Executive, that this was setting a precedent for future sites like the Moorfield Eye Hospital. In addition, concerns was raised that comments from the Design Review Panel and Historical England had not

been taken into consideration, stating that the scheme would have an adverse impact on neighbouring amenity, the noise and pollution, loss of sunlight and daylight and that its consideration should be deferred.

- A resident living on Tabernacle Street was concerned about vehicular movements, the delivery and servicing arrangements and the refuse collection especially as access into the site was via a narrow residential road with potential harm to the fabric of buildings that were over 100 years.
- Another neighbouring resident was concerned with the loss of view, that residents had not been consulted, that the developments in the area were having an impact on water supply citing a tree with stunted growth. He was also concerned the area was slowly being gentrified, with small business now taking the places where residents lived, and that the construction of the building will worsen the bottlenecks in and around the Old street area and its adverse impact on the infrastructure.
- In response to issues with traffic in and around surrounding local roads, applicant advised that the removal of the car park will result in less vehicular movements and that the scheme is a car free development and that most of the impact around will be addressed via the Construction and Environment Management plan.
- On the question of whether the scheme will be setting a precedent, the planning officer advised that each application is assessed on its merits, that its unique characteristics, location and the way the building is designed is not transferable to other sites such as Moorfield.
- In summary, the Chair noted that the height of the building is a key issue and the issue was whether benefits offered outweigh the adverse impact of the scheme. Also another issue for consideration is if precedent is being set here by allowing the scheme, noting the applicants view that a slender building has less impact than a squat form of building, and it is not transferable to other sites. Members were invited to look at servicing and delivery hours and also to modify the construction and environment management plans especially in its relationship with the school.
- Member requested that item be deferred as the scheme is contrary to council's local plan, so that developer can bring back to committee a smaller iconic building that aligns with Islington's policy.
- Member stated that although there were concerns with the scheme, the benefits such as the affordable work space provision in perpetuity; the employment opportunities for local residents are to be welcomed subject to the inclusion of conditions with regards the continued use of the Great room and the Maker space beyond the period of 10 years.
- Member queried the overdevelopment of the site, that scheme will result in an additional 12,000sqm office space and 2500 jobs, that the proposal was more or less architectural /developer policy presented with benefits to mitigate a departure of council local policies, requesting that application be deferred especially as there was nothing exceptional about the benefits being offered as it will not offset the harm from the height of the proposed building.



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- Chair requested a vote on the motion for item to be deferred to allow for further consideration of the height of the building and the package of benefits offered. Motion was not carried.
- Members agreed the following additions
  - that servicing hours be amended to be 7am-10pm,
  - that the Head of Terms be amended to state that developer and council consider extending the use of the Maker Space from the 10 years proposed to a possible 25 years
- Also members agreed that in light of the disruption during construction activities to the Central Foundation School, that the construction management plan to include further discussions beyond the partnership agreement.

Councillor Klute proposed a motion to grant planning permission subject to the changes noted above. This was seconded by Councillor McHugh 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 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.

### **75 ARCHWAY CAMPUS, 2-10 HIGHGATE HILL, LONDON N19 5LP (Item B2)**

Temporary change of use of existing buildings to non-residential artists studios and exhibition space (Sui Generis) for a period of 5 years.

(Planning application number: P2022/4011/FUL)

In the discussion the following points were made:

- Planning officer informed the meeting of a number of updates since agenda was published.
- Firstly meeting was advised that due regard has been given to the updated version of NPPF published 5 September 2023, changes which relate to an update written in ministerial statement, to update policy for onshore wind development in England, that officers can confirm that it is not material to its assessment of the application.
- Also letter of objection has been received from local arts charity stating that there are too many artists which will impact on neighbouring amenity and affecting local charities in the area.
- Also officers received letter from the Islington Society, agreeing with the officers recommendation of reasons for refusal and a provisional timetable has been received by the Local Planning authority setting out the appeal process.

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- Meeting was advised that site comprises an area of approximately 1.47 hectares and occupies a prominent location to the northern edge of the Archway gyratory and is currently vacant.
- Planning Officer advised that site was designated as the Holborn Infirmary Conservation Area in March 2014 and is considered to be 'At Risk' and is on Historic England's Heritage at Risk Register and that the historic buildings on the site are locally listed and include the Holborn Union main range with its landmark central tower and administration block fronting Archway Road.
- No detailed proposed internal layout plans have been provided for all floors to illustrate how the internal space within the existing buildings would be subdivided.
- The proposal provides 17,561 sqm of temporary floorspace, that there will be 326 artist studios supplemented with exhibition space, lecture space, ancillary offices, site workshop and canteen. Meeting was advised that it is estimated for estimated 800 artists (approx. 2.5 per studio) and will be operating 24 hours a day/ 7 days a week and that it will be set up and managed by SET with other sites across London.
- Planning Officer advised members that Local Planning Authority has received notification of the appeal for the Non-Determination (Appeal Ref: APP/V5570/W/23/3326166), therefore Authority will not be determining the application but the Planning Inspectorate.
- Meeting was advised that in light of the applicant's appeal, the report before committee is to agree the basis on which the council will defend its case at the appeal, that officers would have refused the application on 8 grounds had the appeal not been submitted.
- Planning Officer advised that the key planning considerations are the Principle of Development, Land Use, Accessibility and Inclusive Design, Neighbouring Amenity, Fire Safety, Implications for Projected CIL Contributions and Planning Obligations and CIL.
- Members were advised that firstly, the meanwhile use would be of a far greater scale than the limited local need for artists' studios/exhibition space that has been identified by the Council, that it would result in the over-provision of artist's studios.
- Also the proposed temporary use, by reason of its scale and intended period of occupation, could lead to significant numbers of occupiers being displaced into the surrounding area at the end of the temporary 5 year period with insufficient capacity for local re- accommodation.
- Meeting was reminded that vacant site is subject to emerging Site Allocation, ARCH5, for residential led development which sets out that "*given the very limited supply of development land in Islington, policies strongly prioritise the most urgent need, which is conventional housing*", that it is considered that the proposed meanwhile use, by reason of the 5 year period of use; its proposed scale; the extent of occupation across the site, its timeframe for roll out, that it would impede the policy priority for the residential led redevelopment of the site and the urgent delivery of conventional housing in the borough and reduce the incentive to deliver the housing as soon as possible.

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- In addition to the above, Planning Officer stated that the proposal also fails to provide adequate measures to address accessibility and inclusive design requirements and therefore fails to demonstrate that the proposal would result in inclusive, accessible buildings which meets the needs of intended occupiers and visitors. In addition, the proposal fails to provide sufficient measures to demonstrate that the operation of the proposed meanwhile use would achieve the necessary highest standards of fire safety and ensure the safety of all building users and visitors.
- It was noted that the meanwhile use will have very substantial implications for Community Infrastructure Levy (CIL) on future redevelopment as the proposed meanwhile use, which is expressly pending long term residential development of the site would result in a substantial reduction of the projected CIL contributions that future residential development would generate.
- With regard to neighbouring amenity meeting was advised that representations were received from neighbouring residents raising objections in relation to undue noise and disturbance, and safeguarding and security. There was also concern that the excessive scale of use would result in adverse amenity impacts, including noise and disturbance to neighbouring residents, through the intensification of activity arising from the quantum of artist studios/ exhibition space; the extent of occupation across the whole site, and the intention to operate the use for 24 hours a day/ 7 days a week.
- Finally, Planning Officer advised that in the absence of an appropriate Section 106 legal agreement, the application fails to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development.
- In terms of planning balance, the Planning Officer stated although there are benefits such as bringing the vacant buildings at Archway Campus back into active use and providing some economic, cultural and community benefit to Archway town centre and to the artists themselves and having an appropriate use for the vacant historic buildings on the site, which are locally listed, could also likely help with their physical condition, however there are adverse impacts as the proposal gives rise to a far greater scale than the local need and its over provision could result in significant number of occupiers being displaced at the end of the temporary 5 year period. It was also noted that the proposal would impede the urgent delivery of conventional housing and reduce the incentive to deliver housing as soon as possible; the potential impacts on residential amenity; the insufficient provision of acceptable accessible and inclusive design measures; fire safety standards and the implications for projected CIL payments.
- In addition, members agreed to include in reason 2 that no succession plan has been put forward for when the meanwhile uses ends.
- On the question on whether the applicant had produced any evidence of the high need/demand of actors and whether any strategy /plan was in place on the dispersal of artists after the end of a 5 year period, meeting was advised that no details on any of these issues was provided in the applicants submission, nor any mitigation measures.

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- Florence Trust representative informed the meeting that the opportunity to utilise a building on this site came as a result of being evicted from their site in 2019, that having approached Seven Capital who acquired the site, the trust will be able to provide affordable workspace for both local and international artists, that it represents an opportunity to generate income for the trust with the hope that they would be able to purchase their own home and remain in Islington. Meeting was advised that there is a high demand for accommodation for artists.
- A director of a local art charity, Bomb Factory objected to the proposal that it is an example of art washing with their long term plan for building expensive apartments, that the proposal will destroy the local charities already doing good work in the area, that the temporary nature of the use was not in line with the CEZ ideals of creating a sustainable. Charity welcome officers recommendation to refuse planning permission.
- During deliberation, members were concerned with scheme not having no step-free access to some of the studios which are marked on plans as accessible, or from some of the studios to the canteen; insufficient evidence of securing safe transport opportunities for disabled users with no accessible cycle parking and no convenient routes to accessible parking spaces; insufficient accessible sanitary/WC provision; that proposal fails to provide adequate measures to address accessibility and inclusive design requirements and, therefore, fails to demonstrate that the proposal would result in inclusive, accessible buildings which meets the needs of intended occupiers and visitors.
- In response to comments by the inclusive Design Officer that the proposal would be a breach of the Equality Act, it was suggested that reason no 6 be amended to reflect the breach.
- Members were advised that Officers would have recommended to Committee to refuse planning permission for the following reasons set out in Appendix 1 of the report and includes the following:

1. The proposed meanwhile use, which would facilitate up to 326 studios, is of a far greater scale than the limited local need for artists' studios/exhibition space that has been identified by the Council. It is therefore contrary to Policy HC5 of the London Plan and Policy R9 part B of Islington's Draft Local Plan.

2. The proposed temporary use, by reason of its scale, and intended period of occupation, could lead to significant numbers of occupiers being displaced into the surrounding area at the end of the temporary period with insufficient capacity for local re-accommodation. It is therefore contrary to Policy HC5 of the London Plan and Policy R9 part B of Islington's Draft Local Plan.

3. The proposed meanwhile use, by reason of: (i) the period of use proposed; (ii) its proposed scale, (iii) extent of occupation across the site, and (iv) its timeframe for roll out, would impede the policy priority for the residential led redevelopment of the site and the urgent delivery of conventional housing. The proposal is therefore contrary to: (i) emerging Site Allocation ARCH5; (ii) with the urgent imperative to deliver conventional housing on the site reflected in the housing targets in draft Local Plan Policies H1 Part C and H2 Part B; (iii) CS12 Part B in the current Local

Plan Core Strategy, which seeks to ensure continuous supply of land for housing; and (iv) emerging Policy R9 - Meanwhile/temporary use part B (i).

4. The proposed meanwhile use, which is expressly pending long term residential development of the site, would result in a substantial reduction of the projected CIL contributions that residential development would generate. It is therefore unacceptable as being inconsistent with the statutory scheme in relation to CIL. The CIL contributions from the residential development are a necessary material consideration under s.70(2)(b). They are necessary for s.205 purposes. Granting this permission would significantly reduce those contributions with necessary planning consequences. The proposal would therefore hinder the council's ability to address and mitigate future impacts on local infrastructure which would result from the future large scale residential led redevelopment of the site. As such the proposed change of use would result in a loss of enhancements to services and the environment necessary as a consequence of demands created by a residential redevelopment of the site, contrary to adopted Policy CS18 of Islington's Core Strategy, Policy DM9.1 of Islington's Development Management Policies related to infrastructure provision and contrary to the emerging Policy ST1 on Infrastructure Planning and Smart City Approach of Islington's Draft Local Plan.

5. The proposed meanwhile use would, due to the proposed excessive scale of use, result in adverse amenity impacts, including noise and disturbance to neighbouring residents, through the intensification of activity arising from the quantum of artist studios/ exhibition space, the extent of occupation across the whole site and the intention to operate the use for 24 hours a day. The proposal is therefore contrary to London Plan Policy D3 and Islington's Draft Local Plan Policies PLAN1 B, R9 B (iii) and DH5.

6. The proposal fails to provide adequate measures to address accessibility and inclusive design requirements and therefore fails to demonstrate that the proposal would result in inclusive, accessible buildings which meets the needs of intended occupiers and visitors. The proposal is, therefore, contrary to Policy D5 of the London Plan, Islington's Inclusive Design SPD, Policy DM2.2 Part A of Islington's current Development Management Policies, and Policy PLAN1 (B iii) in Islington's draft Local Plan.

7. The proposal fails to provide sufficient detail to demonstrate that the operation of the proposed meanwhile use would achieve the highest standards of fire safety and ensure the safety of all building users. The proposal is therefore contrary to Policies D5 and D12 of the London Plan.

8. In the absence of an appropriate Section 106 legal agreement, the application fails to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (highway and footway works, parking bay relocation, employment and training, carbon offsetting, and Travel Plan), and as such the proposal fails to accord with policies CS10, CS13, CS18 and CS19 of Islington's Core Strategy (2011), policies DM7.1, DM7.2, DM7.4, DM8.2, and DM9.2 of Islington's Development Management Policies (2013), and Islington's Planning Obligations SPD (2014) and the Environmental Design SPD (2012) as well as emerging Local Plan Policy B5.

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Councillor Klute proposed a motion to agree officer's reasons for refusal. This was seconded by Councillor North and carried.

The meeting ended at 10.40 pm

**CHAIR**