

London Borough of Islington

**Planning Committee - 15 July 2024**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 15 July 2024 at 7.30 pm.

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

**Councillor Martin Klute in the Chair**

**121      INTRODUCTIONS (Item A1)**

Councillor Klute welcomed everyone to the meeting including Councillors Craig and Jeapes who were recently appointed to the Committee by Annual Council on 11 July 2024. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

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

There were no apologies for absence.

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

There were no declarations of substitute members.

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

Councillor Craig declared a personal interest with regards to item B2, William Martin Court, 65 Margery Street, London, WC1X 0JH as she works with Great Ormonds Street Hospital, London treating Maltese children and would not be participating in the decision making process.

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

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

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

**RESOLVED:**

That the minutes of the meeting held on 4<sup>th</sup> June 2024 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them subject to amending the resolution which states that the application be deferred instead of stating that the application be refused planning permission.

**127      176-178 YORK WAY, LONDON, N1 0AZ (Item B1)**

Demolition of existing buildings and erection of a building (Use Class E) including basement levels and provision of Makerspace (Sui Generis) and flexible and mixed Use Class E / Sui Generis floorspace, highways, landscaping and public realm works and all associated and ancillary works and structures.

(DEPARTURE FROM THE DEVELOPMENT PLAN)

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(Planning application number: P2024/0844/FUL)

In the discussion the following points were made:

- Planning Officer informed the meeting that since the publication of the report, representations has been received on behalf of one individual primarily raising procedural matters, noting that this is no new material planning issues have been raised.
- In addition to the above, meeting was advised that applicant has proposed to include W/C and Kitchenette within the makerspace; revised basement plan to include gender neutral lockers; additional annotation on rooftop level plan; provision of a further 6 short stay cycle bringing the total to 27 short stay cycle parking spaces on York Way.
- Planning Officer clarified the total number of long stay cycle parking space within the basement is 132 spaces rather than 127 stated in the report. Meeting was advised that all amendments have been accepted by the Council's Inclusive design and Inclusive Economy.
- In addition to the above, Planning Officer reiterated that officers agree with the GLA assessment which notes the impacts on the wider heritage assets including the Kings Cross Conservation Area and a locally listed building.
- A correction to BREEAM, life sciences area will achieve a rating of 'Excellent' with an overall score of 75.11% rather than 83.50%, to be secured through condition.
- Site is located on the eastern side of York Way fronting Randell's Road to the north and Bingfield Street to the south and currently consists of a former petrol station and car sales outlet, car wash and sui generis two storey buildings and structures.
- Meeting was advised that site boundary adjoins an empty plot at 57-65 Randell's Road, with extant consent ref: P2015/2834/FUL for 6no. residential units and application site is not listed or locally listed and is not in a conservation area.
- Site is located in a highly urbanised area with a diverse mix of land uses and building types and heights, within the context of the site, including a substantial provision of residential and commercial uses within close proximity.
- There are purpose built residential developments opposite the site on the western side of York Way, in the London Borough of Camden at Rubicon Court and also Saxon Court. Rubicon Court has a building height of part 11 storeys, part 15 storeys and Saxon Court of part 8 storeys, part 16 storeys.
- Planning Officer informed Committee that site is heavily constrained below ground, with major railway infrastructure lying directly below the majority of the site.
- Planning Officer advised that key planning considerations include land use, design and appearance, neighbouring amenity, transport and highways, energy and sustainability and planning balance.
- In terms of land use consideration, the proposed use will include the erection of a new eight storey commercial building providing approximately 16,000 sqm of lab-enabled office floor space on the upper floors, that the lab-enabled office floor space would provide a Life Science use of comprising of laboratory floorspace and office write up space.
- Meeting was advised that the key elements of the ground floor include the 'Makerspace' 62sqm (GIA) of floor space for the community as education and training uses, the 'Randell's Room' of 537sqm(GIA) proposed as flexible Use Class E /Sui Generis floor space with the intention to create a space that can accommodate a range of community events and outreach programmes throughout the year, managed and programmed via a booking process with openings available to a wider groups of organisations including local groups, societies and education providers.
- With regards the provision of affordable workspace, over 1500sqm of dedicated affordable workspace at first level and associated meeting at ground floor.
- Planning Officer advised that the proposed redevelopment of the site for a mixed-use business led development, accords with the site allocation justification which seeks business-led, mixed use development which prioritises the intensification of business uses. The site allocation identifies that the Islington Tall Buildings Study suggests the north-

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western part of the 176-178 York Way part of the site would be an appropriate location for a local landmark building of up to 12 storeys (37m). In rising to a maximum height of 43m including plant screening, meeting was advised that the proposed development therefore exceeds the prescribed height within the site allocation, which is a departure from the development plan.

·Planning Officer noted that the scheme has been advertised as a departure from planning policy. In order to offset the lack of compliance with of the height aspect of the site allocation, it becomes necessary to generate and consider a list of planning benefits to weigh up against these contraventions.

·It was noted that a range of benefits many of which will be secured through a legal agreement include substantial provision of affordable workspace, the provision of an event space that can be used by the community and community groups (Randell's Room), a community training space (makerspace), contributions towards CO2 offsetting and accessible transport provisions.

·The proposals includes extensive public realm improvements surrounding the site on Bingfield Street, York Way, and Randell's Road, including highways improvements, and the introduction of hard and soft landscaping, and the pedestrianisation of part of Bingfield Street.

·In terms of highways and Servicing, the scheme will comprise the delivery of a dedicated off-street servicing yard accessed via Randell's Road, the provision of dedicated cycle parking spaces and end of trip facilities with showers and lockers

·On the issue of the impact of the proposal on neighbouring amenity, building has been designed with amenity protection as a key aim, that the stepped eastern elevation minimises daylight and sunlight impacts to existing buildings.

·In terms of outlook, sense of enclosure and privacy, meeting was advised that proposal is sufficiently set away from neighbouring residential properties and separated by established highways.

·Planning Officer stated that concerns about noise and disturbance, plant and equipment mitigation measures are considered acceptable by Environmental Health Officers subject to conditions.

·Planning Officer advised that at roof top level, located above seventh floor level, plant equipment and associated screening is proposed as well as a further roof terrace. There is a plant screen of approximately 6 metres which is recessed from each façade except in the northwestern corner of the site.

·On the issue of Energy and Sustainability, meeting was advised that the proposal will result in 11.6% reduction in regulated CO2 emissions (2013) baseline and 28.3% reduction in total emissions; that a carbon offsetting contribution of £378,363 is secured by condition.

·In terms of sustainable design standards, planning officer stated that office area will achieve a BREEAM rating of outstanding with a score of 86.26%, life sciences area will achieve a BREEAM rating of Excellent' with an overall score of 75.11%, with a condition attached requiring reasonable endeavours to achieve an Outstanding rating.

·The scheme proposes a solar PV arrays totalling a 203sqm, a condition is attached regarding Solar PV outputs and potential for any increases to overall solar PV capacity. Final Green Performance Plan secured through s106.

·In addition to the above, whole life-cycle carbon assessment has been submitted by applicant which complies with London Plan Policy. Also Circular Economy Statement and an updated Sustainable Urban Drainage Strategy is required by condition with no objection from Thames Water.

·Planning Officer stated that on planning balance considerations, the scheme fails with the non-compliance with the development plan with the building height exceeding the height of the site allocation by 6 metres; a limited extent of adverse residential amenity impacts and not meeting the CO2 reduction targets, so there is a requirement to provide public benefits to offset this harm as listed below.

·Meeting was advised that a total financial contribution of £150,000 over 5 years has been secured, an annual contribution of £30,000. £20,000 per annum will be given to a

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Community Investment Fund to be allocated to the NLP4Kids programme with EGA and Vittoria and a further £10,000 per annum through a flexible fund to be awarded to multiple organisations aligned with the social value goals agreed with LBI at the beginning of each year

- As stated above the provision of 'Randell's Room' made available for a period of 10years; provision of the Makerspace for Education use, a 62sqm offered at peppercorn rent for a period of 10years; significant public realm improvements surrounding the site.

- In summary planning officer stated that the significant planning benefits offset the harm and have been secured through planning obligations and include a building of high quality architecture, significant intensification of business use floorspace as Lab-enabled office floorspace; provision of over 1,500sqm of affordable workspace in perpetuity and contributions to carbon offsetting , employment and training, short stay cycle spaces in the public realm and accessible transport contributions.

- On Air quality concerns, the committee chair suggested to members that the air quality condition besides requiring the applicant to submit an Air quality report, should be amended to also include computer modelling of the impacts of exhaust air from the building's AHU's.

- An objector with connections to the adjoining site was concerned with planning officers assertion in his presentation that no new material planning objections had been received, noting that a recent letter sent by them did raise some additional issues. Also objector had concerns about delays for a decision by planning officers with their own application which is for the site adjacent to the site being considered by the committee and that the development would prejudice their scheme. Also claims that they had not been consulted despite being on the list of consultees, requesting that the application be deferred. Another objector raised issues about the site allocation justification and the impact of the proposed scheme on their own site.

Planning officers advised that the scheme had been designed in such a way that it would not prejudice the delivery of the previously consented scheme on the adjoining site.

In response to the objector's claim, applicant advised that its design has been undertaken in a way so that it does not compromise their neighbouring site noting that from the onset that there were conversations with a view of including the land within their site but to date these conversations had been unsuccessful.

- With regards to overlooking concerns from the roof terrace, meeting was advised that these are for use by the occupiers of the building for amenity purposes and has been designed in such a way that the planters limits users getting close to balcony edges.

- On the question of disparity of tenures between affordable work space which was offered in perpetuity and the offer of 10years for the 'Randell's Room' and Makerspace, applicant advised that this could be increased to 25years.

- On the number of hours of community use of Randall's room, meeting was advised that the wording on page 21 paragraph 6.12 should be amended to reflect that it be made widely available as it is not expressly stated in the s106 legal agreement.

- In response to the above, the applicant indicated that the use could be increased from 26 days to 40 days and reflected in the Head of Terms.

- Councillor Hamdache suggestion for an updated energy strategy to be reviewed in 10 years was noted.

- Councillor Hamdache moved the motion for an additional condition requesting for an updated energy strategy be provided in the next 10years. This was seconded by Councillor North. Members expressed concerns that there was no time specified for the use of the terraces. Members agreed Monday to Friday 8am to 8pm.

- With regard to delivery and servicing times, Committee agreed to delegate the wording to the planning officers On the concerns with the restrictions of the length of vehicles into the area and impact on highway safety, a member suggested that any servicing should be via the service bay designed into the scheme. Members were reminded that highways had no objections to the servicing arrangements. Committee agreed to amend the wording to require an updated DSP which shall be submitted and approved by officers in conjunction with the chair.

- In summary, members welcomed the planning benefits, the building and its design and the public realm improvements in an area that needs redevelopment.
- Councillor Klute proposed a motion to grant planning permission subject to an updated Delivery and Servicing Condition, an Energy Condition, together with updated Heads of Terms relating to the time period for the peppercorn rent of the Randell's Room and the Makerspace updated to 25 years and that the Randell's Room be available for a minimum of 40 days a year. This was seconded by Councillor Hamdache 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 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; and subject to any direction by the Mayor of London to refuse the application or for it to be called in for determination by the Mayor of London.

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**WILLIAM MARTIN COURT, 65 MARGERY STREET, LONDON, WC1X 0JH**  
**(Item B2)**

Change of use of existing staff hostel (sui generis) to temporary accommodation for Maltese residents receiving medical treatment in the UK and their families (sui generis), alongside provision of single storey roof extension, external and internal alterations; and associated new plant, parking, landscaping and related works  
(Planning application number: P2024/0239/FUL)

Cllr Craig declared a personal interest with this item and did not participate in the deliberations or decision making.

In the discussion the following points were made:

- The site is located on the south-eastern side of Margery Street and is bounded by Wilmington Street to the east, Yardley Street to the west and the rear gardens of residential properties on Wilmington Square to the south. The Site contains a three-storey building with a basement car park accessed from Yardley Street
- Meeting was advised that application seeks permission for the change of use of vacant staff hostel (sui generis) for temporary accommodation for maltese residents receiving medical treatment in the UK and their families (sui generis).
- It was stated that the change of use previously approved through planning permission ref: P2021/3255/FUL, dated 12/05/2022 is still extant although yet to be implemented and is a material consideration.
- Loss of existing hostel use is considered acceptable.
- Proposed use does not meet need identified within development plan but results in merits which are not expressly recognised in planning policy terms in that it meets a need on a larger than local level and on an international level which is beneficial in planning terms.
- Meeting was reminded that the bi-lateral agreement between the UK and Maltese Governments for patients to receive NHS care in the UK is a material consideration.
- In addition, Planning Officer stated that evidence submitted by applicant and letter of support from Great Ormond Street Hospital suggests the proposed units would be fully occupied almost immediately.

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- Meeting was advised that officers have recommended that an obligation be included within the legal agreement which would restrict occupation of the proposed development solely to those eligible persons connected with the Puttinu Cares Charity.
- Key planning considerations include land use, design and appearance, neighbouring amenity, transport and highways, energy and sustainability and planning balance.
- With regards land use, Planning officer advised that the unique circumstances of the proposed sui generis use as temporary living accommodation solely for use by Puttinu Cares secured through a legal agreement ensures that, despite not providing accommodation that meets a need identified in the development plan, the proposal would not raise a conflict with the aims of local policy that could act as an undesirable precedent elsewhere in the borough. It is, therefore, considered that the proposed change of use continues to be acceptable.
- Meeting was advised that a number of elevational alterations are proposed to the existing building, including the removal of the visually hostile steps and brick wall at the southern edge of the pavement, a softening of the perimeter with landscaping behind new back edge of pavement railings, new windows, rear elevational extensions, and a roof extension.
- Along Margery Street, the existing building has a brick wall perimeter which results in the building having a hard street presence and the applicant proposes to remove these walls, replacing them with railings more typical of the surrounding townscape.
- Planning Officer also stated that with regards to the southern end of the Margery Street elevation, the existing building has a poor-quality stair and ramp which acts as a secondary means of escape which is considered as adding to the level of visual clutter and detracts from the quality of the surrounding townscape. The applicant proposes to remove this structure, replacing it with a ramp which rises from basement level to the ground level at the southern end of the site. This is welcomed as it considered that the proposed replacement would be more discreet than the current arrangement and would, therefore, enhance the building's relationship with the street.
- The existing building's fenestration facing Margery Street is overtly horizontal in emphasis with UPVC window units. The applicant proposes to revise the fenestration strategy, reordering of the windows to provide more generous and architecturally improved treatments with an expressed masonry surround and vertical ventilation panel which helps bring some vertical counterbalance to the façade. The reduction in size of some of the ground floor windows helps with privacy to the residences but also provides a form of visual plinth base to the building. A tonally complementary but distinctive brick colour has been chosen to provide a feature for both the front and rear elevations where new brickwork is proposed. The proposed fenestration strategy is considered to be a key benefit of the proposals being assessed within this application.
- It was noted that given the applicant is proposing to amend the existing structure and ensures that the public benefit of the proposed design enhancements is delivered, it is recommended that a condition (4) requiring the proposed windows be installed prior to occupation be added to the decision notice.
- Planning Officer noted that a single storey roof extension is proposed to provide space for additional bedrooms and having gone through a number of design iterations, it's proposed height has been reduced, and set back with shadow gaps, its windows are smaller than those below, and it has a plain stone-like appearance. It is considered that these design measures result in the roof extension being subservient in proportion and appearance to the host building.
- The proposed roof extension is considered to be of an appropriate design for the surrounding area with an understated calm appearance which is considered not to distract from the surrounding heritage assets nor the character or appearance of the conservation area.
- In response to a question on not having a mansard roof, the Council's Design officer stated that it is considered that the proposed extension does not make too much of a statement on what is currently a simple brick building of little architectural merit. The proposed materiality, subject to recommended condition 3, would result in a high-quality appearance.

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- Planning Officer acknowledged that whilst the proposed roof extension would result in a greater massing at roof level, the proposed development would be no taller than the highest point of the existing building, albeit these projecting elements are currently limited.
- Meeting was advised that there are currently solar PVs on the roof of the building that do not have an adverse impact on the public realm and that a replacement solar PV array is proposed for the new level of flat roof and that similarly, it is not anticipated that they would have an increased impact on the character or appearance of the area or the setting of listed buildings.
- The application site sits within the New River Conservation Area and includes some of the finest terraces and squares in the Borough. The area has a rare quality and consistency of scale, materials, design and detailing which require protection and enhancement.
- It was noted that although the application site sits within the setting of the listed terrace houses in Wilmington Square and Yardley Street and the listed Charles Rowan House, and located less than 50 meters from the Rosebery Avenue Conservation Area (CA34), it is not currently visible from within this conservation area and it is not considered that the proposals would change this.
- In summary, meeting was advised that the proposals would preserve the character or appearance of the New River Conservation Area and would not adversely affect the setting of the listed buildings of Wilmington Square and Yardley Street and Charles Rowan House and would be appropriate in the surrounding townscape.
- On the neighbouring amenity, Planning Officer advised that although the site is surrounded by residential properties on all sides it is considered that the proposed development would not result in a harmful increase in overlooking, subject to a recommended condition (17) securing the installation of obscured glazing to windows on the rear elevation.
- Similarly it was noted that whilst the proposals would result in an increased massing through the addition of a roof extension, the existing building's rear elevation is clearly visible from the properties at Wilmington Square and resulting in an increased level of visibility, it would not result in any overall increase to the building's height, as it would be no taller than the existing lift overrun. Further more due to the sufficient distance between the site and neighbouring residential properties has been maintained, it is therefore not considered that the proposed massing would create an unusual or unreasonable relationship to surrounding properties in the surrounding area. It was also noted that all windows to the rear of the building either serve circulation areas, or where they serve habitable rooms, the windows are conditioned to be obscurely glazed.
- With regards to noise and disturbance, Planning Officer acknowledged that bringing the application site back in to use would result in noise from increased comings and goings when compared to the existing vacant site, however it is not considered that this would be uncharacteristic of the surrounding residential blocks. Furthermore, through the recommended conditions and planning obligations, it is considered that noise and disturbance from the proposed use would be limited to an acceptable level.
- On the issue of daylight and sunlight impact, meeting was advised that applicant has submitted a daylight and sunlight assessment which confirms that the proposed development would result in some limited transgressions which breach the BRE guidelines, however on balance is considered acceptable.
- The proposal seeks to introduce landscaping across the site, with planting proposed in the rear shared amenity space and in front of the building along Margery Street and Wilmington Street. Green roofs are also proposed to be installed at first and second floor levels. The proposed landscaping scheme incorporates a good level of inclusive design measures and includes a planting strategy which uses native species and pollinating plants to create a sensory experience for residents whilst still promoting biodiversity. It is, therefore, considered that the resulting landscaping on the site would be of a high quality, subject to recommended condition 6 which would secure details of the landscaping prior to occupation.
- With regard to transport and highways, meeting was advised that delivery and servicing vehicles will park in existing parking spaces along Wilmington street and there will be

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basement car park for off street servicing and refuse collection will be from Yardley Street, which is the existing location. Energy and Sustainability statement have been amended, that there will be a reduction of 17.50% in carbon emissions, Air source heat pump is proposed and an offset financial contribution of £37,215 has been secured by planning obligation.

·On the issue of planning balance, meeting was advised that although scheme will have an impact on neighbouring amenity, the benefits outweigh the harm, that it has merits on a larger than local level and on an international level ( albeit not a material planning consideration), need for the use, bilateral agreement between the UK and Malta is a material consideration to which officers attach considerable weight in the planning balance and the improvements to the existing building in terms of design would benefit the surrounding streetscene.

·Objections raised include daylight and sunlight loss which has been addressed in the report before committee, boundary wall concerns, potential increase of traffic ,access concerns by ambulance and emergency vehicles and lack of diligence by the applicant . Another objector had concerns about the proposed external lift and that overlooking concerns were being disregarded.

·In response, the applicant informed committee that the modest application was designed taking into consideration residents view point, reminding meeting that the proposal is to provide accommodation for the children of Maltese residents who come to the UK for treatment at Great Ormond Street Hospital. Meeting was reminded of the improvements to the rear of the building which was in poor state and that mitigation measures have been put in place to address overlooking concerns

·On the issue of the lift, meeting was advised that the lift is fully enclosed within the building, that it projects out from the elevation, noting that it was not part of the previous application that was granted planning permission and there are no overlooking issues as a result of using the lift.

·In terms of the use of the gate and access into the site, applicant reassured meeting that it will only be used for maintenance purpose, that all other access will be via Willmington street and will be covered by legal agreement.

·On the possibility of increasing the use of solar panels, meeting was advised that in as much as this is welcome, it required a difficult balancing act as too many solar panels would be visible and is one of the reasons why a Mansard roof was not used because of its visibility.

·With regards to transport concerns, meeting was advised that in light of the type of use of the building, assessment shows that trip generation would be lesser than a typical residential use and that most users would be visiting on foot as it is a 15min walk to the hospital or the use of public transport and taxis. It was also stated that there will be an area for ambulance drop off and disable parking access in the basement.

·In summary, the Chair noted that the building is primarily for housing the family of children in hospital, it is welcoming that the building is being refurbished and not demolished. Sunlight and daylight issues still remain but nothing different to what is there at the moment.

·With regard to the gate and accessibility, planning officer advised that if members are minded to agree planning permission, the wording on the operation management plan can be amended to address this rather than the construction management plan.

·Cllr Jeapes proposed a new condition that an updated transport management plan to be reviewed within a year so as to assess any arising traffic concerns around the hostel following commencement of the use. This was seconded by the Chair Cllr Klute.

·Councillor Klute proposed a motion to grant planning permission subject to an updated condition relating to the transport management plan. This was seconded by Councillor North 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 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

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**STREET RECORD CITY ROAD/ISLINGTON HIGH STREET, LONDON, EC1V 1NY (Item B3)**

Stopping-up and Diversion of Highways - Sections 247 and 253 of the Town and Country Planning Act 1990 for three narrow sections of footway along the building line of the proposed building  
(Planning application number: P2024/1611/DOV)

In the discussion the following points were made:

- Meeting was advised that since the publication of the report a second despatch agenda has been published amending the description of the proposal to read ' Stopping Up Order of existing highway/footway for three narrow sections of footway along the building line of the proposed building to enable the redevelopment of 1 Torrens Street site for an office-led use.
- The areas of land to which the application to stop up the highway and footway relates are three modest areas of footway which border the building line of the proposed building.
- Planning Officer advised that the areas were previously part of the adopted footway and while they would still essentially form part of the footway, they are now in between pillars under the overhang of the proposed building. Area A is a triangular shaped area of some 0.125sqm in size. Area B is 7.31m in length and 0.58m in width, while Area C is 5.89m long and 0.45m wide.
- The planning application for 1 Torrens Street (planning application reference P2022/0871/FUL) has recently been approved and the development is under construction.
- Planning Officer advised that the proposal relates to the stopping up of sections of the footway along Islington High Street and City Road under Section 247 of the Town and Country Planning Act 1990 in connection with the implementation of the planning permission ref: P2022/0871/FUL that granted:
- Meeting was advised that the council's Highway Officer has no objection to the proposed stopping up of the relevant sections of footway on City Road and Islington High Street.
- Planning Officer acknowledged that no public or external consultation has been carried out by the Council in respect of the current stopping up application, however should the Committee resolve to approve the stopping up before making the Orders, the council would carry out consultation as required by Section 252 of the Act.
- Any consultation would involve consulting statutory undertakers, posting site notices and publishing the proposed orders in a local newspaper and the London Gazette. A 28-day consultation period would allow interested parties to respond.
- Meeting were reminded that section 247(2A) of the Act provides that the council of a London borough may by order authorise the stopping up or diversion of any highway within the borough if it is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of the Act.
- It was reiterated that the layout of the proposed development of 1 Torrens Street has already been considered and approved under application ref P2022/0871/FUL following a

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full statutory public consultation exercise and that the approved layout plans would require the stopping up of the areas of land that are the subject of the report and that the stopping up now being proposed would give effect to the above described planning permission as shown on Plan No. ANG-STR-XX-00-DR-H-00304.

·The proposed stopping up of the area of land would not result in a permanent loss of public land or footway, in that it principally pushes the building line back so that the area of public footway is widened, with these three modest areas of footway now located under the overhang of the building. Officers, therefore, consider that there would be no disadvantages suffered by the public or by those with properties near the existing highway.

·Councillor Klute proposed a motion to approve the stopping order. This was seconded by Councillor North and carried.

### **RESOLVED:**

That the starting of the stopping up process be approved subject to the applicant entering into an indemnity agreement to pay all the council's costs in respect of the stopping up.

The meeting ended at 11.00 pm

**CHAIR**