

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY 6 MARCH 2024

Councillors Present:	Cllr Steve Race in the Chair
	Cllr Michael Desmond, Cllr Jon Narcross, Cllr Clare Potter, Cllr Jessica Webb (Vice-Chair) and Cllr Sarah Young.
Apologies:	Cllr Clare Joseph
Absent:	Cllr Michael Levy, Cllr Richard Lufkin and Cllr Ali Sadek
Officers in Attendance:	Nick Bovaird, Deputy Team Leader, Major Projects Robert Brew, Major Applications Team Leader Natalie Broughton, Assistant Director Planning and Building Control Seonaird Carr, Team Leader Development & Enforcement Graham Callam, Growth Team Manager Jessica Feeney, Governance Officer Luciana Grave, Conservation, Urban, Design and Sustainability Manager Danny Huber, Planning Officer Mario Kahraman, ICT Support Officer Peter Kelly, Principal Urban Design Officer Qasim Shafi, Principal Transportation Planner Christine Stephenson, Specialist Planning Lawyer Gareth Sykes, Governance Officer John Tsang, Development Management and Enforcement Manager

1 Apologies for Absence

- 1.1 Apologies for absence were received from Cllr Clare Joseph. Cllrs Michael Levy, Richard Lufkin and Ali Sadek were recorded as being absent from the meeting.

2 Declarations of Interest

- 2.1 The Chair of the Sub-Committee declared an interest; he reported that he had received a generic email regarding agenda item 5.

3 To consider any proposal/questions referred to the sub-committee by the Council's Monitoring Officer

- 3.1 None.

4 Minutes of the Previous Meeting

- 4.1 The Planning Sub-Committee to considered and approved the minutes of meetings held on 11 January 2024 and 6 December 2023.

RESOLVED:

The minutes of the previous Planning Sub-Committee meetings, held on 11 January 2024 and 6 December 2023., be approved as an accurate record of those meetings 'proceedings.

5 **2023/0362: Technico House, 4 Christopher Street, 56 & 58 Wilson Street and 1,3 & 5 Earl Street, London EC2A**

- 5.1 PROPOSAL: Demolition of the existing buildings and part retention of the façade at 1 Earl Street to enable redevelopment of the site with a mixed-use development ranging in height from 5-20 storeys above ground level, an upper ground floor mezzanine, and 2 full basement floors and 3rd part basement floor, to accommodate office (Class E), flexible retail, cafe (Class E), ancillary space, back of house areas, cycle storage, plant, landscaping, and all associated works.

POST SUBMISSION REVISIONS:

- retained facade at SW of site
 - reduction in massing in NW corner
 - Increase in massing above retained facade
 - additional information on sustainability
- These changes were subject to reconsultation.

A revised drainage strategy was also submitted which was not subject to reconsultation due to the minor nature of the changes proposed. An improved Affordable Workspace offer, with a higher discount was also received, which has not been consulted upon as it represents an internal change with positive results. An overshadowing survey has been produced, which shows no significant additional overshadowing, in line with the findings of the extant scheme, and has not been consulted upon. Similarly, correspondence on wind to the terraces of Crown Place shows no significant additional impacts and has not been consulted upon.

- 5.2 The designated Planning Officer introduced the planning application report as published. During the their presentation reference was made to the addendum and the following amendments to the published report;

Subsequent to the submission of the committee report, the Council had engaged with the applicant to ensure that there were no elements of the sustainability conditions that counterproductively require compliance with standards that would be to the detriment of the overall sustainability of the building. As such, the proposed sustainability conditions were considered to be robust and comprehensive. The wording for the following conditions was amended:

- 8.1.8a and 8.1.18b Embodied carbon targets
- 8.1.9a Circular Economy
- 8.1.22a and 8.1.22b Energy Statement
- 8.1.23 Overheating

- 8.1.24a and 8.1.24b MVHR - Ventilation with heat recovery
 - 8.1.25 Be Clean
 - 8.1.26a and 8.1.26b Heat pump – Heating
 - 8.1.27 BREEAM
 - 8.1.39 PV panels
 - 8.1.40 NABERS
- Amendments were also made to Heads of Terms Paragraph 8.2; paragraphs 1,2,3 and 18.
- 5.3 A Mr Yilin Ye addressed the Sub-Committee, speaking in objection to the application.
- 5.4 A Mr Bernard Heersche, Executive Development Director of EDGE Technologies, addressed the Sub-Committee, speaking in support of the application.
- 5.5 During a discussion on the application a number of points were raised including the following:
- On the loss of light of the neighbouring 1 Crown Place, the designated Planning Officer explained that a loss of light was to be expected but the Building Research Establishment (BRE) guidelines were targets designed more for outer rather than inner London boroughs. Taking into account the extant planning permission the Planning Service had concluded, also factoring in the figures in the daylight/sunlight report, that the impact was acceptable;
 - On quantifying the 88.5 percent loss of light, as set out in the published application report, the designated Planning Officer explained that the specific site circumstances must be considered. If approved construction would start at the beginning of 2025 with completion expected by the end of 2028;
 - Several of the objections received related to the historic building frontages that were not retained in the originally submitted scheme. As a result of those objections and the advice of Officers the historic frontages had been retained;
 - In answer to a question from members, the officer agreed that the plans had been developed as such that the site could not be turned into a residential scheme. The applicant was seeking to design a building that would respond to future office needs;
 - On the retention of the façade, compromises had been made on office floor space in order for it to fit at the location and how it related to the existing levels of the retaining façade;
 - The applicant explained that they were seeking to build a building that was inspirational and would allow its occupants to connect with one another. They had found that there was a strong demand for this type of building;
 - On the issue of the 'internal street'/passage, the Planning Service assumed that it would not be accessible by the public. The applicant understood that until it was clear who the tenants would be, it could not be confirmed that the public would have access. Certain occupants, such as a bank for example, may seek to put in restrictions because of the need to protect sensitive material.A

condition had been included that if the passage was to become publicly accessible then the Planning Service would consider any public signage for example;

- The applicant had proposed defensive planting at the boundary edge with some areas having fencing in place;
- A condition on overlooking was included as part of the proposals. There was a number of terraces located around the building and the majority of them would not create any issues of overlooking;
- On the proposed building's energy performance the applicant's Energy Consultant was of the view that it was best in class in London currently being worked on by the applicant. With the scheme before the Sub-Committee the applicant was achieving a 13.7% improvement compared to the current market rate of 2 percent that office buildings were achieving. This was significantly more than the rate that had been consulted on with the Greater London Authority (GLA);
- On the proposals' Building Research Establishment Environmental Assessment Method (BREEAM) rating, the Planning Service clarified that an excellent rating was required as part of the retail element of the proposals. The office element of the proposals had an outstanding rating as per condition and would come back to the Planning Service should the proposals be approved;
- On the matter of the National Australian Built Environment Rating System (NABERS), the Planning Service would work with the applicant and a third party to look at the scheme as it progresses. to replicate the element of external oversight that NABERS would have provided. As set out in the addendum a NABERS condition was no longer required, since a third party review report of the as designed TM54 calculation has been agreed in condition 8.1.22 (Energy Statement). This also reflected uncertainty as to the continued existence of NABERS as an applicable standard at this time;
- On the matter of the embodied carbon footprint being higher than best practice would recommend, The condition included would allow the Planning Service to examine the standards that had been put in place and whether they could be achieved at the next stage of the planning process;
- The applicant explained that the measurement of the carbon footprint was an expanding field and they were keen to squeeze as much carbon out of the proposals as possible. This had been achieved so far in the area of design, however the applicant acknowledged that there was further work to be undertaken. The applicant explained that they were aiming to stick to strict targets to push the carbon footprint down. Conditions were in place to ensure that the applicant hit minimal targets as well as setting out the requirements in order for them to do that. There was a reporting process in place right up to occupation of the building;
- The applicant had not chosen Passivehaus certification because it was focussed on residential buildings;
- In relation to post-occupancy the applicant would follow GLA policy;

- On the proposed site's connection to the district heating network, the applicant had contacted three suppliers and one had already confirmed that they did not have enough capacity. Currently those suppliers were using gas so their carbon factor was higher than the applicant would want;
- The carbon offset of £549,480 would go into a fund and there was an expectation that the amount would then be used on various projects locally;
- The affordable work space offer was across three floors on site; below ground, ground floor and at level one. Two thirds of affordable workspace were above ground;
- On the matter of affordable workspace, the Planning Service confirmed that the applicants had agreed to exceed policy requirements over the discount of the floorspace in lieu of requiring full policy requirements over the quantum of floorspace. This was in line with the approved scheme . A lot of space was being created and it may have been hard to rent that amount of space at 40 percent with this location at 25 percent and was still considered the best way forward;
- It was agreed that materials would come back to the Sub-Committee;
- The Planning Service confirmed that they were satisfied with the integrated façade as part of the proposals;
- The Chair voiced concerns about the proposed 83 percent of cycle parking being two tier. The Planning Service confirmed that horizontal cycle spaces in the report meant Sheffield stands.

Vote:

For: Cllr Michael Desmond, Cllr Jon Narcross, Cllr Clare Potter, Cllr Steve Race (Chair), Cllr Jessica Webb (Vice Chair) and Cllr Sarah Young.

Against: None

Abstained: None.

RESOLVED:

Conditional planning permission was granted, subject to completion of a Legal Agreement and a stage II approval from the Greater London Authority (GLA).

6 2022/0995: 18 French Place, London, E1 6JB

6.1 PROPOSAL: Erection of a two-storey roof extension; elevational alterations; excavation of basement; creation of 4 x 2 bed dwellings.

POST SUBMISSION REVISIONS:

- Revision to layouts of the proposed units,
- Omission of roof terrace and glazed balustrade,
- Obscure glazing to the flank windows,
- Alteration to the roof form to the north of the plan,
- Capping added to the walls,
- Amendments to cycle and waste storage.

Revisions did not receive further consultation as they are all considered to result in a reduction of the impact of the scheme or resolve issues identified during consultation.

- 6.2 The designated Planning Officer presented the planning application as published. During the course of the presentation reference was made to the addendum and the following amendments to the application report:

Wording for the following paragraphs were to be changed in the application report:

- Paragraph 5.1.2
- Paragraph 7.1.3 Details of materials, windows and doors
- Paragraph 7.1.16 Green/Brown Roof

- 6.3 A Mr Andrew Kanter spoke to the Sub-Committee in objection to the application.

- 6.4 A Mr Alfie Yeatman of Hgh Consulting and a Mr Chris Dyson, of Chris Dyson Architects, spoke to the Sub-Committee in support of the application.

- 6.5 During a discussion a number of points were raised including the following:

- In relation to the use of materials, specifically the use of corten steel, the Council's Conservation, Urban, Design and Sustainability (CUDS) Officer explained that it was a lighter and more robust material and was of a high quality and related well to the industrial character and appearance of the south Shoreditch conservation area. It would also provide warmth and a softer character and it weathered really well. It was noted that the material was carbon intensive but was highly recyclable;
- The Council's CUDS Officer explained that the design approach was such that it created a mirroring effect on top of the existing building. The vertical theme of the proposals created an illusion of a stretching of the structure but discussions during the design phase had addressed those concerns about the design;
- The Planning Service, considering current policy, felt that the development preserved the appearance and character of the site through a successful and contemporary design;
- The Sub-Committee noted with the proposals that there was a link element that had been stepped down and it had been decided to have a sheer flush between the two elements. The setback and reduction in height created a positive transition between the two buildings. The step down, as identified on the A3 plans, was internal and was part of the proposed dwellings;
- There were windows on the sides of the proposed dwellings, however some of them would be fixed shut with living spaces to the south also being served by windows and also some of the bedrooms. The Planning Service had concluded that, on balance, the accommodation was acceptable given its layout;
- In terms of those dwellings with fixed closed windows a mechanical ventilation system would be used;
- Some of the windows in some of the kitchen areas would be fixed shut. The applicants confirmed that this was the case and it was only the first floor flat that would have a fixed closed window;
- Explaining the rationale behind the installation of fixed windows on the first floor flat's kitchen, the applicant explained that it was to protect the amenity of both the flat occupants as well as the neighbouring building. It was to stop someone opening the

windows and circumventing the obscure glazing and also to protect from noise impact. There were also potential sustainability benefits as it would create a more sealed environment controlled by air flow through the mechanical ventilation system;

- The applicant explained that the only French doors on site were in the original loading bay;
- On the west facing elevation, facing the railway viaduct, windows were fixed shut for safety reasons. The windows on the east-facing elevation were also fixed shut and obscured glazed because of the amenity impact to the neighbouring building. The remaining windows on the south elevation would receive a good amount of light;
- In relation to the proposed top apartment, situated on the third floor, it had large windows on the south facing side serving both the bedroom and the living space. The applicant added that those windows would be clear glass on the south elevation which in that case would be floor to ceiling and would inward opening;
- On the airflow strategy, the applicant explained that there would easily be cross ventilation across each floor;
- Access to the roof was for maintenance purposes only;
- Some mechanical ventilation would be present on site in the kitchen area to extract smells;
- The ground floor unit had south facing windows that served the living space and one of the bedrooms which currently had openable and clear glazed windows. On the ground floor and going up to the first floor there were existing windows which would be maintained. The first floor unit had east and south facing windows with clear glazed and openable windows;
- In relation to the housing mix on site, the planning policy was seeking a higher proportion of three bedroom units compared to two bedroom or one bedroom units. However, due to the constraints of the site, there would not be much of a mix of units. The Planning Service was satisfied with what was proposed. It was noted that there was not available on site any outdoor amenity space;
- The Council's independent assessors had assessed the financial viability of the proposals and had concluded that there would be a deficit of £824,000. This could not be used however as a reason to refuse the application;
- The Planning Service acknowledged the objections raised but they had assessed that the development would preserve the appearance and character of the south Shoreditch conservation area;
- The Planning Service had requested a draft Construction Management Plan (CMP) which would include details that loading and unloading would not take place on French Place and would instead take place on Batemans Row. The Planning Service would add a formal condition to seek a formal CMP. The Planning Service understood that French Place would not be closed off and would require agreement with the Council's Highways Team;
- On the proposed site the windows on the third floor of the east elevation would have obscured glazed windows fixed shut to a height of two metres. The two metres was from the internal

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finished floor level. The applicant added that above the two metres the windows could be opened;

- On the west facing side of the proposed site the bedrooms were located with fixed shut windows.

Vote:

For: Cllr Michael Desmond, Cllr Jon Narcross, Cllr Clare Potter, Cllr Steve Race (Chair) and Cllr Sarah Young

Against: Cllr Jessica Webb (vice chair)

Abstained: None.

RESOLVED:

Planning permission was granted subject to conditions and a Section 106 legal agreement.

7 Delegated decisions

7.1 The delegated decisions document was noted.

RESOLVED:

The delegated decisions document was noted.

8 Any Other Business the Chair Considers to be Urgent

8.1 The Sub-Committee noted that there was a Planning Pre-Application meeting on 12 March and the next Planning Sub-Committee meeting was on 3 April.

END OF MEETING

Duration of the meeting: 6.33pm - 9.06pm

Date of the next meetings: 12 March 2024 (pre-application) and 3 April 2024.

Cllr Steve Race, Chair of the Planning Sub-Committee

Contact:

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