



# ISLINGTON

Development Management Service  
Planning and Development Division  
Environment and Regeneration  
Department  
PO Box 3333  
222 Upper Street  
London  
N1 1YA

PLANNING SUB-B COMMITTEE  
Date: 5th March 2013

AGENDA ITEM NO:  
NON-EXEMPT

Application number	P122038
Application type	FULL
Ward	Mildmay
Listed building	Locally Listed
Conservation area	Canonbury
Development Plan Context	
Licensing Implications	None
Site Address:	100, St Paul's Road, N1 2QP
Proposal	Conversion of existing building (former restaurant) into six residential flats. Part demolition of rear section and erection of yellow London stock brick stairwell. Partial demolition of front vault to allow for an increase in the size of the lightwell.

Case Officer	Russell Butchers
Applicant	Paul Henderson
Agent	Roger Sedgley, Alexander Sedgley Ltd

## 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;

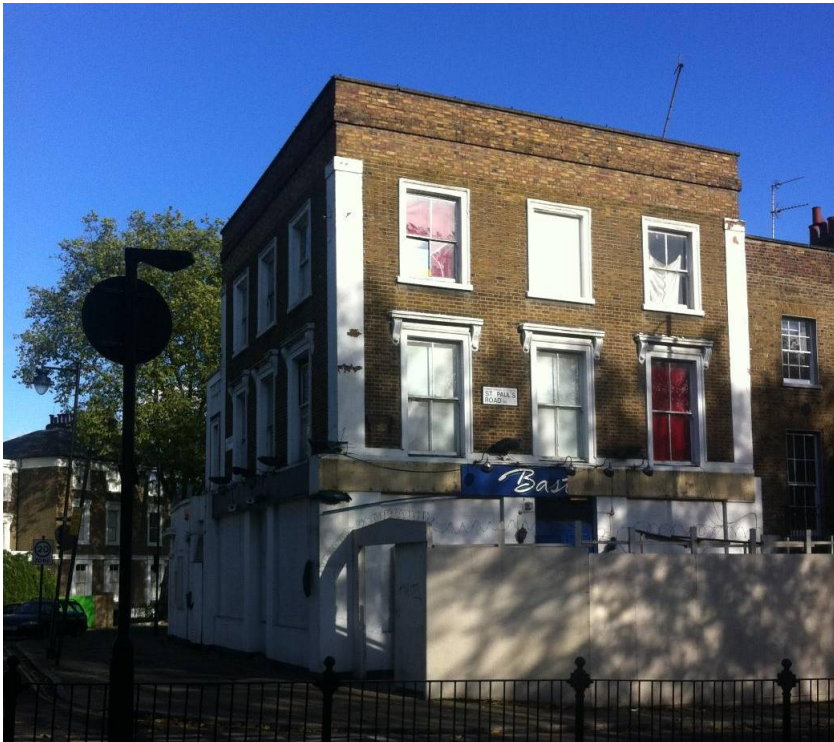
2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



Northampton Park elevation.



St. Paul's Road elevation.





Rear stucco single storey addition to be retained.



Non-original brick addition to be removed to create courtyard.



Roof top terrace.



View towards neighbouring dwellings from roof of single storey rear addition.



## **4. SUMMARY**

- 4.1 This application is for the conversion of the existing building into six residential flats; part demolition of rear section and erection of yellow London stock brick stairwell; partial demolition of front vault to allow for an increase in the size of the lightwell; and the demolition of the non-original brick rear extension.
- 4.2 Although a former public house, the building was most recently used a restaurant known as “Bastille”. The change of use between public house and restaurant is permitted development. The restaurant use occurred within the basement, ground and first floors with residential accommodation provided on second floor of the building. The main issues relate to land use, impact upon neighbouring amenity, conservation and design and the quality of the residential accommodation provided.
- 4.3 The applicant has demonstrated that the building has been vacant since 2009 and was the subject of an unsuccessful marketing campaign. The loss of a restaurant is considered to be acceptable. The proposal is not considered to have a harmful impact on the amenity of neighbouring properties. The significant historic features of the building are retained and the modest alterations to the building are considered to be acceptable. Furthermore the proposal provides a suitable mix of dwellings with an acceptable quality of accommodation and layout.

## **5. SITE AND SURROUNDING**

- 5.1 The application site is a three storey (plus cellar) mid 19<sup>th</sup> century former public house and restaurant, known more recently as “The Centurion” and “Bastille”. It is situated at the end of a residential terrace at the northeast junction of St. Paul’s Road and Northampton Park. The building has a single storey addition to the rear and an outbuilding is located abutting the rear boundary.
- 5.2 The property is a locally listed building and falls within the Canonbury Conservation Area. To the rear of the site are 2 protected trees (horse chestnuts) which are located within St. Paul’s Shrubbery.
- 5.3 The area is largely residential in character, with attractive terraced housing populated by trees and foliage. The adjoining terraced housing is statutorily grade II listed.

## **6. PROPOSAL (IN DETAIL)**

- 6.1 The application seeks to fully convert the existing building from restaurant use (class A3) to 6 residential units with the following breakdown: 2 x 1 bed flats, 2 x 2 bed flats and 2 x 3 bed flats.
- 6.2 The only proposed addition to the building is a new external staircase to the rear of the building and a glazed screen in the middle of the first floor roof terrace.
- 6.3 The application has been revised so that the new external staircase is more sympathetic to the conservation area and the locally listed building. Previously a metal and glass staircase had been proposed however this has been revised to be yellow London stock brick and render with sash windows to match the host building. A further amendment has lowered the roof of the existing single storey addition so that the retained parapet wall will have a 1.1m height above roof level and thus will not require any additional

railings to comply with building regulations. A small terrace at ground floor level has been removed to ensure that the basement flat receives adequate daylight and there has been an amendment to the mix of units proposed.

- 6.4 A non-original brick extension to the very rear of the site is to be removed which will allow light and air into the basement. The stucco section will be retained.. The boundary walls at the back edge of the pavement would be lowered and railings mounted on top.

## **7. RELEVANT HISTORY:**

### **PLANNING APPLICATIONS:**

- 7.1 P110120: Change of use to ground floor and basement from A4 (drinking establishment) to C3 (residential), retention of existing first and second floor residential use, refurbishment to all floors with additional 3rd floor to the existing 3 storey block and additional 1st floor to the rear existing single storey block.: This similar scheme included a mansard roof extension. This application was withdrawn in response to officer advice that the scheme was detrimental to the neighbouring property, and did not provide an adequate standard of accommodation.

### **PRE-APPLICATION ADVICE:**

- 7.2 Pre-application advice was requested and the agents were advised that the principle of residential conversion was acceptable and that conservation and amenity issues would be central to the application.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 77 adjoining and nearby properties. A site notice and press advert were displayed. A second consultation period was completed on 3<sup>rd</sup> January 2013 and a third consultation period completed on 24<sup>th</sup> January 2013.
- 8.2 At the time of the writing of this report a total of four responses had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Overlooking from glazed stairwell (8.4);
  - Overlooking from proposed roof terrace (10.23);
  - The proposed stairwell is too high(10.13);
  - Parking (10.33);
  - Loss of pub (10.2 to 10.11);
  - A condition restricting structures or extensions within the roof terraces should be imposed (10.16).
- 8.3 A letter was also received from Islington North MP Jeremy Corbyn requesting an extended consultation period which was subsequently undertaken.

- 8.4 The objections that relate to the glazed stairwell have been overcome as the scheme has been amended and the glazed stairwell has been replaced with a yellow London stock brick stairwell.

### **External Consultees**

- 8.5 Canonbury Society: Following amendments to the application the Canonbury Society now fully support the application and believe it will enhance the character and appearance of the conservation area. No objection is raised to the change of use due to the number of pubs in the surrounding area.
- 8.6 St. Paul's Conservation and Resident's Society: Object to the increased height of the stairwell and the opaque screen on the single storey addition roof terrace as it will obstruct views towards St. Paul's Shrubbery.

### **Internal Consultees**

- 8.7 Conservation and Design Officer: Requested that the rear glazed extension be replaced with yellow London stock brick and render and this has been incorporated into the amended plans. Following these amendments no objection was raised to the application subject to a condition regarding the design and appearance of the new sash windows.
- 8.8 Tree Officer: Scheme has less impact on surrounding trees compared to previous application and is considered to cause no harm to the neighbouring trees. A standard landscaping condition recommended.

## **9. RELEVANT POLICIES**

**Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.**

### **National Guidance**

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **Development Plan**

- 9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002. The policies of the Development Plan are considered relevant to this application are listed at Appendix 2 to this report.

### **Emerging Local Development Framework Policy Documents**

#### **A. Islington's Development Management Policies (Submission) June 2012**

The relevant emerging Local Development Framework policies to this application are listed at Appendix 2 to this report.



## **Designations**

- 9.3 The site has the following designations under the London Plan 2011 and Islington Unitary Development Plan (2002):
- Locally Listed Building Grade S
  - Canonbury Conservation Area
  - Article 4(2) Canonbury

## **Supplementary Planning Guidance (SPG) / Document (SPD)**

- 9.4 The SPG's and/or SPD's which are considered relevant are listed in Appendix 2.

## **10. ASSESSMENT**

- 10.1 The main issues arising from this proposal relate to:

- Land-use
- Conservation and design (including setting of neighbouring listed buildings)
- Landscaping and trees
- Neighbouring amenity
- Quality of accommodation provided
- Dwelling mix
- Sustainability
- Highways

## **Land-use**

- 10.2 The building was most recently occupied "Bastille" who operated as a French restaurant. It is unclear when the property ceased to run purely as a public house (use class A4) however it is apparent that the property had undergone a change of use from A4 to A3 (restaurants and cafes) which is permitted development and can therefore be done without the need to obtain planning permission. Although Bastille closed in 2009, the current lawful use of the property is considered to be A3.
- 10.3 The use of the property as a restaurant rather than a public house is confirmed by restaurant reviews and other information found following a simple desktop search analysis of websites, including Timeout, Eat-Out-UK.com, foodfever.com and dinewizard.com. From the descriptions and information on these websites it is clear that the premises were operating primarily as a restaurant, as opposed to a public house. Although the restaurant included a bar, it is considered that this is ancillary to the restaurant use.
- 10.4 UDP policy S31 states that Islington Council will discourage the loss of A2 and A3 uses where they contribute to the liveliness and vitality of the street scene or provide a service of particular local value. It is noted that this policy was written in 2002 when the A3 use class included what are now categorised as A3, A4 and A5 (hot food takeaway) use classes. These uses are to be protected on main road frontages and town centres, in areas that are predominantly B1 (office) use and in residential areas where the use is of local community value. Although St. Paul's Road is an A-road, this section of the road does not fall within any protected frontage or town centres and is mainly residential in character.

- 10.5 The change of use would not constitute the loss of a service of particular value to the local community within the predominantly residential area. The surrounding area is well served by restaurants and pubs. There are five pubs located within a 500m radius of the site. The surrounding area is also within walking distance of the restaurants of Highbury Corner and Upper Street.
- 10.6 The restaurant is situated on a corner site in a predominantly residential area with no other restaurants in the immediate vicinity. As such it is considered that the loss of the restaurant use would not harm the vitality or liveliness of the street scene and as such a change of use to residential would be acceptable.
- 10.7 Although there is no policy requirement, the applicant has submitted vacancy and marketing information in relation to property. In September 2009 the lease for the property was surrendered back to the freeholder, following the leaseholder, Punch Taverns Ltd, being unsuccessful in finding new tenants. The surrendering of the lease, which had two years to run, would have come at a financial cost to the leaseholder. The property has stood vacant and boarded up since this time. Islington Council's business rates departmental records indicate that the premises have been vacant since October 2009.
- 10.8 Between late 2009 and early 2011 the freeholders held discussions with A3 and A4 operators regarding the lease of the premises. Following a lack of interest in leasing the premises, the property was listed with Currell Commercial in April 2011 as a freehold site with the option of lease of the building for the existing A3 use. The property's availability was advertised on site and through various commercial property websites including EG Property Link, Agentville and EACH. The applicant's estate agent states that between April 2011 and June 2012 over 100 enquiries for the property were received but that the vast majority of these enquiries came from developers that were interested in the redevelopment of the building for other uses and that the remainder came from local people and individuals considering the building for a single residence. Only five enquiries were received from A3 operators however they all concluded that the location was not adequate to sustain a restaurant due to the lack of pedestrian footfall.
- 10.9 The only offers received by Currell Commercial were from developers considering alternative uses for the building. No offers were received to buy or lease the property as a restaurant or public house. The freehold was listed for sale at £1,500,000 which is considered to be a reasonable price for a restaurant/public house given its location, size and residential upper floors.
- 10.10 The Conservation Area Design Guidelines (2002) state that the predominant character of the area is residential. The Guidelines seek to protect shopping frontages on St. Paul's Road however the site falls outside of these frontages. Unitary Development Plan Policy D20 states that the loss of non-residential uses which contribute to the character of the conservation area will be resisted. It is considered that the loss of the restaurant would not harm the predominantly residential character of the area and that policy D20 is complied with.
- 10.11 In light of the above it is considered that the loss of the restaurant use is therefore acceptable and that residential use is appropriate for this location.

### **Design, Conservation and Heritage Considerations (including Archaeology)**

- 10.12 The external additions to the building are the erection of the stairwell to the rear of the building, the provision of a glazed screening on the first floor roof terrace and a small roof top extension to provide a means of access to the roof top terrace located on top of the main building. There are also works to extend the lightwell to the front of the property and the installation of a pavement lightwell along Northampton Park. New windows are to be inserted to the front elevation at basement level and a staircase from the lightwell to pavement is to be installed at the front.
- 10.13 Originally a glazed stairwell was proposed however this has now been replaced with a stairway constructed of yellow London stock brick and render with sash windows following concerns from internal and external consultees. The design, height and scale of the proposed stairwell is considered to be appropriate and respects the form of the host building. Subject to a condition regarding the proposed new sash windows the Design Officer is satisfied with the proposal.
- 10.14 The small extension to the rooftop of the main building would not exceed the height of the parapet walls and would not be visible from the street scene and would be similar in scale and size to the existing roof access structure.
- 10.15 A roof terrace is to be provided above the existing single storey addition. An opaque glazed screen is to be erected centrally within the roof terrace to prevent overlooking to neighbouring properties (assessed further within the Neighbouring Amenity section). The height of the existing single storey addition roof is to be lowered so that the parapet wall can act as a balustrade around the outer edges, thus preventing need for any potential additions in order to comply with building regulations. The proposed opaque glazed screen would not be visible from the street scene.
- 10.16 A concern raised by a resident and likewise from the St. Paul's Conservation and Resident's Society has suggested that a condition restricting the erection of sheds, structures, awnings, screens or trellises on the roof terrace or above parapet walls. The views above the single storey addition through to St. Paul's Shrubbery are considered to be important and should be retained. It is considered that there is potential for these views to be obscured by the erection or installation of structures above the roof terrace however a specific condition restricting the placement of such non-permanent structures may not be enforceable. Any permanent structures or buildings would require planning permission and thus be subject to Islington Council's control in any case.
- 10.17 The lightwell to the front of the property will be extended by partially demolishing the basement vaults. A small landscaped area and railings will be provided at street level. Whilst these works will somewhat alter the appearance of the property when viewed at street level, this change is considered to be acceptable and would preserve the character and appearance of the conservation area. Furthermore the basement vaults are not of sufficient historic value to warrant their retention and the enlarged lightwell will ensure that the basement unit receives adequate daylight. The insertion of the pavement lightwell on Northampton Street is also considered to be acceptable.
- 10.18 The neighbouring terrace is grade II listed, but given the limited nature of the proposed alterations it is considered that the setting of the neighbouring listed terrace is preserved.
- 10.19 Emerging Development Management Policies DM1 and DM3, Core Strategy CS9, Unitary Development Plan policies D4, D11, D22, D24, D28 and the provisions of the Canonbury Conservation Area Design Guidelines are complied with. It is considered

that the appearance and character of Canonbury Conservation Area would be preserved.

### **Landscaping and Trees**

- 10.20 The protected trees to the rear located within St. Paul's Shrubbery would not be harmed by the proposal and no works to the trees would be required. The alterations and extensions to the building would not be in the vicinity of the protected trees and they would be unaffected. A small area of landscaping is to be provided at the front of the property.
- 10.21 A standard landscaping condition is proposed. Unitary Development Plan policies Env 5 & 6 would be complied with.

### **Neighbouring Amenity,**

- 10.22 The adjoining property at 98 St. Paul's Road has the greatest potential to be affected. The garden boundary wall between the two properties is 7 metres high on the side of 98, with the garden of that property at the cellar/basement level of the pub building. No alterations are proposed to this wall.
- 10.23 A terrace is proposed above the single storey part of the building. In order to prevent the overlooking of neighbouring properties only the half of the roof area closest to the footway will be used as a terrace, with a 1.8m high opaque glazed screen preventing access to the area closest to the boundary with no. 98. There would be a 3m distance between the boundary of no. 98 and the edge of the roof terrace which would ensure that levels of overlooking are kept to a minimum. Whilst there may be some levels of overlooking from the single storey roof terrace, this would not be significantly greater than existing levels of overlooking between properties elsewhere in the terrace or levels that could be expected within a dense urban environment. A condition is recommended restricting the areas of use of the roof to ensure that there is minimal loss of privacy.
- 10.24 Given the limited nature of the extensions to the building and screening on the rear roof top, there would not be any unacceptable loss of light or outlook suffered by neighbouring properties nor any increased sense of enclosure. Concern had been raised by neighbours regarding overlooking from the glazed stairwell, however as the stairwell will now be constructed of brick these concerns have been allayed.
- 10.25 The proposal is considered to comply with Unitary Development Plan policy D3 in that the effects on neighbouring amenity are limited.

### **Quality of Resulting Residential Accommodation**

- 10.26 The proposed units all accord with the London Plan flat sizes standards, and the room dimensions to the Islington Planning Standards Guidelines and the London Housing SPG. The basement and ground floor units have a single aspect with additional light and ventilation obtained through a central lightwell however it is considered that these units would still receive adequate ventilation and daylight.
- 10.27 The two 3-bed units both have adequate external spaces. The two basement units have access to small outdoor courtyards and the ground floor units do not have any outdoor space provision. However given that these are the one and two bed units and thus less



likely to be occupied by families and the restricted nature of the site, this is considered acceptable.

- 10.28 The development would comply with the provisions of policy 3.5 of the London Plan, Unitary Development Plan policies H3, H7, H10 and Core Strategy CS12 which gives regard to the quality of accommodation provided.

### **Dwelling Mix**

- 10.29 The scheme would provide two x 1-bed flats, two x 2-bed flats and two x 3-bed flats.
- 10.30 Islington Council's policy welcomes family provision, and given the restrictions of the site, this is considered to be a reasonable dwelling mix. Both of the 3-bed units would have access to outdoor amenity provision, so would potentially be suitable for small families.

### **Affordable Housing and Financial Viability**

- 10.31 The application was submitted prior to the adoption of the Affordable Housing Small Sites Contributions SPD and as such no contribution is being sought.

### **Sustainability**

- 10.32 The scheme proposes reuse of the building, for good quality residential units with family provision. Cycle parking and storage for recycling has not been shown on the submitted plans it is recommended that these are secured by way of condition.

### **Highways and Transportation**

- 10.33 Concern has been raised about parking pressure should the scheme go ahead. However, the development would be subject to Islington Council's car free housing policy of not issuing parking permits with the exception of existing residents. Policy T18 would be complied with which seeks to discourage non-essential private car journeys.

### **Planning Obligations ,Community Infrastructure Levy and local finance considerations**

- 10.34 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule, 2012. CIL will be payable to the London Borough of Islington after the planning consent has been implemented and will be used by the Mayor of London to pay for Crossrail in accordance with CIL Regulations 2010 (as amended).

### **Other Matters**

- 10.35 There are no other matters.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The principle of the conversion to residential accommodation is acceptable and the quality of the subsequent units meets London Plan and Islington Council standards.
- 11.2 The character and appearance of the Canonbury Conservation Area is preserved. The setting of the adjoining listed terrace is protected.
- 11.3 The proposed extensions and alterations are not considered to be harmful to neighbouring properties in terms of loss of daylight or loss of privacy. Conditions are proposed to ensure that the detailed finish is high quality.

**Conclusion**

- 11.4 It is recommended that planning permission be granted subject to conditions for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

That if members are minded to approve this proposal (subject to conditions and ~Deed of Planning Obligation – S106 Agreement) officers recommend that the following summary forms the **reasons for grant** to be published on the decision notice:

This proposal has been approved following consideration of all the relevant policies in the Development Plan (London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002), the National Planning Policy Framework (2012) and other material considerations.

- This decision was made by the Members of the Planning Sub-B Committee on 5<sup>th</sup> March 2013.
- The delivery of this scheme would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth, but also seeks to ensure social and environmental progress.
- The reuse and refurbishment of this currently vacant restaurant for residential accommodation is acceptable. The applicant has demonstrated that the continual use of the premises as a restaurant is not viable and, furthermore, the loss of the restaurant use in this particular location is not considered to harm the character of the Canonbury Conservation Area or the vibrancy and liveliness of the street scene. The proposal is considered to be consistent with Unitary Development Plan policies D20 and S31 which seek to protect against the loss of non residential uses.
- The quality of the resultant accommodation is acceptable and meets London Plan and local standards, in compliance with London Plan Policy 3.5, Core Strategy policy CS12, Unitary Development Plan policies H3, H7, H10 and emerging Development Management policies DM11, DM12 and DM13.
- The proposed modest additions to the building would preserve the character and appearance of the Canonbury Conservation Area and would not result in any undue harm to the amenities of neighbouring occupiers.
- The proposed roof terraces would not result in any undue levels of overlooking or loss of privacy. The development is in accordance with Unitary Development Plan policy D3 and emerging Development Management policy DM1.

## RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

### List of Conditions:

<b>1</b>	<b>Commencement</b>
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
	REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).

2	<p><b>Approved plans list</b></p>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>8786:01, 02, 03, 04, 05, 06, 07, 08, 09.  1025: SP01-PL1, GA-01 PL1, GA-02 PL1, GA-03 PL1, GA-04 PL1, GA-05 PL1, GA06-PL1, 01-P5, 02-P5, 03-P4, 04-P4, 06-PL3, 07-PL6, 08-PL4, 09-P2, 10-P4, 11-P3, Design &amp; Access Statement.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>*Waste Management Strategy</b></p>
	<p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include:</p> <ul style="list-style-type: none"> <li>a) the layout, design and appearance (shown in context) of the dedicated refuse / recycling enclosure(s);</li> <li>b) a waste management plan</li> </ul> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to in accordance with policies: 5.15 and 5.16 of the London Plan 2011, policy: D3 of the Islington Unitary Development Plan 2002 and policy CS11B of the Islington Core Strategy 2011.</p>
4	<p><b>Making good</b></p>
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset in accordance with policy 12 of the National Planning Policy Framework 2012, policy D24 of the Islington Unitary Development Plan 2002 and policy CS9A and B of the Islington Core Strategy 2011.</p>
5	<p><b>Window design</b></p>
	<p>CONDITION: All new sash windows shall accurately replicate, in terms of material, profile and detailing, the original windows surviving to the property. They shall be painted timber, double-hung 2/2 sash windows with a slim profile and narrow integral (not applied) glazing bars with a putty finish (not timber bead). The double-glazing shall be no greater than 10mm (3mm glass : 4mm gas : 3mm glass) in total thickness. No Trickle vents or metallic/perforated spacer bars are permitted.</p>



	<p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset in accordance with policy 12 of the National Planning Policy Framework 2012, policy D24 of the Islington Unitary Development Plan 2002 and policy CS9A and B of the Islington Core Strategy 2011.</p>
<b>6</b>	<p><b>Protect elevations</b></p>
	<p>CONDITION: No new grilles, security alarms, lighting, cameras or other appurtenances shall be fixed on the external faces of the building.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset in accordance with policy 12 of the National Planning Policy Framework 2012, policy D24 of the Islington Unitary Development Plan 2002 and policy CS9A and B of the Islington Core Strategy 2011.</p>
<b>7</b>	<p><b>*Bicycle storage</b></p>
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any external works. The storage shall be covered, secure and provide for no less than 6 cycle spaces.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport in accordance with policies 6.7 and 6.9 of the London Plan 2011, policies: T34 and T52 of the Islington Unitary Development Plan 2002 and policy CS10H of the Islington Core Strategy 2011.</p>
<b>8</b>	<p><b>*Landscaping</b></p>
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ol style="list-style-type: none"> <li>a) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</li> <li>b) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>c) enclosures: including types, dimensions and treatments of walls, railings, screen walls, barriers, rails, retaining walls and hedges;</li> <li>d) any other landscaping feature(s) forming part of the scheme.</li> </ol> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping shall have a two year maintenance / watering provision following planting and any trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so</p>

	<p>approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 7.2 and 7.21 of the London Plan 2011, policies: D3; D6 and D8 of the Islington Unitary Development Plan 2002 and policy CS15B and C of the Islington Core Strategy 2011.</p>
	<b>Facing materials of extensions</b>
<b>10</b>	<p>CONDITION: The facing materials of the extensions hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable in accordance with policies: D4, D11 and D24 of the Islington Unitary Development Plan 2002 and policies: CS9A, B and G and CS10F of the Islington Core Strategy 2011.</p>
	<b>FLAT ROOF 1</b>
<b>11</b>	<p>CONDITION: The 1.8m high glazed screening located near the centre of the single storey roof terrace (drawing number 10 Rev P5) hereby approved shall be in opaque glass and shall be installed prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To prevent undue overlooking of neighbouring habitable room windows and amenity spaces in accordance with policies: 7.4 of the London Plan 2011 and policies: H3, D3 and D4 of the Islington Unitary Development Plan 2002.</p>
<b>12</b>	<b>FLAT ROOF 2</b>
	<p>CONDITION: The flat roof area beyond the screening that is situated closest to the boundary with no. 98 St. Paul's Road shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent undue overlooking of neighbouring habitable room windows and amenity spaces in accordance with policies: 7.4 of the London Plan 2011 and policies: H3, D3 and D4 of the Islington Unitary Development Plan 2002.</p>

**List of Informatives:**

<b>1</b>	<b>Car-Free Development</b>
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
<b>2</b>	<b>Positive Statement</b>
	To assist applicants in a positive manner, the Local Planning Authority has produced

	<p>policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Although this service was utilised by the applicant, the scheme did not comply with guidance on receipt. The LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued by the LPA's Planning Sub-Committee.</p>
3	<p><b>COMMUNITY INFRASTRUCTURE LEVY (CIL)</b></p>
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p>Pre-Commencement Conditions:  These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these identified pre-commencement conditions have been discharged.</p>

## APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

### 1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### 2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002. The following policies of the Development Plan are considered relevant to this application:

#### A) The London Plan 2011 - Spatial Development Strategy for Greater London

##### **3 London's people**

Policy 3.3 Increasing housing supply  
Policy 3.4 Optimising housing potential  
Policy 3.5 Quality and design of housing developments

##### **5 London's response to climate change**

Policy 5.3 Sustainable design and construction  
Policy 5.15 Water use and supplies  
Policy 5.16 Waste self-sufficiency

##### **6 London's transport**

Policy 6.7 Better streets and surface transport  
Policy 6.9 Cycling  
Policy 6.13 Parking

##### **7 London's living places and spaces**

Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.15 Reducing noise and enhancing soundscapes  
Policy 7.21 Trees and woodlands

#### B) Islington Core Strategy 2011

##### **Strategic Policies**

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)  
Policy CS10 (Sustainable Design)  
Policy CS11 (Waste)

Policy CS12 (Meeting the Housing Challenge)  
Policy CS15 (Open Space and Green Infrastructure)



### **C) Islington Unitary Development Plan (2002)**

#### **Environment Policies:**

Env5 & 6 (Protecting Trees)  
Env12 (Community Safety)

#### **Shopping & Town Centres Policies:**

S31 (A2 and A3 Uses)  
Conservation and Design Policies:  
D3 (Site Planning)  
D4 (Designing in Context)  
D6 (Landscaping and Public Facilities)  
D8 (Boundary Walls, Paving and Street Furniture)  
D11 (alterations)  
D20 (Land Use)  
D24 (Materials)  
D28 (rear extensions)

#### **Housing Policies:**

H3 (New Housing and Changes of Use to Residential)  
H7 (Standards and Guidelines)  
H10 (New Development)

#### **Sustainable Transport Policies:**

T18 (Parking and Traffic Restraint)  
T34 (Cycle Parking)  
T52 (Facilities for Cyclists)

### **3. Emerging Local Development Framework Policy Documents**

Following the submission to the Secretary of State on 16/08/2012, the draft development plan documents listed below are currently subject to Independent Examination:

- Development Management Policies (Submission) June 2012

Hearings pertaining to the Independent Examination were held between 10 and 12 December 2012. Following these hearings, the council has proposed amendments to certain emerging policies/ allocations which aim to resolve objections raised by representors. Key policies/ allocations proposed to be amended and/or which are subject to unresolved objections are:

#### **Development Management Policies:**

Policy DM3 (Heritage)  
Policy DM12 (Housing standards) - Part D

All emerging policies and allocations have a degree of weight as material considerations in the decision-making process. However, prior to receipt of the Inspector's Report on the outcome of the Independent Examination (expected in early March 2013), policies/allocations listed above should be considered to have relatively limited weight. Other emerging policies and allocations contained within these draft documents carry more significant weight.

### **D) Islington's Development Management Policies (Submission) June 2012**

#### **Design**

DM1 Design  
DM2 Inclusive design  
DM3 Heritage

#### **Housing**

DM9 Mix of housing sizes

#### **Shops, Culture and Services**

DM27 Loss of public houses

#### **Health and Open Space**

DM38 Landscaping, trees and biodiversity

#### **Transport**

DM12 Waste and recycling  
DM13 Private outdoor space  
DM15 Noise and vibration

DM48 Walking and Cycling  
DM49 Vehicle parking

## 5. Designations

The site has the following designations under the London Plan 2011 and Islington Unitary Development Plan (2002):

- Canonbury Conservation Area and Article 4 Direction
- Locally listed building
- Within 200m of channel tunnel safeguarding.

## 6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

### **Islington Unitary Development Plan**

- Accessible Housing in Islington
- Car Free Housing
- Conservation Area Design Guidelines
- Planning Standards Guidelines
- Urban Design Guide

### **London Plan**

- Housing