

PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 333
 222 Upper Street
 LONDON N1 1YA

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:
Date:	13 February 2014	NON-EXEMPT

Application number	P2013/2148/FUL & P2013/4756/FUL
Application type	Full Planning Application
Ward	Finsbury Park
Listed building	Unlisted
Conservation area	Not in Conservation Area
Development Plan Context	Core Strategy Key Area
Licensing Implications	None
Site Address	2A-9 Moray Mews, London, N7 7DY
Proposal	Demolition of existing buildings and erection of 8 no. residential units comprising 7 x 2 bedroom houses and 1 x 3 bed house with associated refuse stores, cycle storage and landscaping.

Case Officer	Krystyna Williams
Applicant	Mr A Indelicato and Mr R Caravona
Agent	Simon Hands and Associates

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET

3.1 Photo 1: View of existing derelict buildings at the site looking along the Mews in SE direction.



3.2 **Photo 2:** View of existing derelict buildings and vegetation looking along the Mews in NE direction.



3.3 **Photo 3:** View from entrance to the Mews from Durham Street.



3.4 **Photo 4:** Existing residential buildings at 1, 1a and 2 Moray Mews



3.5 **Photo 5:** Existing boundary wall / fencing to the rear of Moray Road



3.6 **Photo 6:** Existing boundary wall / fencing to the rear of Moray Road



3.7 **Photo 7:** Existing boundary wall / fencing to the rear of Moray Road



4. Summary

4.1 This application (ref: P2013/2148/FUL) was previously discussed at Planning Sub Committee B on the 24th October 2013. It was resolved that the item be deferred for members to undertake a site visit and for further clarification to be submitted insofar as the existing and proposed building heights.

4.2 A members' site visit was undertaken on the 11th November 2013 to assess the site from the rear elevations of properties along Moray Road. Subsequent to the site visit further information was requested to address the uncertainty regarding the height of the proposed development when compared to the existing buildings at the site. This

information was to enable a clear vision of the impact on residential occupiers of properties along Moray Road.

- 4.3 Drawing No. 2013004/66 dated December 2013 illustrates that although the proposed development is higher than the existing buildings towards the north eastern part of the site, at no point does the proposed development exceed the highest point of the existing buildings on site (where they adjoin No. 2 Moray Mews). In addition, a Topographical Survey drawing has been submitted which confirms lands levels at the site. The land will be lowered to the north-east of the site to facilitate acceptable overall building heights.
- 4.4 The current proposal is 6.3 metres high at its highest point above ground level. Therefore, when comparing with the previously approved scheme in June 2006, at worst, the current proposal will be 1 metre higher along the rear elevation (not taking into account the further height of the set back on the approved scheme).
- 4.5 The distance from the rear wall of the proposal to the main elevation of the existing properties to the rear at Moray Road is approximately 13 metres. Given the additional height of 1 metre maximum, and the distance of 13 metres, combined with the fact that the proposal meets the BRE daylight/sunlight guidance, there is considered to be no unacceptable sense of enclosure to the occupiers of properties along Moray Road. Albeit it is acknowledged that their outlook will change.
- 4.6 With regards to the extent of the blank wall proposed along the full length of the rear elevation, a two storey development does exist in part at a higher level than proposed along part of the rear boundary of the site; in place of the existing lower level development, the alternative option put forward (P2013/4576/FUL – detailed below) proposes a green wall to mitigate the extent of solid wall.
- 4.7 A separate planning application with the same description of development has also been submitted, ref: P2013/4756/FUL. The only difference to this alternative application is the installation of 'green walls' on the rear elevation of the development facing towards No. 38 – 48 Moray Road, and therefore the assessment in the original report and the addendum are applicable to this second application. The green wall is considered acceptable and offers a softer boundary between the proposed residential dwellings and properties to the rear.
- 4.8 A total of 6 letters of objection (14, 38A, 40, 46, 48A Moray Road and 24 Hatley Road) and 1 letter of support had been received prior to presenting this case at committee in October 2013. Since this time, a further 6 letters of support have been received from owners/occupiers of No. 1a and 2 Moray Mews, and 8 letters of objection from 21 & two from owner / occupiers of 24 Hatley Road, 38, 46, 48A and 50A Moray Road and 85 Playford Road. The objections and support apply to both applications under consideration.
- 4.9 A majority of the issues raised have been addressed in the previous committee report, attached as Appendix 2. However, the additional concerns raised are outlined and addressed below (with the response in italics):
- The submitted daylight / sunlight report prepared by BRE has been disputed as inaccurate. *The report has been prepared by an independent specialist consultant and the conclusions of the report are that loss of light would be within the BRE guidelines.*
 - Unacceptable overlooking and conflict with policy as habitable windows are less than 18 metres apart. *There are no windows to the rear of the development (facing Moray Road) and whilst there is a distance of less than 18 metres between the front elevation windows at the proposed development and the rear windows at properties along Hatley Road,*

these are separated by a highway, and subsequently this '18 metre rule' is flexible. In addition to this, the separation distance between windows is deemed acceptable as the proposed development follows the approved and existing building line established at Moray Mews and reflects the pattern already along the mews.

- Existing trees have been identified on adjoining sites. *In order to monitor this, a condition can be included to ensure a tree survey and details of protection measures are submitted and approved by the Local Planning Authority.*

- Unacceptable use of proposed flat roofs as amenity space. Biodiversity green roofs are proposed which are supported. *A condition is attached to ensure the roof space shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.*

4.10 In addition, since the previous planning committee, The London and Emergency Planning Authority have responded to consultation stating that the existing set up is not satisfactory and that sprinklers should be installed in the buildings. *This would be dealt with at Building Regulations stage.*

4.11 In light of additional information submitted following the previous planning sub-committee where this application was discussed, it is recommended that the reasons for grant and conditions remain as previous.

5. CONCLUSION

5.1 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

1. A contribution of £275,000 towards affordable housing within the Borough.
2. A contribution of £12,000 towards carbon offsetting.

That, should the Section 106 Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under

section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>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).</p>
2	<p>Approved plans list</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan, Dwg Nos: 01 Rev A, 02, 03 Rev K, 04 Rev K, 05 Rev J, 06 Rev J, 07 Rev E, 08 Rev F, 09 Rev H, 10 Rev J, 11 Rev E, 12 Rev F, 13 Rev A, 14 Rev A, Design and Access Statement Revision A, Planning Statement, Sustainability / Energy Statement, Waste Management Statement, BRE Daylight and Sunlight Report dated 19 September 2013, Bat Survey Report dated September 2013.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Construction and Demolition Logistics Plan (Details)</p> <p>CONDITION: A report assessing the planned demolition and construction vehicle routes and access to the site including addressing pedestrian and cyclist safety and environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.</p> <p>The report shall assess and take into account the impacts during the demolition and construction phases of the development on nearby residential amenity with means of mitigating any identified impacts.</p> <p>The document should pay reference to Islington's Code of Construction Practice, the GLA's Best Practice Guidance on control of dust from construction sites, BS5228:2009 and any other relevant guidance.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic on Highbury Grove and local residential amenity and mitigate the impacts of the development.</p>
4	<p>Materials and Samples</p>

	<p>CONDITION: Sample panels of brickwork for each different area of brickwork, as set out below, showing the colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority prior to the relevant part of the works are commenced.</p> <ul style="list-style-type: none"> b) Westminster Yellow from BEA (rear walls facing the properties at Moray Road) (ii) London yellow reclaimed stock (Recessed element of the mews houses) <ul style="list-style-type: none"> b) Reclaimed White Gaults (Projecting element of each of the mews houses) b) Brickwork for the front boundary wall <p>The approved sample panel shall be retained on site until the works have been completed.</p> <p>REASON: In order to safeguard the character and appearance of the development and the existing setting.</p>
5	Roofing Material
	<p>CONDITION: Notwithstanding the approved plans, all roof slates shall be natural slate.</p> <p>REASON: In order to safeguard the character and appearance of the development and the existing setting.</p>
6	Paving and Hard Surfaces
	<p>CONDITION: Notwithstanding the approved plans, samples of the front garden paving and hard surface treatment shall be submitted to and approved in writing prior to occupation of any of the properties on the site.</p> <p>REASON: In order to safeguard the character and appearance of the development and the existing setting.</p>
7	Code for Sustainable Homes (Compliance)
	<p>CONDITION: The development shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
8	Car Free Housing
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except :</p> <ul style="list-style-type: none"> (1) In the case of disabled persons; (2) In the case of units designated in this planning permission as "non car free"; or <ul style="list-style-type: none"> b) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>REASON: In the interests of sustainability and in accordance with the Council's policy of car free housing.</p>
9	Cycle Parking Provision (Compliance)
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be secure and provide for no less than 17 bicycle spaces (1 per room) shall be provided prior</p>

	<p>to the first occupation of the development hereby approved 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.</p>
10	<p>Green Roofs (Compliance)</p> <p>CONDITION: The biodiversity green roof(s) shall be:</p> <ol style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plan SK(PL)04 hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity green roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details specified and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
11	<p>Land Contamination (Details)</p> <p>CONDITION: Prior to the commencement of development the following assessment shall be submitted to and approved in writing by the Local Planning Authority</p> <ol style="list-style-type: none"> a) A land contamination investigation. <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <ol style="list-style-type: none"> b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation. <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>REASON: To protect occupiers and the environment from contamination risk.</p>
12	<p>Accessible Homes Standards (Compliance)</p> <p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>

<p>13</p>	<p>Removal of Permitted Development Rights – Houses (Compliance)</p> <p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
<p>14</p>	<p>Waste Management</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 05 Rev J shall be provided prior to the first occupation of the development hereby approved 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.</p>
<p>15</p>	<p>Bat Survey</p> <p>CONDITION: If the commencement of demolition and/or tree works has not taken place by Spring 2014, an updated bat survey must be undertaken immediately prior to demolition or tree works by a licensed bat worker. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition and/or tree works.</p> <p>REASON: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).</p>
<p>16</p>	<p>Tree survey and protection measures</p> <p>CONDITION: No development shall commence unless and until an Arboricultural Method Statement (AMS) to BS 5837:2012 'Trees in relation to demolition, design and construction details of the retention and adequate protection of all trees and tree root systems within, bordering and adjacent to the site' has been submitted to and approved in writing by the Local Planning Authority. The AMS shall cover the following:</p> <ul style="list-style-type: none"> a) A tree survey of the site and adjacent sites b) The methods of tree protection and including a Tree Protection Plan (TPP); c) Surface treatment removal and installation with details of permeability; d) Details of services and drainage for the development (minimum disturbance within the retained root protection area (RPA)); e) Specifics of required tree pruning; f) Details of the arboricultural supervision; g) Changes in levels within the RPA <p>The details shall include a site plan identifying all trees to be retained and removed including the location of Root Protection Area (RPA) and Construction Exclusion Zone (CEZ) and the erection of protective hoarding. Tree protecting fencing shall consist of a rigid 2.4 metre OSB, exterior grade ply high sterling board hoarding or weld mesh. Protection/retention shall be in accordance with BS 5837:2012. Heras fencing in concrete, rubber or similar foot plates is not acceptable as a form of tree root protection.</p> <p>The tree retention and protection shall be carried out strictly in accordance with the details so approved, installed/carried out prior to works commencing on site unless otherwise agreed in writing, and shall be maintained for the duration of the works.</p>

REASON: To protect the health and stability of trees to be retained on the site and to neighbouring sites, and to ensure that a satisfactory standard of visual amenity is provided and maintained

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced 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. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF. 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 or have been dealt with by condition.</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.</p>
2	Definition of Superstructure and Practical Completion
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL)
	<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 cil@islington.gov.uk. 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: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
4	Sustainable Sourcing of Materials
	<p>Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the</p>

	BRE's Green Guide Specification.
5	Thames Water
	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p> <p>With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required.</p>
6	Highways Requirements
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide</p>

Islington Council's Highways Service with six months notice to meet the requirements of the Traffic Management Act, 2004.

Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.

Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.

Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.

All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk

Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.

Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980

Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.

Regarding entrance levels, developers must take into account minimum kerb height of 100mm is required for the public highway. 15mm kerb height is required for crossover entrances.

Overhang licenses are required for projections over the public highway.

No projection should be below 2.4m in height in accordance with Section 178, Highways Act 1980.

Compliance with Section 179, Highways Act 1980. "Control of construction of cellars etc under street".

Compliance with Section 177 Highways Act 1980. "Restriction on construction of buildings over highways".

APPENDIX 2: ORIGINAL PLANNING COMMITTEE REPORT OCT 2013

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:
Date:	Thursday, 24 October 2013	NON-EXEMPT

Application number	P2013/2148/FUL
Application type	Full Planning Application
Ward	Finsbury Park
Listed building	Unlisted
Conservation area	
Development Plan Context	Core Strategy Key Area
Licensing Implications	None
Site Address	2A-9 Moray Mews, London, N7 7DY
Proposal	Demolition of existing buildings and erection of 8 no. residential units comprising 7 x 2 bedroom houses and 1 x 3 bed house with associated refuse stores, cycle storage and landscaping.

Case Officer	Krystyna Williams
Applicant	Mr A Indelicato and Mr R Caravona
Agent	Simon Hands and Associates

1. RECOMMENDATION

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1. subject to the conditions set out in Appendix 1;
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2. SITE PLAN (site outlined in red)



3.1 Photos of site/street



Photo 1: View of existing derelict buildings at the site looking along the Mews in SE direction.



Photo 2: View of existing buildings and vegetation looking along the Mews in NE direction.



Photo 3: View from entrance to the Mews from Durham Street.



Photo 4: Existing residential buildings at 1, 1a and 2 Moray Mews

4. Summary

- 4.1 Full planning permission is sought for the demolition of existing vacant storage /warehouse buildings and erection of 8 no. residential units comprising 7 x 2 bedroom and 1 x 3 bedroom houses with associated refuse stores, cycle storage and landscaping.
- 4.2 The introduction of residential use to the site is considered acceptable in principle. Over time the Mews has been accepted to be built for residential purposes with a number of carefully considered permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings. The most recent grant of planning permission was permitted in June 2006 (Ref: P060885) for the redevelopment of site to create 13 houses and 166 sqm of commercial space. To the west of the site is a two storey warehouse building which was converted into five residential units in October 2008.
- 4.3 The site currently consists of a terrace of derelict units which historically would have been in use for warehouse/storage/commercial uses. These buildings are proposed to be demolished in order to accommodate the proposed redevelopment of the site. The units are not considered to have any historic interest and demolition is not resisted.
- 4.4 The area is residential in character and the site is not located within a Conservation Area. The layout, scale and massing of the proposed development is now considered to be acceptable and the Design & Conservation Officer raises no objection to the proposal. Whilst the site is not located within a conservation area it is surrounded by good quality Victorian properties. The area has a strong character derived from uniformity in proportions and detailing to rows of buildings which follow a consistent building line and brick as the predominant feature. For the most part, conversions of buildings along the Mews have respected the existing built form in terms of height. The proposed new residential development has been designed so that the building line is of no greater height than the existing terrace which will be demolished to accommodate this development.

- 4.5 The impact of the development on neighbours has been considered. It is important to note the physical restraints of the site which is enclosed on each side by existing residential properties. A daylight and sunlight report has been undertaken to assess the impact of the proposed development on the daylight and sunlight received by surrounding dwellings. Rear windows to the nearest properties to the development along Moray Road, Hatley Road and Playford Road were analysed for loss of daylight, and where appropriate, loss of sunlight. All windows would meet either the obstruction angle (25 degree) or vertical sky component criteria set within the BRE guidelines.
- 4.6 The quality and sustainability of the resulting scheme is considered to be acceptable. The housing would comply with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov, 2012). Islington's Core Strategy identifies the importance of delivering new family units. The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM9 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes.
- 4.7 Private amenity space is provided in accordance with the Council's requirements. It is proposed that the new build dwellings would be constructed to meet Level 4 of the Code for Sustainable Homes. It is also proposed that the development would incorporate photovoltaics and green roofs.
- 4.8 The redevelopment of the site has no vehicle parking on site and occupiers will have no liability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.
- 4.9 In summary, the proposal is considered to be acceptable and to be broadly in accordance with the Development Plan policies.

5. SITE AND SURROUNDING

- 5.1 The application site consists of a narrow parcel of land located on Moray Mews, and accessed off Durham Road. The site is land locked to three sides by the rear gardens of residential properties of two or three storeys in height located on surrounding residential streets, namely Nos 22 – 50 Moray Road, Nos 16 - 32 Hatley Road and Nos 83 and 85 Playford Road. To the west of the site is a two storey warehouse building which has been converted into 5 self contained flats in October 2008.
- 5.2 The surrounding area is predominantly residential in character. The site is not located within a conservation area and none of the existing buildings this proposal seeks to demolish are listed. Whilst the site is not located within a conservation area, the site is surrounded by good quality Victorian properties. The existing Mews and immediate area has a strong character derived from uniformity in proportions and detailing to row of buildings which follow a consistent building line with brick being the predominant feature.
- 5.3 Moray Mews has been accepted to be built for residential purposes with a number of carefully considered permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings. The most recent grant of planning

permission was permitted in June 2006 (Ref: P060885) for the redevelopment of site to create 13 houses and 166sqm of commercial space.

- 5.4 The site currently consists of a terrace of derelict units which historically would have been in use for warehouse/storage/commercial uses. These buildings are proposed to be demolished in order to accommodate the proposed redevelopment of the site. The existing building height should however be maintained and no development is acceptable in excess of two storeys in height in this location to continue the established building line and also to protect the amenities of surrounding occupiers. The existing units are not considered to have any historic interest and demolition is not resisted.

6. PROPOSAL

- 6.1 Full planning permission is sought for the demolition of existing vacant storage/warehouse buildings and erection of 8 no. residential units comprising 7 x 2 bedroom and 1 x 3 bedroom houses with associated refuse stores, cycle storage and landscaping.
- 6.2 The proposal seeks to introduce residential use to the site which has historically been in use for warehousing/storage/commercial use.
- 6.3 The existing Mews private road would be extended to the north east to enable each of the proposed residential units to take its entrance from the Mews. The proposed 7 x 2 bedroom/4 person units will be two storeys in height, designed in an 'L' shape with flat roof including green roof and PV panels. 3 no rooflights are also proposed to each unit serving a bathroom, stairway and en-suite at first floor. The 1 x 3 bedroom / 4 person end of Mews unit has a flat roof also with green roof and PV panels. The rear first floor windows are high level to minimise any overlooking to the properties along Playford Road.
- 6.4 Due to site restrictions, the site being land locked, the layout of the building along the Mews resulted in the rear elevation being blank. As a consequence of this the number of windows fronting onto the Mews and front amenity space has been maximised. Each of the 2 bedroom units will have approximately 24sqm of amenity space to the front with soft landscaping to form a separation from the private Mews. The end 3 bedroom house will have rear private amenity space measuring approximately 40sqm.
- 6.5 Adequate refuse and cycle storage is allocated along the Mews to serve each of the new units.
- 6.6 The scheme currently being assessed is subsequent to numerous pre-application meetings with the applicants. The design, scale, bulk and massing of the proposed development is now considered acceptable. A second round of public consultation was carried out following the re-submission of a revised daylight and sunlight assessment using actual site measurements.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 P2013/1057/FUL - Demolition of existing buildings and clearance of land; redevelopment of the site to provide 8 residential units with associated refuse stores, cycle storage and landscaping. Withdrawn.

P121205 – Demolition of existing buildings and redevelopment to create 13 residential units and 153sqm of B1 commercial space. This application remains invalid.

P100731 - Partial demolition and conversion of the existing buildings to create 8 x 2 bed residential units. Withdrawn on 31 August 2012.

P070682 - Demolition and redevelopment of site create 13 x 3 bed houses and 166 sqm of commercial space. Withdrawn on 30 March 2007.

P060885 - Redevelopment of site create 13 houses and 166 sqm of commercial space. Approved 29 June 2006.

981303 - Redevelopment to provide eight houses with integral garages. Approved 09 December 1998.

971796 - Construction of 8 houses (2 x 3 bedroom and 6 x 2 bedroom) including demolition of existing workshop. Withdrawn 19 Feb 1998.

890625 - Change of use of existing buildings into one 3 bedroom house and six 2 bedroom houses and elevational alterations. Refused 01 March 1990.

7.2 Also relevant to this site are recent planning consents at neighbouring building, no. 1 Moray Mews and 2/2a Moray Mews:

P111454 - Demolition of existing two storey garage building and the erection of a three storey residential dwelling at 1 Moray Mews – Refused 31 August 2011. The decision was appealed and subsequently dismissed on the 23 August 2012.

P101630 – Demolition of existing building and the erection of a three storey building to accommodate one x 3 bed maisonette and one x 1 bed flat at 1 Moray Mews. Refused 16 November 2010.

P081583 - Conversion of vacant workshop building to create five self-contained flats (comprising 1 x 3 bed unit, 3 x 2 bed units and 1 x 1 bed unit) together with alterations to front and rear elevation and partial demolition to create courtyard at 2 and 2A Moray Mews. Approved 16 October 2008.

P081583(MA01) - Minor amendment comprising raising of front eaves height by 0.6m and associated slight alteration to roof shape, together with slight alteration to rear fenestration and minor alteration to internal layout at 2 and 2A Moray Mews. Granted on 19 May 2009.

ENFORCEMENT:

7.3 None

PRE-APPLICATION ADVICE:

7.4 Q2013/0128 – Pre-application advice provided in relation to the demolition of existing buildings and clearance of land; redevelopment of the site to provide 8 residential units with associated refuse stores, cycle storage and landscaping on 11/02/2013.

8. CONSULTATION

Public Consultation

- 8.1 A total of 147 letters were sent to occupants of adjoining and nearby properties dated 15/07/2013. This included a second round of consultation on the 23/08/2013 following the submission a revised drawings. Letters were sent to Nos 8 – 56 Moray Road, 83 – 85 Playford Road, 13 – 35 Hatley Road, 86, 88 & 96 Durham Road, 1 – 9A Moray Mews, 23 – 34 Berkeley Walk. A site notice and press advert was also displayed on 18th July 2013.
- 8.2 6 letters of objection had been received from the public with regard to the application. The objections are from owners and/or occupiers of Nos. 14, 38A, 46, and 48A Moray Road, and No. 24 Hatley Road. There has been 1 letter of support received.
- 8.2 The grounds of objection raised are as follows (with the paragraph that provides response to each issue indicated in brackets).
- The design does not reflect surrounding buildings. Imposing scale / height and design / over development (See paragraphs 10.7 – 10.12).
 - Provision of parking at the site (See paragraph 10.35).
 - Provision of affordable housing (See paragraphs 10.39 – 10.41)
 - Construction hours / noise (See paragraph 10.22).
 - Appropriate land use (See paragraphs 10.2 – 10.6).
 - Loss of light / outlook to surrounding residential properties (See paragraphs 10.13 – 10.19 & 10.25 – 10.27)
 - Threat to wildlife including bats (See paragraph 10.32).
 - Green roofs only accessed for maintenance and repair works (See paragraph 10.21).
 - Party Wall issues (See paragraph 10.43).

External Consultees

- 8.3 **Fire Department:** No comments have been made by the London Fire department. This information will be updated at Planning Committee meeting.
- 8.4 **Metropolitan Police (Crime Prevention)** advised that the layout and design of the development raises no concerns

Internal Consultees

- 8.5 **Parks/Ecology Officer:** The Bat Survey Report is sound and thorough, and the evidence is consistent with the site in question not being used as a roosting site for bats. The results of the two surveys are consistent with the site having some value for foraging, a result possibly of the dark and quiet nature of the site in a busier urban setting. The report makes a number of recommendations that it would be appropriate for the developer to adhere to. The recommendations will enhance the foraging and transient roosting potential of the bat communities that use this site. Concerns have been raised by neighbours that there are bats roosting in the existing vacant buildings at the site. Given the results of the survey it appears that this is not the case. There will be an impact on the foraging potential of the site during construction, and suggestions have been made as to the timings of any works. These times must be adhered to. If the timeframe outlined in the report cannot be met, it will be necessary to repeat the survey to ensure the site is not being roosted in. The following conditions are recommended:

CONDITION: If the commencement of demolition and/or tree works has not taken place by Spring 2014, an updated bat survey must be undertaken immediately prior to demolition or tree works by a licensed bat worker. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition and/or tree works.

REASON: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

CONDITION: The following measures to avoid and/or mitigate impacts on bats, agreed in the Bat Survey report recommendations (Furesfen, Sept 2013) will be implemented in full prior to the new development being first brought into use/occupied, or in accordance with the timescale detailed in the approved scheme.

- Bat boxes will be situated at the inside parapet of each of the rear walls facing the green roofs. Wooden boxes could be custom made if the upstands are too short for conventional bat boxes.
- Section 4.3 of the bat survey report detailing lighting requirements should be adhered to, and details of this provided to the Local Planning Authority.

REASON: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

- 8.6 **Conservation and Design:** Although this site is not in a Conservation Area, it is surrounded by good quality Victorian housing. The area has a strong character derived from consistency in proportions and detailing to rows of buildings which follow a consistent building line and brick as the predominant building material. Yellow gault brick is predominant in the local context, with red brick being used only for detailing.

The scheme put forward is subsequent to numerous pre-application meetings with the applicants. The design, scale, bulk and massing of the proposed development is now considered acceptable.

The end building at the foot of the 'L' shaped development, which fronts onto the mews, has a parapet roof to echo the rest of the development but behind the parapet the roof has been modified to include a pitched roof pierced by a rooflight to overcome sunlight/daylight issues. This is considered acceptable as it will not be visible from the public realm. A number of conditions have are requested relating to materials and these are included in the recommended conditions.

- 8.7 **Planning Policy:** No objection to proposal.

- 8.8 **Transport Planning:** The site is located 0.4 miles from Finsbury Park Station, which provides London Underground Services on the Victoria and Piccadilly lines and First Capital Connect Train services to Kings Cross and the City, and North to Cambridge and Stevenage. There are two major bus stations nearby providing direct bus connections can be made between Finsbury Park and Battersea, Whitechapel, Hackney Wick, Trafalgar Square, Euston, Hackney Central, Aldgate, Caledonian Road, Edmonton Green, Kings Cross, Northumberland Park, Musewell Hill, Brent Cross, Waterloo, Archway and Liverpool Street.

Access: The application site is located on a private road. The applicant should demonstrate access arrangements for emergency vehicles, and clarify how the application complies with fire and ambulance arrangements.

Servicing, deliveries and refuse collection: The applicant should set out arrangement for refuse collection, and the application should be referred to Street Environment Services to advise if this arrangement is acceptable.

Car Parking: This is a car-free development. The rights of residents to apply for CPZ permits should be removed. In order to ensure that this remains a car-free development

in line with Policy CS10, Part H, of the Core Strategy, payment should be made by the applicant to reinstate the crossover the junction of Moray Mews and Durham Road. The applicant should also clarify details of the landscaping in the central access area shown on the submitted plans: these could be raised to further ensure that the development remains car-free.

Cycle parking: Cycle storage is provided over and above the expected provision set out in Appendix 6 of the emerging Development Management Policies (34 spaces have been provided for 17 bedrooms). Please ensure that these spaces are covered and secure.

Highways requirements: The development should comply with standard highway comments.

- 8.9 **Pollution/Noise Officer**: The site is a Mews type development of commercial businesses – they can not find any information on the database about the previous uses here. However, there are concerns about potential pollution linkage with residential gardens with soft landscaping included in the plans to provide a pathway. A contaminated land condition is advisable.

With the demolition of the buildings and lack of sampling there needs to be further work here and a remediation strategy compiled to demonstrate how the gardens will be landscaped and no pollution linkage formed.

CONDITION: Prior to the commencement of development a land contamination investigation shall be carried out and a scheme of necessary remedial works shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and no variation there from shall take place without the prior written consent of the local planning authority.

- 8.10 **Sustainability Officer**: The commitment to achieve Code Level 4 is supported and should be conditioned. It should be noted that the development is subject to carbon offsetting, which is charged at a rate of £1500/house.

A draft s106 agreement should be submitted.

- * The use of CHP system is supported.
- * The water efficiency targeted meets and exceeds policy (targeted at 80l/p/day) which is supported.
- * The provision of green roofs is supported, however it is unclear whether the green roofs are to be biodiversity based, and of sufficient varied substrate depth. Further details should be conditioned to be provided (notwithstanding the Green Roof Detail Plan provided, drawing 07, dated March 2013).
- * The provision of permeable paving to landscaped areas is supported. The inclusion of water butts for each dwelling should be strongly considered (to collect rainwater for reuse in landscaping).

- 8.11 **Street Environment Manager**: No objection.

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, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

9.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

- **Core Strategy Key Area**

Supplementary Planning Guidance (SPG) / Document (SPD)

9.4 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

ENVIRONMENTAL IMPACT ASSESSMENT

9.5 Not required

10.0 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use;
- Design and Appearance;
- Neighbouring amenity impacts;
- Quality of resulting accommodation and Dwelling Mix;
- Sustainability;
- Energy efficiency and renewal energy;

Land-use

10.2 The site is not subject to any land designations in Islington's Core Strategy or Site Allocations.

10.3 The introduction of a residential use to this site is considered to be acceptable in principle. The adjoining uses are residential and over time the Mews has been accepted to be built for residential purposes with a number of carefully considered permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings.

10.4 The site presently consists of a terrace of derelict units which historically would have been in use for warehouse/storage/commercial uses. To the west of the site is a two storey warehouse building which has been converted to residential units. The area is residential in character and the site is not located within a Conservation Area. It is important to note the physical restraints of the site which is enclosed on each side by existing residential properties. In addition, for the most part, conversions of buildings along the Mews have respected the existing built form in terms of height.

- 10.5 Moray Mews has been accepted to be built for residential purposes with a number of carefully considered permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings. The most recent grant of planning permission was permitted in June 2006 (Ref: P060885) for the redevelopment of site to create 13 houses and 166sqm of commercial space.
- 10.6 The existing vacant storage/warehouse/commercial buildings at the site are in a dilapidated state and are of no merit to the site or surrounding area. Given the site constraints and close proximity of residential buildings such a use would not seem appropriate. The introduction of residential use in this specific location has been previously established.

Design and Appearance

- 10.7 The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonise with their setting. They should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.
- 10.8 Although this site is not located within a conservation area, it is surrounded by good quality Victorian housing. The area has a strong character derived from consistency in proportions and detailing to rows of buildings which follow a consistent building line and brick as the predominant building material. Yellow gault brick is predominant in the local context, with red brick being used only for detailing.
- 10.9 The scheme put forward has been subsequent to numerous pre-application meetings with the applicants. The design, scale, bulk and massing of the proposed development is now considered acceptable. The two storey height of the proposed terrace has been determined by the existing vacant buildings. Flat roofs have been used to minimise any increase in height to the existing buildings on site and to provide a consistent design and appearance to the terrace. The proposed scale and height of the development is a representative balance of surrounding buildings and not considered excessive.
- 10.10 Some brick samples have been viewed on site by the Design and Conservation Officer however it is requested that panels of brickwork for each different area of brickwork illustrating colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority prior to the relevant part of the works being commenced. A condition shall be attached in order to safeguard the character and appearance of the development and the existing setting.
- 10.11 The end building at the foot of the 'L' shaped development, which fronts onto the mews, has a parapet roof to echo the rest of the development but behind the parapet the roof has been modified to include a pitched roof pierced by a rooflight to overcome sunlight/daylight issues. This is considered acceptable as it will not be visible from the public realm.
- 10.12 The proposal is considered to be in accordance with policies 7.4, 7.6 and 7.8 of the London Plan 2011, CS9 of the Core Strategy 2011, Policies DM2.1 (Design) and DM2.3 (Heritage) of the Development Management Policies 2013.

Neighbouring Amenity

- 10.13 There have been 6 objections to the proposed development. Concern has been expressed insofar as loss of light to surrounding residential properties. The application

site is physically restrained as it is enclosed on each side by existing residential properties.

10.14 A revised daylight and sunlight study dated September 2013 was submitted in support of this application. Windows to the ground floor or adjoining residential properties along Moray Road, Hatley Road and Playford Road were assessed.

10.15 The proposed Mews redevelopment has been designed considering the constraints of the site such as the impact on the surrounding properties in terms of its design and the potential impact on daylight and sunlight. The roof detail of the end 3 bedroom property has been amended to incorporate a sloping roof to the south behind front parapet to minimise any impact.

10.16 Daylight

Whilst it has been established that the properties along Moray Road meet the 25 degree rule, some ground floor windows to the rear of Hatley Road and Playford Road do not. Where the obstruction angle is greater than 25 degrees, the BRE Report recommends the calculation of the vertical sky component. This is the ratio of the direct sky illumination falling on the outside of a window, to the simultaneous horizontal illuminance under an unobstructed sky. The vertical sky component on a window is a good measure of the amount of daylight entering it.

10.17 All the windows (17-31 Hatley Road and 83-85 Playford Road) meet the BRE 'daylight' guidelines by having a vertical sky component with the proposed development in place of more than 27 degree, or greater than the 0.8 times the value before. This is therefore acceptable.

10.18 Sunlight

In terms of loss of sunlight, if a living room of an existing dwelling has a main window facing within 90 degrees of due south and any part of a new development subtends an angle of more than 25 degree to the horizontal measured from the centre of the window in a vertical section, then the amount of sunlight to an existing dwelling may be adversely affected. The rear windows to the dwellings along Hatley Road face northerly and are therefore not an issue. Windows to the rear of Moray Road face within 90 degrees of due south, but the obstruction angle is less than 25 degrees so acceptable. Windows to the rear of 83 and 85 Playford Road however face within 90 degrees of due south and have therefore been analysed for sunlight provision.

10.19 The results of the BRE analysis shows that all windows meet the BRE guidelines for sunlight provision,

10.20 Privacy and Overlooking

The north facing boundary which abuts the rear gardens of residential properties along Moray Road will be blank with no windows facing northwards. There will be no privacy/overlooking issues to the north of the site. All of the windows to the 'L' shape residential units will face onto the private Mews or onto the proposed front amenity space within the development. A number of first floor windows will face onto the rear elevation of properties along Hatley Road. However, these first floor windows serve bathrooms or bedrooms and there is a distance of approximately 18 metres between the development and the rear wall of main dwellinghouse along Hatley Road. In addition, the first floor windows to the rear of the end property which face towards the rear of Playford Road

have been designed to be high level thereby overcoming any overlooking/loss of privacy issues.

- 10.21 Objection has been raised to the use of the proposed green roofs as amenity space. A condition will be attached to ensure the biodiversity green roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

Noise

- 10.22 The demolition and construction periods are generally responsible for the most disruptive impacts affecting residential amenity and this issue has been raised by an objector. A condition requiring the submission of a Construction & Demolition Logistics Plan has been included as part of the recommendation, in order to mitigate and reduce the impacts of demolition and construction.

Quality of Resulting Residential Accommodation and Dwelling Mix

- 10.23 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2011) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.

- 10.24 The proposed residential units all exceed the required internal space standards and are therefore in compliance with local and national standards. Islington's Core Strategy identifies the importance of delivering new family units. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. The proposed development consists of 7 x 2bedroom/4 person and 1 x 3bedroom/4 person houses is considered acceptable.

- 10.25 The applicant's daylight and sunlight assessment addresses any loss of daylight and sunlight to main living rooms and conservatories and surrounding dwellings where there is a window facing within 90 degrees. For the windows to the rear of Moray Road the obstruction angle was calculated for the ground floor windows at two positions i) the main rear window wall and ii) the line of rear extensions at dwellings. Both these obstruction angles for are under the 25 degree recommended in the BRE guidelines. Loss of daylight and sunlight would therefore be small and not significant.

- 10.26 As it was established that some windows to the rear of Hatley Road and Playford Road do not meet the 25 degree obstruction angle, the vertical sky component has been calculated for ground floor windows. Again, the rear main wall windows and windows to extensions were taking into account. All windows would meet the BRE guidelines in terms of daylight and sunlight.

- 10.27 Whilst the houses are not dual aspect, the scheme has been designed to achieve the maximum amount of natural light and ventilation through the building given the site restrictions. In summary, it is considered that all proposed residential units would benefit from acceptable levels of natural light and an outlook that is pleasant and suitable to the residential accommodation.

- 10.28 Outdoor amenity space has been provided for all new residential units ranging in size from 24sqm and 40sqm, which is broadly in accordance with policy DM3.5. The two storey 'L' shape houses forming the main Mews terrace would have small front gardens

of approximately 24sqm located on the southern side of the dwellings. These gardens would be enclosed by landscaping to provide privacy and would comprise a mix of grass and permeable paving. Access will be achievable to the space from ground floor living room and kitchen. The end property would have a private rear garden measuring approximately 40sqm with a mixture of grass and permeable gravel.

10.29 All units would be wheelchair accessible and flexible home compliant.

Sustainability, Energy Efficiency and Renewable Energy

10.30 The commitment to achieved Level 4 of the Code for Sustainable Homes (CfSH) for the new residential properties would accord with the requirements of policy 5.1 of the London Plan 2011 and policies DM7.2B and DM7.4B of the Development Management Policies June 2013). The applicant has confirmed within their Sustainability/Energy Statement that this will be the case and a condition would be placed on any approval of permission requiring compliance.

10.31 The Statement also confirms that the water efficiency targeted meets and exceeds policy (targeted at 80l/p/day) which is supported. The provision of green roofs is encouraged and a condition is attached to control this.

Bats

10.32 Concerns have been raised by neighbours that there are bats roosting in the existing vacant buildings at the site. Given the results of the survey it appears that this is not the case. The Bat Survey Report is sound and thorough, and the evidence is consistent with the site in question not being used as a roosting site for bats. The results of the two surveys are consistent with the site having some value for foraging, a result possibly of the dark and quiet nature of the site in a busier urban setting. The report makes a number of recommendations that it would be appropriate for the developer to adhere to. The recommendations will enhance the foraging and transient roosting potential of the bat communities that use this site. A condition is recommended to ensure that should the commencement of demolition and/or tree works not be undertaken by Sprint 2014 then an amended bat survey must be undertaken.

Highways and Transportation

10.33 The Mews will be re-paved as part of the new development. In order to keep the access free for emergency vehicle / refuse collection it is necessary for non fixed bollards to be located within the scheme which are removable with a universal key. Street Environment are happy with this approach. It has been agreed that the refuse truck will reverse back to the end of the Mews to collect waste from the development.

10.34 There is no provision for fire trucks to turn within the site. There is a fire hydrant (wet riser) located within the site – shown on drawing 05 Rev J. The Council are yet to receive comments back from the London Fire department. This information will be updated at the Planning Committee meeting.

10.35 The development would be car free, as required by Core Strategy Policy CS10 and as per a condition to the application, which restricts future of occupiers of both the office space and residential units, from obtaining a residents permit. This will ensure adequate provision of spaces for existing users.

10.36 Cycle storage is provided over and above the expected provision set out in Appendix 6 of the emerging Development Management Policies (34 spaces have been provided for 17 bedrooms). Please ensure that these spaces are covered and secure.

Contaminated Land

10.37 The Public Protection Officer has requested that a condition be included requiring the submission of a contaminated land investigation. A relevantly worded condition is included to secure the submission of this report, which shall need to include recommendations for any necessary remediation prior to the first occupation of the houses.

Foul Drainage

10.38 The provision of adequate foul drainage is an issue dealt with under the Building Regulations. It is considered that adequate provision for this relatively small-scale proposal could be provided as part of the development.

Affordable Housing and Financial Viability

10.39 The proposal is a minor application for eight residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy).

10.40 The applicant submitted information for a viability assessment to be undertaken by an independent assessor to demonstrate that the entire affordable housing and small sites contribution of £400,000 (£50,000 per new unit) was not viable at the site. A number of site specific factors were identified which would result in development costs being excess of what might be expected as the norm. These costs included piled foundations, external walls, roof construction and the abnormal shape of the application site. Taking into account these costs an affordable housing and small site contribution of £275,000 can be achieved at the site.

10.41 The applicant has agreed to the small sites contributions policy in regard to both the off site affordable housing provision and the environmental off-set contribution of £12,000 (£1,500 per unit) and the unilateral agreement has been signed.

10.42 The proposed development would also be liable for the Mayor's CIL.

Party Wall Agreement

10.43 An objection has been raised relating to the Party Wall. Any issues with regard to the Party Wall Act or matters relating to the shared boundary are not a planning matter.

11.0 SUMMARY AND CONCLUSION

Summary

11.1 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

11.2 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

4. **A CONTRIBUTION OF £275,000 TOWARDS AFFORDABLE HOUSING WITHIN THE BOROUGH.**

5. **A CONTRIBUTION OF £12,000 TOWARDS CARBON OFFSETTING.**

That, should the Section 106 Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	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	Approved plans list
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: Location Plan, Dwg Nos: 01 Rev A, 02, 03 Rev K, 04 Rev K, 05 Rev J, 06 Rev J, 07 Rev E, 08 Rev F, 09 Rev H, 10 Rev J, 11 Rev E, 12 Rev F, 13 Rev A, 14 Rev A, Design and Access Statement Revision A, Planning Statement, Sustainability / Energy Statement, Waste Management Statement, BRE Daylight and Sunlight Report dated 19 September 2013, Bat Survey Report dated September 2013.

	<p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Construction and Demolition Logistics Plan (Details)</p> <p>CONDITION: A report assessing the planned demolition and construction vehicle routes and access to the site including addressing pedestrian and cyclist safety and environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.</p> <p>The report shall assess and take into account the impacts during the demolition and construction phases of the development on nearby residential amenity with means of mitigating any identified impacts.</p> <p>The document should pay reference to Islington's Code of Construction Practice, the GLA's Best Practice Guidance on control of dust from construction sites, BS5228:2009 and any other relevant guidance.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic on Highbury Grove and local residential amenity and mitigate the impacts of the development.</p>
4	<p>Materials and Samples</p> <p>CONDITION: Sample panels of brickwork for each different area of brickwork, as set out below, showing the colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority prior to the relevant part of the works are commenced.</p> <ul style="list-style-type: none"> (i) Westminster Yellow from BEA (rear walls facing the properties at Moray Road) (ii) London yellow reclaimed stock (Recessed element of the mews houses) (iii) Reclaimed White Gaults (Projecting element of each of the mews houses) (iv) Brickwork for the front boundary wall <p>The approved sample panel shall be retained on site until the works have been completed.</p> <p>REASON: In order to safeguard the character and appearance of the development and the existing setting.</p>
5	<p>Roofing Material</p> <p>CONDITION: Notwithstanding the approved plans, all roof slates shall be natural slate.</p> <p>REASON: In order to safeguard the character and appearance of the development and the existing setting.</p>
6	<p>Paving and Hard Surfaces</p> <p>CONDITION: Notwithstanding the approved plans, samples of the front garden paving and hard surface treatment shall be submitted to and approved in writing</p>

	<p>prior to occupation of any of the properties on the site.</p> <p>REASON: In order to safeguard the character and appearance of the development and the existing setting.</p>
7	Code for Sustainable Homes (Compliance)
	<p>CONDITION: The development shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
8	Car Free Housing
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except :</p> <p>(3) In the case of disabled persons;</p> <p>(4) In the case of units designated in this planning permission as "non car free"; or</p> <p>(3) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: In the interests of sustainability and in accordance with the Council's policy of car free housing.</p>
9	Cycle Parking Provision (Compliance)
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be secure and provide for no less than 17 bicycle spaces (1 per room) shall be provided prior to the first occupation of the development hereby approved 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.</p>
10	Green Roofs (Compliance)
	<p>CONDITION: The biodiversity green roof(s) shall be:</p> <p>d) biodiversity based with extensive substrate base (depth 80-150mm);</p> <p>e) laid out in accordance with plan SK(PL)04 hereby approved; and</p> <p>f) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity green roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details specified and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>

<p>11</p>	<p>Land Contamination (Details)</p> <p>CONDITION: Prior to the commencement of development the following assessment shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>REASON: To protect occupiers and the environment from contamination risk.</p>
<p>12</p>	<p>Accessible Homes Standards (Compliance)</p> <p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
<p>13</p>	<p>Removal of Permitted Development Rights – Houses (Compliance)</p> <p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
<p>14</p>	<p>Waste Management</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 05 Rev J shall be provided prior to the first occupation of the development hereby approved 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.</p>
<p>15</p>	<p>Bat Survey</p> <p>CONDITION: If the commencement of demolition and/or tree works has not taken place by Spring 2014, an updated bat survey must be undertaken immediately prior to demolition or tree works by a licensed bat worker. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition and/or tree works.</p> <p>REASON: To ensure compliance with the Habitats Regulations and the Wildlife &</p>

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced 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. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF. 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 or have been dealt with by condition.</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.</p>
2	Definition of Superstructure and Practical Completion
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL)
	<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 cil@islington.gov.uk. 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: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
4	Sustainable Sourcing of Materials
	<p>Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
5	Thames Water
	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the</p>

	<p>design of the proposed development.</p> <p>With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required.</p>
6	Highways Requirements
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p>

Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.

Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.

All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk

Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.

Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980

Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.

Regarding entrance levels, developers must take into account minimum kerb height of 100mm is required for the public highway. 15mm kerb height is required for crossover entrances.

Overhang licenses are required for projections over the public highway. No projection should be below 2.4m in height in accordance with Section 178, Highways Act 1980.

Compliance with Section 179, Highways Act 1980. "Control of construction of cellars etc under street".

Compliance with Section 177 Highways Act 1980. "Restriction on construction of buildings over highways".

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, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

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

2 London's places

Policy 2.2 London and the wider metropolitan area
Policy 2.5 Sub-regions
Policy 2.9 Inner London predominantly local activities

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
Policy 3.11 Affordable housing targets
Policy 3.13 Affordable housing thresholds

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage

6 London's transport

safeguarding land for transport

Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Policy CS15 (Open Space and Green Infrastructure)

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)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Transport

DM8.3 Public Transport
DM8.4 Walking and cycling
DM8.5 Vehicle Parking

Housing

DM3.4 Housing Standards
DM3.5 Private Outdoor Space
DM3.7 Noise and Vibration (residential uses)

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning Obligations
DM9.3 Implementation

Health and Open Space

DM6.1 Healthy development
DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.2 Energy efficiency and carbon reduction in minor schemes
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

5. Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Core Strategy Key Area

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

The following SPGs and/or SPDs are relevant:

Islington UDP

- Accessible Housing in Islington
- Car Free Housing
- Conservation Area Design Guidelines
- Green Construction
- Inclusive Landscape Design
- Planning Standards Guidelines
- Planning Obligations and S106
- Urban Design Guide

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Planning for Equality and Diversity in London

- 4.1 Full planning permission is sought for the demolition of existing vacant storage /warehouse buildings and erection of 8 no. residential units comprising 7 x 2 bedroom and 1 x 3 bedroom houses with associated refuse stores, cycle storage and landscaping.
- 4.2 The introduction of residential use to the site is considered acceptable in principle. Over time the Mews has been accepted to be built for residential purposes with a number of carefully considered permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings. The most recent grant of planning permission was permitted in June 2006 (Ref: P060885) for the redevelopment of site to create 13 houses and 166 sqm of commercial space. To the west of the site is a two storey warehouse building which was converted into five residential units in October 2008.
- 4.3 The site currently consists of a terrace of derelict units which historically would have been in use for warehouse/storage/commercial uses. These buildings are proposed to be demolished in order to accommodate the proposed redevelopment of the site. The units are not considered to have any historic interest and demolition is not resisted.

- 4.4 The area is residential in character and the site is not located within a Conservation Area. The layout, scale and massing of the proposed development is now considered to be acceptable and the Design & Conservation Officer raises no objection to the proposal. Whilst the site is not located within a conservation area it is surrounded by good quality Victorian properties. The area has a strong character derived from uniformity in proportions and detailing to rows of buildings which follow a consistent building line and brick as the predominant feature. For the most part, conversions of buildings along the Mews have respected the existing built form in terms of height. The proposed new residential development has been designed so that the building line is of no greater height than the existing terrace which will be demolished to accommodate this development.
- 4.5 The impact of the development on neighbours has been considered. It is important to note the physical restraints of the site which is enclosed on each side by existing residential properties. A daylight and sunlight report has been undertaken to assess the impact of the proposed development on the daylight and sunlight received by surrounding dwellings. Rear windows to the nearest properties to the development along Moray Road, Hatley Road and Playford Road were analysed for loss of daylight, and where appropriate, loss of sunlight. All windows would meet either the obstruction angle (25 degree) or vertical sky component criteria set within the BRE guidelines.
- 4.6 The quality and sustainability of the resulting scheme is considered to be acceptable. The housing would comply with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov, 2012). Islington's Core Strategy identifies the importance of delivering new family units. The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM9 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes.
- 4.7 Private amenity space is provided in accordance with the Council's requirements. It is proposed that the new build dwellings would be constructed to meet Level 4 of the Code for Sustainable Homes. It is also proposed that the development would incorporate photovoltaics and green roofs.
- 4.8 The redevelopment of the site has no vehicle parking on site and occupiers will have no liability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.
- 4.9 In summary, the proposal is considered to be acceptable and to be broadly in accordance with the Development Plan policies.

5. SITE AND SURROUNDING

- 5.1 The application site consists of a narrow parcel of land located on Moray Mews, and accessed off Durham Road. The site is land locked to three sides by the rear gardens of residential properties of two or three storeys in height located on surrounding residential streets, namely Nos 22 – 50 Moray Road, Nos 16 - 32 Hatley Road and Nos 83 and 85

Playford Road. To the west of the site is a two storey warehouse building which has been converted into 5 self contained flats in October 2008.

- 5.2 The surrounding area is predominantly residential in character. The site is not located within a conservation area and none of the existing buildings this proposal seeks to demolish are listed. Whilst the site is not located within a conservation area, the site is surrounded by good quality Victorian properties. The existing Mews and immediate area has a strong character derived from uniformity in proportions and detailing to row of buildings which follow a consistent building line with brick being the predominant feature.
- 5.3 Moray Mews has been accepted to be built for residential purposes with a number of carefully considered permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings. The most recent grant of planning permission was permitted in June 2006 (Ref: P060885) for the redevelopment of site to create 13 houses and 166sqm of commercial space.
- 5.4 The site currently consists of a terrace of derelict units which historically would have been in use for warehouse/storage/commercial uses. These buildings are proposed to be demolished in order to accommodate the proposed redevelopment of the site. The existing building height should however be maintained and no development is acceptable in excess of two storeys in height in this location to continue the established building line and also to protect the amenities of surrounding occupiers. The existing units are not considered to have any historic interest and demolition is not resisted.

6. PROPOSAL

- 6.1 Full planning permission is sought for the demolition of existing vacant storage/warehouse buildings and erection of 8 no. residential units comprising 7 x 2 bedroom and 1 x 3 bedroom houses with associated refuse stores, cycle storage and landscaping.
- 6.2 The proposal seeks to introduce residential use to the site which has historically been in use for warehousing/storage/commercial use.
- 6.3 The existing Mews private road would be extended to the north east to enable each of the proposed residential units to take its entrance from the Mews. The proposed 7 x 2 bedroom/4 person units will be two storeys in height, designed in an 'L' shape with flat roof including green roof and PV panels. 3 no rooflights are also proposed to each unit serving a bathroom, stairway and en-suite at first floor. The 1 x 3 bedroom / 4 person end of Mews unit has a flat roof also with green roof and PV panels. The rear first floor windows are high level to minimise any overlooking to the properties along Playford Road.
- 6.4 Due to site restrictions, the site being land locked, the layout of the building along the Mews resulted in the rear elevation being blank. As a consequence of this the number of windows fronting onto the Mews and front amenity space has been maximised. Each of the 2 bedroom units will have approximately 24sqm of amenity space to the front with soft landscaping to form a separation from the private Mews. The end 3 bedroom house will have rear private amenity space measuring approximately 40sqm.
- 6.5 Adequate refuse and cycle storage is allocated along the Mews to serve each of the new units.
- 6.6 The scheme currently being assessed is subsequent to numerous pre-application meetings with the applicants. The design, scale, bulk and massing of the proposed development is now considered acceptable. A second round of public consultation was

carried out following the re-submission of a revised daylight and sunlight assessment using actual site measurements.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 P2013/1057/FUL - Demolition of existing buildings and clearance of land; redevelopment of the site to provide 8 residential units with associated refuse stores, cycle storage and landscaping. Withdrawn.
- P121205 – Demolition of existing buildings and redevelopment to create 13 residential units and 153sqm of B1 commercial space. This application remains invalid.
- P100731 - Partial demolition and conversion of the existing buildings to create 8 x 2 bed residential units. Withdrawn on 31 August 2012.
- P070682 - Demolition and redevelopment of site create 13 x 3 bed houses and 166 sqm of commercial space. Withdrawn on 30 March 2007.
- P060885 - Redevelopment of site create 13 houses and 166 sqm of commercial space. Approved 29 June 2006.
- 981303 - Redevelopment to provide eight houses with integral garages. Approved 09 December 1998.
- 971796 - Construction of 8 houses (2 x 3 bedroom and 6 x 2 bedroom) including demolition of existing workshop. Withdrawn 19 Feb 1998.
- 890625 - Change of use of existing buildings into one 3 bedroom house and six 2 bedroom houses and elevational alterations. Refused 01 March 1990.
- 7.2 Also relevant to this site are recent planning consents at neighbouring building, no. 1 Moray Mews and 2/2a Moray Mews:
- P111454 - Demolition of existing two storey garage building and the erection of a three storey residential dwelling at 1 Moray Mews – Refused 31 August 2011. The decision was appealed and subsequently dismissed on the 23 August 2012.
- P101630 – Demolition of existing building and the erection of a three storey building to accommodate one x 3 bed maisonette and one x 1 bed flat at 1 Moray Mews. Refused 16 November 2010.
- P081583 - Conversion of vacant workshop building to create five self-contained flats (comprising 1 x 3 bed unit, 3 x 2 bed units and 1 x 1 bed unit) together with alterations to front and rear elevation and partial demolition to create courtyard at 2 and 2A Moray Mews. Approved 16 October 2008.
- P081583(MA01) - Minor amendment comprising raising of front eaves height by 0.6m and associated slight alteration to roof shape, together with slight alteration to rear fenestration and minor alteration to internal layout at 2 and 2A Moray Mews. Granted on 19 May 2009.

ENFORCEMENT:

7.3 None

PRE-APPLICATION ADVICE:

7.4 Q2013/0128 – Pre-application advice provided in relation to the demolition of existing buildings and clearance of land; redevelopment of the site to provide 8 residential units with associated refuse stores, cycle storage and landscaping on 11/02/2013.

8. CONSULTATION

Public Consultation

8.1 A total of 147 letters were sent to occupants of adjoining and nearby properties dated 15/07/2013. This included a second round of consultation on the 23/08/2013 following the submission a revised drawings. Letters were sent to Nos 8 – 56 Moray Road, 83 – 85 Playford Road, 13 – 35 Hatley Road, 86, 88 & 96 Durham Road, 1 – 9A Moray Mews, 23 – 34 Berkeley Walk. A site notice and press advert was also displayed on 18th July 2013.

8.2 6 letters of objection had been received from the public with regard to the application. The objections are from owners and/or occupiers of Nos. 14, 38A, 46, and 48A Moray Road, and No. 24 Hatley Road. There has been 1 letter of support received.

8.2 The grounds of objection raised are as follows (with the paragraph that provides response to each issue indicated in brackets).

- The design does not reflect surrounding buildings. Imposing scale / height and design / over development (See paragraphs 10.7 – 10.12).
- Provision of parking at the site (See paragraph 10.35).
- Provision of affordable housing (See paragraphs 10.39 – 10.41)
- Construction hours / noise (See paragraph 10.22).
- Appropriate land use (See paragraphs 10.2 – 10.6).
- Loss of light / outlook to surrounding residential properties (See paragraphs 10.13 – 10.19 & 10.25 – 10.27)
- Threat to wildlife including bats (See paragraph 10.32).
- Green roofs only accessed for maintenance and repair works (See paragraph 10.21).
- Party Wall issues (See paragraph 10.43).

External Consultees

8.3 **Fire Department:** No comments have been made by the London Fire department. This information will be updated at Planning Committee meeting.

8.4 **Metropolitan Police (Crime Prevention)** advised that the layout and design of the development raises no concerns

Internal Consultees

8.5 **Parks/Ecology Officer:** The Bat Survey Report is sound and thorough, and the evidence is consistent with the site in question not being used as a roosting site for bats. The results of the two surveys are consistent with the site having some value for foraging, a result possibly of the dark and quiet nature of the site in a busier urban setting. The report makes a number of recommendations that it would be appropriate for the developer to adhere to. The recommendations will enhance the foraging and transient roosting potential of the bat communities that use this site. Concerns have been raised

by neighbours that there are bats roosting in the existing vacant buildings at the site. Given the results of the survey it appears that this is not the case. There will be an impact on the foraging potential of the site during construction, and suggestions have been made as to the timings of any works. These times must be adhered to. If the timeframe outlined in the report cannot be met, it will be necessary to repeat the survey to ensure the site is not being roosted in. The following conditions are recommended:

CONDITION: If the commencement of demolition and/or tree works has not taken place by Spring 2014, an updated bat survey must be undertaken immediately prior to demolition or tree works by a licensed bat worker. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition and/or tree works.

REASON: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

CONDITION: The following measures to avoid and/or mitigate impacts on bats, agreed in the Bat Survey report recommendations (Furesfen, Sept 2013) will be implemented in full prior to the new development being first brought into use/occupied, or in accordance with the timescale detailed in the approved scheme.

- Bat boxes will be situated at the inside parapet of each of the rear walls facing the green roofs. Wooden boxes could be custom made if the upstands are too short for conventional bat boxes.
- Section 4.3 of the bat survey report detailing lighting requirements should be adhered to, and details of this provided to the Local Planning Authority.

REASON: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

8.6 Conservation and Design: Although this site is not in a Conservation Area, it is surrounded by good quality Victorian housing. The area has a strong character derived from consistency in proportions and detailing to rows of buildings which follow a consistent building line and brick as the predominant building material. Yellow gault brick is predominant in the local context, with red brick being used only for detailing.

The scheme put forward is subsequent to numerous pre-application meetings with the applicants. The design, scale, bulk and massing of the proposed development is now considered acceptable.

The end building at the foot of the 'L' shaped development, which fronts onto the mews, has a parapet roof to echo the rest of the development but behind the parapet the roof has been modified to include a pitched roof pierced by a rooflight to overcome sunlight/daylight issues. This is considered acceptable as it will not be visible from the public realm. A number of conditions have are requested relating to materials and these are included in the recommended conditions.

8.7 Planning Policy: No objection to proposal.

8.8 Transport Planning: The site is located 0.4 miles from Finsbury Park Station, which provides London Underground Services on the Victoria and Piccadilly lines and First Capital Connect Train services to Kings Cross and the City, and North to Cambridge and Stevenage. There are two major bus stations nearby providing direct bus connections can be made between Finsbury Park and Battersea, Whitechapel, Hackney Wick, Trafalgar Square, Euston, Hackney Central, Aldgate, Caledonian Road, Edmonton

Green, Kings Cross, Northumberland Park, Musewell Hill, Brent Cross, Waterloo, Archway and Liverpool Street.

Access: The application site is located on a private road. The applicant should demonstrate access arrangements for emergency vehicles, and clarify how the application complies with fire and ambulance arrangements.

Servicing, deliveries and refuse collection: The applicant should set out arrangement for refuse collection, and the application should be referred to Street Environment Services to advise if this arrangement is acceptable.

Car Parking: This is a car-free development. The rights of residents to apply for CPZ permits should be removed. In order to ensure that this remains a car-free development in line with Policy CS10, Part H, of the Core Strategy, payment should be made by the applicant to reinstate the crossover the junction of Moray Mews and Durham Road. The applicant should also clarify details of the landscaping in the central access area shown on the submitted plans: these could be raised to further ensure that the development remains car-free.

Cycle parking: Cycle storage is provided over and above the expected provision set out in Appendix 6 of the emerging Development Management Policies (34 spaces have been provided for 17 bedrooms). Please ensure that these spaces are covered and secure.

Highways requirements: The development should comply with standard highway comments.

- 8.9 **Pollution/Noise Officer:** The site is a Mews type development of commercial businesses – they can not find any information on the database about the previous uses here. However, there are concerns about potential pollution linkage with residential gardens with soft landscaping included in the plans to provide a pathway. A contaminated land condition is advisable.

With the demolition of the buildings and lack of sampling there needs to be further work here and a remediation strategy compiled to demonstrate how the gardens will be landscaped and no pollution linkage formed.

CONDITION: Prior to the commencement of development a land contamination investigation shall be carried out and a scheme of necessary remedial works shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and no variation there from shall take place without the prior written consent of the local planning authority.

- 8.10 **Sustainability Officer:** The commitment to achieve Code Level 4 is supported and should be conditioned. It should be noted that the development is subject to carbon offsetting, which is charged at a rate of £1500/house.

A draft s106 agreement should be submitted.

- * The use of CHP system is supported.
- * The water efficiency targeted meets and exceeds policy (targeted at 80l/p/day) which is supported.
- * The provision of green roofs is supported, however it is unclear whether the green roofs are to be biodiversity based, and of sufficient varied substrate depth. Further details should be conditioned to be provided (notwithstanding the Green Roof Detail Plan provided, drawing 07, dated March 2013).

- * The provision of permeable paving to landscaped areas is supported. The inclusion of water butts for each dwelling should be strongly considered (to collect rainwater for reuse in landscaping).

8.11 **Street Environment Manager:** No objection.

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, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

9.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

- **Core Strategy Key Area**

Supplementary Planning Guidance (SPG) / Document (SPD)

9.4 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

ENVIRONMENTAL IMPACT ASSESSMENT

9.5 Not required

10.0 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use;
- Design and Appearance;
- Neighbouring amenity impacts;
- Quality of resulting accommodation and Dwelling Mix;
- Sustainability;
- Energy efficiency and renewal energy;

Land-use

10.2 The site is not subject to any land designations in Islington's Core Strategy or Site Allocations.

- 10.3 The introduction of a residential use to this site is considered to be acceptable in principle. The adjoining uses are residential and over time the Mews has been accepted to be built for residential purposes with a number of carefully considered permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings.
- 10.4 The site presently consists of a terrace of derelict units which historically would have been in use for warehouse/storage/commercial uses. To the west of the site is a two storey warehouse building which has been converted to residential units. The area is residential in character and the site is not located within a Conservation Area. It is important to note the physical restraints of the site which is enclosed on each side by existing residential properties. In addition, for the most part, conversions of buildings along the Mews have respected the existing built form in terms of height.
- 10.5 Moray Mews has been accepted to be built for residential purposes with a number of carefully considered permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings. The most recent grant of planning permission was permitted in June 2006 (Ref: P060885) for the redevelopment of site to create 13 houses and 166sqm of commercial space.
- 10.6 The existing vacant storage/warehouse/commercial buildings at the site are in a dilapidated state and are of no merit to the site or surrounding area. Given the site constraints and close proximity of residential buildings such a use would not seem appropriate. The introduction of residential use in this specific location has been previously established.

Design and Appearance

- 10.7 The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonise with their setting. They should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.
- 10.8 Although this site is not located within a conservation area, it is surrounded by good quality Victorian housing. The area has a strong character derived from consistency in proportions and detailing to rows of buildings which follow a consistent building line and brick as the predominant building material. Yellow gault brick is predominant in the local context, with red brick being used only for detailing.
- 10.9 The scheme put forward has been subsequent to numerous pre-application meetings with the applicants. The design, scale, bulk and massing of the proposed development is now considered acceptable. The two storey height of the proposed terrace has been determined by the existing vacant buildings. Flat roofs have been used to minimise any increase in height to the existing buildings on site and to provide a consistent design and appearance to the terrace. The proposed scale and height of the development is a representative balance of surrounding buildings and not considered excessive.
- 10.10 Some brick samples have been viewed on site by the Design and Conservation Officer however it is requested that panels of brickwork for each different area of brickwork illustrating colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority prior to the relevant part of the works being commenced. A condition shall be attached in order to safeguard the character and appearance of the development and the existing setting.

- 10.11 The end building at the foot of the 'L' shaped development, which fronts onto the mews, has a parapet roof to echo the rest of the development but behind the parapet the roof has been modified to include a pitched roof pierced by a rooflight to overcome sunlight/daylight issues. This is considered acceptable as it will not be visible from the public realm.
- 10.12 The proposal is considered to be in accordance with policies 7.4, 7.6 and 7.8 of the London Plan 2011, CS9 of the Core Strategy 2011, Policies DM2.1 (Design) and DM2.3 (Heritage) of the Development Management Policies 2013.

Neighbouring Amenity

- 10.13 There have been 6 objections to the proposed development. Concern has been expressed insofar as loss of light to surrounding residential properties. The application site is physically restrained as it is enclosed on each side by existing residential properties.
- 10.14 A revised daylight and sunlight study dated September 2013 was submitted in support of this application. Windows to the ground floor or adjoining residential properties along Moray Road, Hatley Road and Playford Road were assessed.
- 10.15 The proposed Mews redevelopment has been designed considering the constraints of the site such as the impact on the surrounding properties in terms of its design and the potential impact on daylight and sunlight. The roof detail of the end 3 bedroom property has been amended to incorporate a sloping roof to the south behind front parapet to minimise any impact.

10.16 Daylight

Whilst it has been established that the properties along Moray Road meet the 25 degree rule, some ground floor windows to the rear of Hatley Road and Playford Road do not. Where the obstruction angle is greater than 25 degrees, the BRE Report recommends the calculation of the vertical sky component. This is the ratio of the direct sky illumination falling on the outside of a window, to the simultaneous horizontal illuminance under an unobstructed sky. The vertical sky component on a window is a good measure of the amount of daylight entering it.

- 10.17 All the windows (17-31 Hatley Road and 83-85 Playford Road) meet the BRE 'daylight' guidelines by having a vertical sky component with the proposed development in place of more than 27 degree, or greater than the 0.8 times the value before. This is therefore acceptable.

10.18 Sunlight

In terms of loss of sunlight, if a living room of an existing dwelling has a main window facing within 90 degrees of due south and any part of a new development subtends an angle of more than 25 degree to the horizontal measured from the centre of the window in a vertical section, then the amount of sunlight to an existing dwelling may be adversely affected. The rear windows to the dwellings along Hatley Road face northerly and are therefore not an issue. Windows to the rear of Moray Road face within 90 degrees of due south, but the obstruction angle is less than 25 degrees so acceptable. Windows to the rear of 83 and 85 Playford Road however face within 90 degrees of due south and have therefore been analysed for sunlight provision.

10.19 The results of the BRE analysis shows that all windows meet the BRE guidelines for sunlight provision,

10.20 Privacy and Overlooking

The north facing boundary which abuts the rear gardens of residential properties along Moray Road will be blank with no windows facing northwards. There will be no privacy/overlooking issues to the north of the site. All of the windows to the 'L' shape residential units will face onto the private Mews or onto the proposed front amenity space within the development. A number of first floor windows will face onto the rear elevation of properties along Hatley Road. However, these first floor windows serve bathrooms or bedrooms and there is a distance of approximately 18 metres between the development and the rear wall of main dwellinghouse along Hatley Road. In addition, the first floor windows to the rear of the end property which face towards the rear of Playford Road have been designed to be high level thereby overcoming any overlooking/loss of privacy issues.

10.21 Objection has been raised to the use of the proposed green roofs as amenity space. A condition will be attached to ensure the biodiversity green roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

Noise

10.22 The demolition and construction periods are generally responsible for the most disruptive impacts affecting residential amenity and this issue has been raised by an objector. A condition requiring the submission of a Construction & Demolition Logistics Plan has been included as part of the recommendation, in order to mitigate and reduce the impacts of demolition and construction.

Quality of Resulting Residential Accommodation and Dwelling Mix

10.23 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2011) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.

10.24 The proposed residential units all exceed the required internal space standards and are therefore in compliance with local and national standards. Islington's Core Strategy identifies the importance of delivering new family units. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. The proposed development consists of 7 x 2bedroom/4 person and 1 x 3bedroom/4 person houses is considered acceptable.

10.25 The applicant's daylight and sunlight assessment addresses any loss of daylight and sunlight to main living rooms and conservatories and surrounding dwellings where there is a window facing within 90 degrees. For the windows to the rear of Moray Road the obstruction angle was calculated for the ground floor windows at two positions i) the main rear window wall and ii) the line of rear extensions at dwellings. Both these obstruction angles for are under the 25 degree recommended in the BRE guidelines. Loss of daylight and sunlight would therefore be small and not significant.

- 10.26 As it was established that some windows to the rear of Hatley Road and Playford Road do not meet the 25 degree obstruction angle, the vertical sky component has been calculated for ground floor windows. Again, the rear main wall windows and windows to extensions were taking into account. All windows would meet the BRE guidelines in terms of daylight and sunlight.
- 10.27 Whilst the houses are not dual aspect, the scheme has been designed to achieve the maximum amount of natural light and ventilation through the building given the site restrictions. In summary, it is considered that all proposed residential units would benefit from acceptable levels of natural light and an outlook that is pleasant and suitable to the residential accommodation.
- 10.28 Outdoor amenity space has been provided for all new residential units ranging in size from 24sqm and 40sqm, which is broadly in accordance with policy DM3.5. The two storey 'L' shape houses forming the main Mews terrace would have small front gardens of approximately 24sqm located on the southern side of the dwellings. These gardens would be enclosed by landscaping to provide privacy and would comprise a mix of grass and permeable paving. Access will be achievable to the space from ground floor living room and kitchen. The end property would have a private rear garden measuring approximately 40sqm with a mixture of grass and permeable gravel.
- 10.29 All units would be wheelchair accessible and flexible home compliant.

Sustainability, Energy Efficiency and Renewable Energy

- 10.30 The commitment to achieved Level 4 of the Code for Sustainable Homes (CfSH) for the new residential properties would accord with the requirements of policy 5.1 of the London Plan 2011 and policies DM7.2B and DM7.4B of the Development Management Policies June 2013). The applicant has confirmed within their Sustainability/Energy Statement that this will be the case and a condition would be placed on any approval of permission requiring compliance.
- 10.31 The Statement also confirms that the water efficiency targeted meets and exceeds policy (targeted at 80l/p/day) which is supported. The provision of green roofs is encouraged and a condition is attached to control this.

Bats

- 10.33 Concerns have been raised by neighbours that there are bats roosting in the existing vacant buildings at the site. Given the results of the survey it appears that this is not the case. The Bat Survey Report is sound and thorough, and the evidence is consistent with the site in question not being used as a roosting site for bats. The results of the two surveys are consistent with the site having some value for foraging, a result possibly of the dark and quiet nature of the site in a busier urban setting. The report makes a number of recommendations that it would be appropriate for the developer to adhere to. The recommendations will enhance the foraging and transient roosting potential of the bat communities that use this site. A condition is recommended to ensure that should the commencement of demolition and/or tree works not be undertaken by Sprint 2014 then an amended bat survey must be undertaken.

Highways and Transportation

- 10.33 The Mews will be re-paved as part of the new development. In order to keep the access free for emergency vehicle / refuse collection it is necessary for non fixed bollards to be located within the scheme which are removable with a universal key. Street Environment

are happy with this approach. It has been agreed that the refuse truck will reverse back to the end of the Mews to collect waste from the development.

10.34 There is no provision for fire trucks to turn within the site. There is a fire hydrant (wet riser) located within the site – shown on drawing 05 Rev J. The Council are yet to receive comments back from the London Fire department. This information will be updated at the Planning Committee meeting.

10.35 The development would be car free, as required by Core Strategy Policy CS10 and as per a condition to the application, which restricts future of occupiers of both the office space and residential units, from obtaining a residents permit. This will ensure adequate provision of spaces for existing users.

10.36 Cycle storage is provided over and above the expected provision set out in Appendix 6 of the emerging Development Management Policies (34 spaces have been provided for 17 bedrooms). Please ensure that these spaces are covered and secure.

Contaminated Land

10.37 The Public Protection Officer has requested that a condition be included requiring the submission of a contaminated land investigation. A relevantly worded condition is included to secure the submission of this report, which shall need to include recommendations for any necessary remediation prior to the first occupation of the houses.

Foul Drainage

10.38 The provision of adequate foul drainage is an issue dealt with under the Building Regulations. It is considered that adequate provision for this relatively small-scale proposal could be provided as part of the development.

Affordable Housing and Financial Viability

10.39 The proposal is a minor application for eight residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy).

10.40 The applicant submitted information for a viability assessment to be undertaken by an independent assessor to demonstrate that the entire affordable housing and small sites contribution of £400,000 (£50,000 per new unit) was not viable at the site. A number of site specific factors were identified which would result in development costs being excess of what might be expected as the norm. These costs included piled foundations, external walls, roof construction and the abnormal shape of the application site. Taking into account these costs an affordable housing and small site contribution of £275,000 can be achieved at the site.

10.41 The applicant has agreed to the small sites contributions policy in regard to both the off site affordable housing provision and the environmental off-set contribution of £12,000 (£1,500 per unit) and the unilateral agreement has been signed.

10.42 The proposed development would also be liable for the Mayor's CIL.

Party Wall Agreement

10.43 An objection has been raised relating to the Party Wall. Any issues with regard to the Party Wall Act or matters relating to the shared boundary are not a planning matter.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

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, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

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

2 London's places

Policy 2.2 London and the wider metropolitan area
Policy 2.5 Sub-regions
Policy 2.9 Inner London predominantly local activities

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
Policy 3.11 Affordable housing targets
Policy 3.13 Affordable housing thresholds

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage

6 London's transport

safeguarding land for transport

Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Policy CS15 (Open Space and Green Infrastructure)

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)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Transport

DM8.3 Public Transport
DM8.4 Walking and cycling
DM8.5 Vehicle Parking

Housing

DM3.4 Housing Standards
DM3.5 Private Outdoor Space
DM3.7 Noise and Vibration (residential uses)

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning Obligations
DM9.3 Implementation

Health and Open Space

DM6.1 Healthy development
DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.2 Energy efficiency and carbon reduction in minor schemes
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

5. Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Core Strategy Key Area

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

The following SPGs and/or SPDs are relevant:

Islington UDP

- Accessible Housing in Islington
- Car Free Housing
- Conservation Area Design Guidelines
- Green Construction
- Inclusive Landscape Design
- Planning Standards Guidelines
- Planning Obligations and S106
- Urban Design Guide

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Planning for Equality and Diversity in London