



AGENDA FOR THE PLANNING SUB COMMITTEE B

A meeting of the Planning Sub Committee B will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **15 July 2014 at 7.30 pm.**

John Lynch
Head of Democratic Services


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Despatched : 7 July 2014

Welcome:
Members of the public are welcome to attend this meeting.

Consideration of Planning Applications – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk**

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor Klute (Chair)	- St Peter's;	Councillor Chowdhury	- Barnsbury;
Councillor Nicholls (Vice-Chair)	- Junction;	Councillor Convery	- Caledonian;
Councillor Kay	- Mildmay;	Councillor Fletcher	- St George's;
Councillor Khan	- Bunhill;	Councillor Gantly	- Highbury East;
Councillor Picknell	- St Mary's;	Councillor Makarau Schwartz	- Junction;
		Councillor O'Sullivan	- Finsbury Park;
		Councillor A Perry	- St Peter's;
		Councillor R Perry	- Caledonian;
		Councillor Poole	- St Mary's;
		Councillor Poyser	- Hillrise;
		Councillor Smith	- Holloway;
		Councillor Spall	- Hillrise;
		Councillor Ward	- Holloway;
		Councillor Wayne	- Canonbury;
		Councillor Williamson	- Tollington;

Quorum: 3 councillors



A. Formal Matters

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1. Introductions
2. Apologies for Absence
3. Declarations of Substitute Members
4. Declarations of Interest

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of Business
6. Minutes of Previous Meeting

B.	Consideration of Planning Applications	Page
1.	15, 16 and 17 Pleasant Place, N1 2BZ	5 - 26
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9.	Pakeman Primary School, Hornsey Road, N7	189 - 206

C. Consideration of other planning matters

D. Urgent non-exempt items

Any non-exempt items which the Chair is of the opinion should be considered as a matter of urgency and to consider whether the special circumstances included in the report as to why it was not included on and circulated with the agenda are acceptable for recording in the minutes.

E. Exclusion of press and public

To consider whether, in view of the nature of the remaining items on the agenda, it is likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

F. Confidential/exempt items

G. Urgent exempt items (if any)

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

Please note all committee agendas, reports and minutes are available on the council's website:

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

Each Planning Sub-Committee consists of five locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Sub-Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

Consideration of the Application

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Sub-Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

What Are Relevant Planning Objections?

The Planning Sub-Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Sub-Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Zoe Crane/Jackie Tunstall on 020 7527 3044/3068. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk

Planning Sub Committee B - 24 June 2014

Councillor Kay proposed a motion regarding the prevention of use of the external terrace that was seconded by Councillor Klute.

RESOLVED:

That planning permission be granted subject to the conditions and informatives in the report, and additional conditions to include a review of the management plan six months after commencement of use and preventing use of the external terrace, the wording to be delegated to officers.

8 REAR OF Highbury Vale Police Station, 211 Blackstock Road (Between 27 and 41 Canning Road), N5 2JR (Item 8)

Demolition of garage, external stores, kennels and cell block to former Police Station and erection of terrace of six dwellings as planning permission P2013/0881/FUL with the addition of a basement level of numbers 31, 33, 35 and 37 (Planning application number: P2013/4778/FUL)

In the discussion the following points were considered:

- The Sub-Committee was satisfied that the impact of the construction on the basement levels could be controlled adequately by the construction and demolition logistics plan envisaged by condition 3 and separate legislation including the Building Regulations and the Party Wall Act.
- The concern expressed regarding the construction vehicles and the hours of use.
- The concern was expressed regarding the visibility of the rooflights from the footway.
- It was noted that the rooflights would not provide ventilation to the basements.

Councillor Klute proposed a motion regarding the management plan and an additional informative which was seconded by Councillor Khan.

Councillor Kay proposed a motion regarding the screening of the rooflights from the footway, which was seconded by Councillor Klute.

RESOLVED:

That planning permission be granted subject to the conditions and informatives in the report and the signing of a Unilateral Undertaking securing small site affordable housing contribution and carbon offsetting and the following amendments (the wording to be delegated to officers):-

Condition 3 to include specific reference to vehicle speed limits and maximum weight of vehicles and hours of movement of vehicles to co-ordinate with school hours.

Condition 4 to include a method for screening the rooflights from the road.

An additional informative to advise that an application for external plant would require an additional planning application.

The meeting ended at 8.45 pm

CHAIR

WORDING DELEGATED TO OFFICERS

MINUTE 7

BARNSBURY WELFARE CLINIC, 1 CARNEGIE STREET, N1 9QW (Item 7)

Additional condition 6 to read.

A review of the operational management plan shall be submitted to, and approved in writing by the Local Planning Authority, six months after the commencement of the use. The review report shall assess impacts of the operation of the development on nearby residents and other occupiers together with means of any additional mitigation needed. The development shall be carried out strictly in accordance with the details as approved pursuant to this condition and no change there from shall take place without the prior written consent of the Local Planning Authority.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

Additional condition 7 to read.

No staff or other person shall use the external terrace areas. These areas shall only be used for emergency purposes only.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

MINUTE 8

REAR OF Highbury Vale Police Station, 211 Blackstock Road (Between 27 and 41 Canning Road), N5 2JR (Item 8)

Amended condition 3 to read.

A report assessing the planned demolition and construction vehicle routes and access to the site, avoiding school starting and leaving times of 8.30 to 9.30am and 3pm to 4.30pm, including addressing pedestrian and cyclist safety, speed limits for construction vehicles, environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development, taking into consideration the restriction on the weight of 26 tonnes of any vehicles associated with the construction, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.

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.

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.

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.

REASON: In order to secure highway safety and free flow of traffic on Canning Road and local residential amenity and mitigate the impacts of the development.

Amended condition 4 to read.

Planning Sub Committee B - 24 June 2014

Detailed drawings at scale 1:20, 1:10 and 1:5 (as appropriate) or samples of materials, as appropriate, in respect of the following, shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing in site:

- Bricks (samples made available onsite)
- Windows (drawings to show size of frame and size and profile of glazing bars)
- Railings (drawings of gates and railings to accurately show heights, dimensions, sections and details, including a method of screening the front roof lights from the street). This should be based on evidence of originals from surrounding properties. The design and means of fixing should accord with the guidance in the Council's Building Maintenance Guide on Ironwork.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

REASON: To ensure that the resulting appearance and construction of the development is of a high standard.

Additional Informative:

5. You should be advised that if any mechanical ventilation is required any external plant will require planning permission.

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:	15 th July 2014	NON-EXEMPT

Application number	P2014/0752/FUL
Application type	Full Planning Application
Ward	St Mary's Ward
Listed building	Not listed
Conservation area	Canonbury Conservation Area
Development Plan Context	- Archaeological Priority Area (Islington Village and Manor House) - Within 100 metres of Strategic Road Network - Within 50 Metres of Cross Street Conservation Area
Licensing Implications	n/a
Site Address	15 – 17 Pleasant Place, London, N1 2BZ
Proposal	Part single storey, part three storey rear extension to facilitate internal refurbishment and reconfiguration to the existing 7 self-contained flats to provide 9 self-contained flats (2 x 3 bed, 3 x 2 bed and 4 x 1 bed flats).

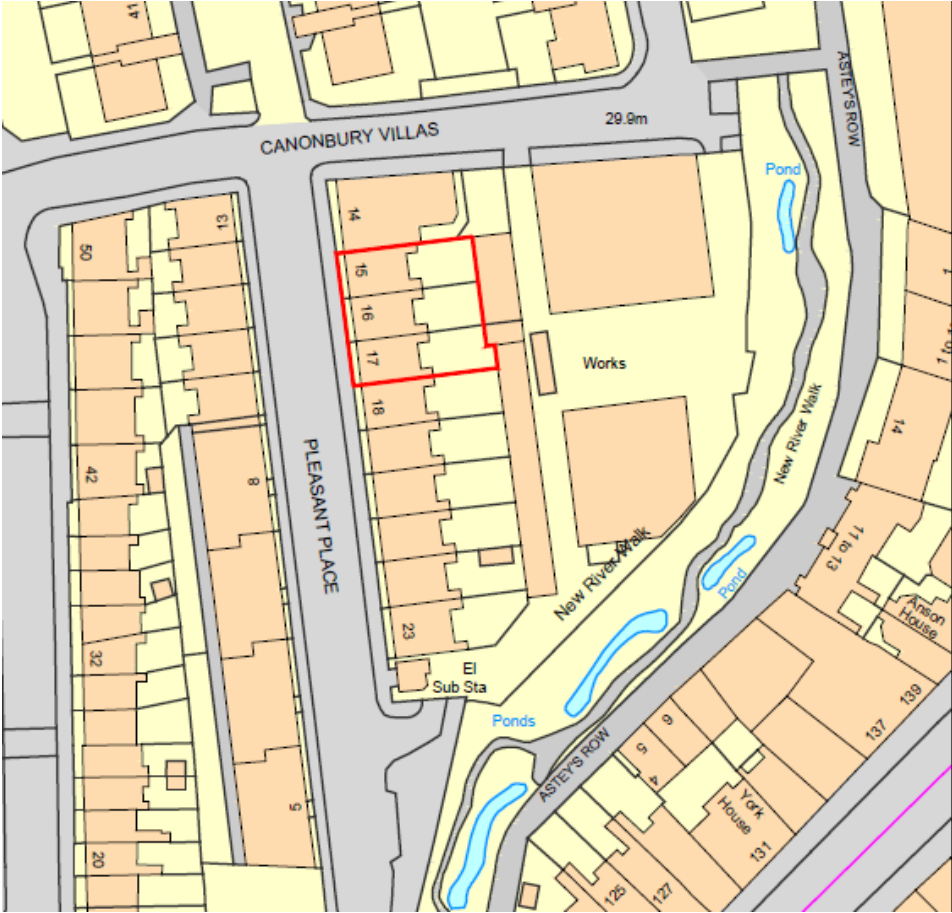
Case Officer	Nathaniel Baker
Applicant	Emile and Rene Brown - JB London Builders Ltd
Agent	David Wakefield - MGL Architects

1.0 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1;
2. Conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

2.0 SITE PLAN (site outlined in black)



3.0 PHOTOS OF SITE/STREET



Image 1: Aerial view of rear elevation



Image 2: View from Canonbury Villas



Image 3: Rear elevation of No. 17 and view to the south

4.0 SUMMARY

- 4.1 Planning permission is sought for the erection of a part three storey, part single storey rear extension and internal refurbishment and reconfiguration to create two additional flats. The resultant property would contain 9 self-contained flats.
- 4.2 The application has been called to the Planning Sub-Committee for determination by two Councillors.
- 4.3 The proposed units would provide a good level of amenity and the extension would not detract from the character and appearance of the application property or the conservation area and would not detrimentally impact upon neighbour amenity.

5.0 SITE AND SURROUNDING

- 5.1 The site is located on the east side of Pleasant Place and consists of three mid-terraced properties which are laid out as flats, with No. 16 and 17 having previously been amalgamated and sharing a single rear garden. The properties are three storeys in height over a basement, with a mansard roof slope to the front elevation and a flat roof over the remainder of the roof. The properties form the northern extent of a terraced row of dwellinghouses of the same design, with a repeated lower ground floor single storey outrigger (with the exception of No. 16 where this has been removed) and unaltered flat roofs. The terraces are clearly demarked through the repeated window and chimney layout.
- 5.2 At the northern end of the terrace is a four storey over basement later addition to the terrace which projects significantly beyond the rear elevation of the other properties forming the terrace. To the rear of the site is a two storey residential unit, a works site which includes single, three and four storey buildings and beyond this is New River Walk, a pedestrianised area on the west side of Astey's Row.
- 5.3 The site is located within the Canonbuy Conservation Area and an Archaeological Priority Area, however the buildings are not listed.

6.0 PROPOSAL (in Detail)

- 6.1 The existing property contains seven self-contained flats and the proposal consists of a part three storey, part single storey rear extension to create two additional flats (the resultant property would contain a total of nine units).
- 6.2 The proposal has two three storey elements each measuring 3 metres in depth, 8.75 metres in height, with the most northerly extension measuring 7.2 metres in width and the most southerly measuring 3.7 metres in width.
- 6.3 The single storey element would extend across the full width of the site with the central element projecting out 3.9 metres from the rear elevation with a flat roof at a height of 3.2 metres. Between the two three storey extensions, the single storey element would have a roof terrace with a glazed balustrade at a height of 1.1 metres.

Revision 1

- 6.4 Amended plans were received on 21st May 2014 which reduced the depth of the three storey elements from 3.3 metres to 3 metres.

Revision 2

6.5 Amended plans were received on 30th May 2014 which altered the internal layout to ensure each unit meets the minimum required floor area.

7.0 RELEVANT HISTORY:

Planning Applications

7.1 **P2013/3729/FUL** - Erection of a part four, three and single storey rear extension, rear roof extension incorporating two dormer windows and internal alterations to create two additional flats (a total of nine units) – Refused Permission on 06/01/2014.

7.2 **P041598** - Internal alterations to existing unit to form four self contained 2 bedroom flats at No. 16 and 17 Pleasant Place – Granted conditional permission on 02/09/2004.

Pre-application Advice:

7.3 None.

Enforcement:

7.4 None.

8.0 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 37 adjoining and nearby properties at Canonbury Villas and Pleasant Place on 20th March 2014. A site notice was placed at the site and the application advertised on 27th March 2014. The public consultation of the application therefore expired on 17th April 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of writing this report two objections had been received from the public with regard to the application. The objections raised can be summarised as follows (together with the paragraph number in brackets that responds to the issue):

- Contrary to the Design and Access Statement the existing dwellings at the site are not substandard and therefore the dwelling mix does not need to be improved (para 10.3);
- The proposed dwellings do not improve the accessibility of the site (para 10.32);
- The scale of the extension is disproportionate to the building and the surrounding area. It contravenes the scale of the area and pattern of fenestration (para 10.5 – 10.13);
- The fifth level on the roof is excessive (para 10.41);
- The modern materials proposed, other than brick, and the elevation designs to the rear are incompatible with the character of the existing building (para 10.12);
- Additional parking will be required (para 10.29);
- The proposal makes unnecessary and undesirable alterations to the structure of the existing building (para 10.39);
- The proposed dwellings are not adequate for use as wheelchair housing as they can only be accessed via stairs and no lift is being provided (para 10.32);
- The 2 bed 3 person units have open plan kitchen/living spaces which are insufficient in size and are inferior to existing dwellings (para 10.40);

- The proposal will lead to greater letting and Estate Agents leave advertising boards endlessly tied to railings (para 10.43);
- The proposal would result in a greater level of littering and the bins should be collected from the rear (para 10.33);
- The proposal would result in a reduction in green space (para 10.15 and 10.16);
- Concern raised regarding fire safety (para 10.42);
- The proposal would cover an underground drain (para 10.42); and
- Concern raised regarding noise transfer (para 10.30 and 10.31).

Internal Consultees

- 8.3 **Design and Conservation Team** – Although the scheme has been revised it is still considered to be inappropriate. The terrace is relatively unaltered at the rear and any alteration should respect the existing form and appearance of the buildings and the terrace.

By virtue that it would constitute a three storey half width rear extension, the proposal would not be in accordance with the Conservation Area Design Guidelines (CADG),

The height, bulk and massing of the extension would not be subservient to the main building, while the proximity of the two of the three storey extensions to one another is harmful. The proposed extension would therefore disrupt the rhythm of the rear of the terrace and fail to respect the historic architectural form and detail of the existing building.

The CADG also refer to harm if the extension is visible from public views such as Astey's Row/New River Walk to the south of the site.

- 8.4 **Transport Officer** – The proposal should be a car-free development, with the rights of residents to apply for CPZ permits removed and the applicant should provide a contribution for wheelchair accessible parking bays equal to the number of wheelchair accessible habitable rooms. In addition, 16 cycle parking spaces should be provided for the 16 bedrooms.

Further information should be provided on the existing and proposed waste and refuse collection arrangements. Street Environmental Services should also be consulted.

Applicant should agree to enter into a Construction Management Plan that manages both the impact on the local road network and amenity of the local area.

- 8.5 **Tree and Landscape Officer** – There appears to be limited landscaping and vegetation on site other than a shrubby mass at the rear boundary of 17. Whilst the loss of garden amenity space proposed is not inconsiderable, with almost half of the existing garden lost to the proposed extension and patio, there are no tree or landscape reasons to refuse this application. A landscape condition is recommended.

- 8.6 **Refuse and Recycling** – There are no issues for waste management and recycling.

- 8.7 **Access and Inclusive Design** – Although some aspects of the Lifetime Homes Standards have been met, such as bathroom layouts, due to the stepped access and limited space within the circulation spaces, the proposed flats would not be accessible. However, there is capacity to install a platform lift within the lightwell to serve the upper and lower ground floor units. The proposal is not in accordance with the Council's Flexible Homes Standards.

8.8 **Parks and Open Space** – No response received.

External Consultees

8.9 **English Heritage (GLAAS)** – No Archaeological Requirement.

8.10 **Transport for London** – No comment.

8.11 **The Canonbury Society** – No response received.

8.12 **The Upper Street Association** - No response received.

9.0 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, 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.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and impact upon conservation area
- Landscaping
- Amenity
- Neighbour Amenity
- Highways and Transport
- Noise and Vibration
- Access
- Refuse and Recycling
- Archaeology
- Affordable Housing

Landuse

- 10.2 Policy 3.4 of the London Plan encourages boroughs to optimise housing output, taking into account local context and character, design principles and transport capacity. This is supported by Core Strategy policy CS12 which seeks to provide more high quality, inclusive and affordable homes within the borough.
- 10.3 The proposal includes the complete redevelopment of the internal layout of the three properties and results in 9 residential units, a net increase of 2. The resultant development would provide a mix of 1, 2, 3 and 4 bed units, which would provide an appropriate mix of housing sizes within the units.
- 10.4 As such, the principle of the development is acceptable subject to the assessment of the proposal in light of all other relevant policy, the site context and any other material planning consideration.

Design and impact upon the conservation area

- 10.5 The application site consists of three original terraced dwellinghouses set within a row of largely unaltered terraced properties. Whilst it is appreciated that two of the properties have been merged to form one flatted development, to the front, the properties retain three individual frontages and to the rear there is a clear vertical delineation formed by the repeated brick chimney stacks, single storey outrigger projections and the pairing and alignment of windows in the rear elevation, such that the properties still appear as original terraces.
- 10.6 The proposal would introduce a part three storey, part single storey rear extension to the property. The three storey elements would have a repeated 'outrigger' form, with a double width shared outrigger extending across No. 15 and 16, and a single outrigger on No. 17. At single storey level the proposal would fill each of the resultant side returns, with a four metre deep element projecting across the full width of No. 16 and partially across the other two properties.
- 10.7 The Conservation Area Design Guide (CADG) for Canonbury Conservation Area states that: *Full width rear extensions higher than one storey or half width rear extensions higher than two storeys, will not normally be permitted, unless it can be shown that no harm will be caused to the character of the area.*
- 10.8 The Islington Urban Design Guide (IUDG, paragraph 2.5.2) states that: *rear extensions should avoid disrupting the existing rhythm of the existing rear elevations, or dominate the main building. Particular care needs to be given to rear elevations visible from the public realm because of gaps within the street frontage, and the most prominent upper part of the rear elevation that are most visible from the private realm....Single half-width upper floor extensions above existing extensions are often acceptable providing there is a punctuating gap between the eaves height and the top of the extension.*
- 10.9 The terraced row in which the site is located is formed of ten properties, nine of which have relatively unaltered rear elevations, including the application site with the tenth building, which adjoins the northern end of the site, being of a greater height and depth than the terraced row.
- 10.10 The proposal would introduce considerable built form to the rear building line of the terraced row that would be partly visible in gaps between properties on Canonbury

Villas, and it is noted that concern is raised by the Conservation Officer regarding the three storey elements being contrary to CADG.

- 10.11 However, the proposed three storey elements, although marginally greater than half the width of the property and a storey above that quoted in the CADG, would be set a clear storey below the eaves height of the property in accordance with the UDG and would incorporate a repeated window form that mirrors the design and scale of those in the existing property. This is repeated down to ground floor level with double glazed doors aligning with the proposed windows, 'blind door' openings and only one set of doors within a recessed element of the proposal not fully aligning with the windows. The resultant rear projections, whilst undoubtedly of considerable scale, would be subordinate to each of the properties and would introduce a repeated form of development giving a rhythm to the northern end of the terrace which leads into the incongruous addition at the northern most extreme of the terrace.
- 10.12 The proposed extension would be constructed in materials to match the existing property and whilst introducing a glazed balustrade at first floor level, this would be set back from the rear elevation within a recessed area and would not be prominent.
- 10.13 As such, it is considered that the proposed rear extensions would be subordinate to and integrate with the application property. Whilst some views of the rear additions could be afforded between the properties on Canonbury Villas, these would be limited to only the upper parts of the northern most properties in the terrace, where the clear set down of the rear additions would be apparent. Therefore, the proposed rear extensions are not considered to result in harm to the conservation area.
- 10.14 There are no alterations proposed to the front elevation.

Landscaping

- 10.15 Full details of the landscaping to the rear of the site have not been submitted. However, the plans detail an area of hardstanding at lower ground floor level before stepping up to a soft landscaped area in a similar arrangement to the existing gardens at the site. The provision of a substantial area of soft landscaping is considered to be necessary to retain the green character of this part of the conservation area and to contribute to bio-diversity. Subject to a landscaping condition requiring details to be submitted to and approved by the Local Planning Authority, the proposal is considered to be acceptable.
- 10.16 Although the proposal would reduce the garden area, the resultant garden spaces are considerable in scale and the proposal would reinstate the original garden boundary separating No. 16 and 17.

Amenity

- 10.17 Table 3.2 of policy DM3.4 of the Development Management document stipulates the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. Details of each unit are set out in the table below against the minimum floor space standards.

Unit	No. Bedrooms/ Expected Occupancy	Floor Space	Minimum Required Floor Space	Required Storage	Garden Space
1	3/5	94	86	3	38
2	3/5	94	86	3	36
3	2/4	76	70	2.5	25
4	2/3	61	61	2	9
5	1/2	50	50	1.5	0
6	1/2	50	50	1.5	0
7	1/2	50	50	1.5	0
8	2/3	61	61	2	0
9	1/2	50	50	1.5	0

- 10.18 The proposed residential units would meet the minimum required floor spaces and adequate storage space is detailed on the plans. Whilst unit 7 would have a single aspect, contrary to policy DM3.4, it has a number of large east facing windows with the main living spaces having two windows to each room. Due to this and site constraints, the provision of only a single aspect is considered to be acceptable in this instance.
- 10.19 With regard to amenity space, policy DM3.5 details that all new residential development should provide good quality, private outdoor space in accordance with the minimum required figures. This policy requires a minimum of 5 square metres on upper floors and 15 square metres on ground floors for a 1-2 person dwelling and for each additional occupant, an extra 1 square metre. Where family units are proposed (3 bed or more) then a minimum of 30 square metres of amenity space should be provided.
- 10.20 The two family units would be located across the ground and lower ground floor and would each have a private rear garden measuring in excess of 35 square metres. Furthermore, Flat 2 would have an extensive rear garden and Flat 4 would have a roof terrace which would provide sufficient amenity space.
- 10.21 Although Flats 5 to 9 would have no amenity space, due to the site constraints, the lower occupancy rates of these units and the existing amenity levels at the site, the provision of private amenity space is not considered to be reasonably required for these units in this case.

Neighbour Amenity

- 10.22 The proposal would introduce a part three storey, part single storey rear projection to the site of considerable depth that would include a number of windows and a roof terraces.
- 10.23 Whilst the adjoining property, No. 14 Pleasant Place has a number of rear and side facing windows which are located in close proximity to the boundary of the site, from the case officer's site visit and the applicant's research it appears that these windows serve non-habitable rooms. Notwithstanding this, the upper floor elements of the proposal would be set 2.5 metres away from these windows with a depth of 3 metres. This, together with the location of these neighbouring windows towards the rear most projection of the proposal would ensure that the proposed extension would not be overbearing or visually intrusive to the occupiers of these neighbouring properties. Furthermore, at ground floor level the proposal would project only 0.5 metres beyond

this adjoining property and the habitable windows in this neighbouring property are set beyond the rear most projection of the proposal.

- 10.24 With regard to the properties to the south of the site, the proposal would introduce a three storey rear extension with a depth of 3 metres immediately on the boundary with the adjoining property. This property has repeated openings on each floor set approximately 1.4 metres from the shared boundary. The ground floor opening at the neighbouring property is currently constrained by a single storey rear projection and although the proposal would be visible in views from the upper floor windows of this property, due to its 3 metre depth and the open outlook from these windows to the rear and south, the proposal is not considered to be overbearing or visually intrusive. With regard to overshadowing, the proposed rear extension is set directly north of these neighbouring openings and is set lower than the height of the main property, as such, the proposal would not result in a significant loss of light to the neighbouring property.
- 10.25 With regard to the overlooking of the rear gardens from the proposed upper floor flats and roof terrace, the roof terrace would be set back from the rear elevation of the property and the relationship with the upper floor windows is typical of a terraced residential layout and similar to the level of overlooking currently experienced from the existing property and the neighbouring properties.
- 10.26 To the rear the site backs onto a two storey dwellinghouse and beyond this a commercial building. The proposed rear extension would be set a sufficient distance back from these properties and whilst the dwelling has a first floor window facing onto the site, this is obscurely glazed. Due to this, the proposed rear extension would not detrimentally impact upon the amenity of the occupiers to the rear.

Highways and Transportation

- 10.27 The site has a PTAL of 6a, which is 'Excellent', with Essex Road Railway Station, Angel and Highbury and Islington Tube Stations and a number of major bus routes in close proximity to the site.
- 10.28 Although no cycle parking is proposed, the site does not benefit from any external space to the front where cycles could be stored, there is no external access or direct access from most of the proposed units to the rear gardens, there is insufficient space within the entrances to provide a store and the front entrances have stepped access. Furthermore, the proposal represents an uplift in two flats, with the existing insufficient units not benefitting from any cycle parking provision. By reason of this, the insufficient of cycle parking provision would not be sufficient grounds upon which to refuse the application.
- 10.29 A condition is recommended restricting the occupiers from applying for a parking permit in accordance with the Council's Car Free Housing policy.

Noise and Vibration

- 10.30 It is noted that concern has been raised regarding potential disturbance to neighbours from the proposed occupiers of the development. However, the occupancy of the site would not be significantly altered and the area is predominantly residential in character with high levels of flatted development. As such, the resultant development would reflect the character of the area, with regards to occupancy.

- 10.31 With regard to future occupiers of the development, adequate noise insulation would be required through the Building Regulations.

Access

- 10.32 Although incorporating some of the Lifetime Homes Standards and the applicant detailing the flats to be Building Regulations Part M compliant, the proposal would not meet the Council's Flexible Homes Standards. Whilst a vertical-rise platform lift could be installed within the front lightwells (measuring 1.1 metres by 1.4 metres), in this case the platform lift would require doors on adjacent sides and would therefore not provide the necessary turning space. Due to this, that the proposal predominantly constitutes a conversion, the site limitations and that it would meet some of the Lifetime Homes Standards, it is not considered reasonable to refuse the application on this basis.

Refuse

- 10.33 Whilst the proposal results in two additional units, the site does not currently benefit from a dedicated bin store and as such, refuse is left out for collection. Whilst details of refuse collection have not been submitted, the existing means of refuse collection are considered to be sufficient and no objection has been raised by the Council's Street Environment Manager.

Archaeology

- 10.34 The site is located within an Archaeology Priority Area and due to the scale of the development it is likely that substantial foundations/excavations would be required. However, English Heritage (GLAAS) has noted that no archaeology details are required in this case.

Affordable Housing and Carbon Off-setting

- 10.35 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (SPD) together with Core Strategy policy CS12 Part G states that development proposals below a threshold of 10 residential units (gross) will be required to provide a financial contribution towards affordable housing provision elsewhere in the borough.
- 10.36 The proposal would result in a net increase of two additional units, which would require a contribution of £100 000 (£50 000 per additional unit).
- 10.37 The applicant has submitted a viability assessment that has been considered by the Council's appointed Surveyor who has recommended that a reduced contribution of £42 611 is viable. The applicant has agreed to this contribution and if minded to approve the application, the contribution would be secured through a legal agreement.
- 10.38 As the proposal is predominantly a conversion of an existing property, there is no requirement for the carbon off-setting contribution.

Other matters

- 10.39 It is noted that concern has been raised regarding the proposal making unnecessary and undesirable alterations to the structure of the building. As the building is not

statutory listed, the removal of the internal walls would not require planning permission.

- 10.40 A representation to the application sets out that the 2 bed 3 person units have open plan kitchen/living spaces which are insufficient in size. However, both of these units (Unit 4 and Unit 8) have a separate kitchen to the living room space.
- 10.41 Objection has been raised to a fifth level roof extension. However, the proposal does not include any extension to the roof or a fifth floor.
- 10.42 Fire safety and underground drain concerns would be controlled by the Building Regulations.
- 10.43 Whilst it is noted that the proposal would result in two additional properties, it is not detailed as to whether these properties would be let or sold. However, regarding the proliferation of letting advertising boards, these are controlled by the Advertisement Regulations and should there be considered to be a breach of these then the Planning Enforcement Team can look into this.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed extensions and two additional units are considered to be acceptable with regards to the land use, design, amenity, neighbour amenity, archaeology, highways and transportation, noise levels, access, refuse and affordable housing provision.
- 11.2 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions and S106 agreement as set out in Appendix 1 - RECOMMENDATION.

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 or relevant Team Manager:

1. A contribution of £42 611 towards affordable housing within the Borough.

All payments are due on practical completion of the development and are to be index-linked from the date of committee. Index linking is calculated in accordance with the Retail Price Index. Further obligations necessary to address other issues may arise following consultation processes undertaken by the allocated S106 officer.

That, should the **Section 106** Deed of Planning Obligation not be completed within 6 weeks from the date of the committee decision of the application, the Service Director Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development is not acceptable in planning terms. ALTERNATIVELY should this application be refused and appealed to the Secretary of State, Service Director Planning and Development / Head of Service – Development Management 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
	<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	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans: 3504.OS, 3504.S.1 Rev A, 3504.S.2, 3504.S.3, 3504.S.4, 3504.S.5, 3504.S.6, 3504.S.7, 3504.S.8, 3504.S.9 Rev A, 3504.P.10 Rev B, 3504.P.11 Rev B, 3504.P.12 Rev B, 3504.P.13 Rev B, 3504.P.14 Rev B, 3504.P.20 Rev B, 3504.P.21 Rev B, 3504.P.22 Rev B, 3504.P.23 Rev B, 3504.P.24 Rev B, 3504.P.25 Rev B, Design and Access Statement and Addendum to Design and Access Statement.</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	Materials
	<p>CONDITION: The facing materials of the development hereby approved shall match those detailed on the plans and those detailed in the application form hereby approved in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
4	Parking
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) 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: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and policy DM8.5 of the Development Management Policies.</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. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Unilateral undertaking
	<p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
3	Highways
	<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.</p>

All agreements relating to the above need to be in place prior to works commencing.

- 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.

- 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.

- 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.

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.

- 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.

- 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.

- 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.

- 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.

	<p>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</p> <ul style="list-style-type: none"> - 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".
4	<p>Community infrastructure Levy (CIL)</p>
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at 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>

APPENDIX 2: RELEVANT POLICIES

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

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.

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 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

3 London's people:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice

6 London's transport:

- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking

7 London's living places and spaces:

- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review:

- 8.2 Planning obligations
- 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

CS8 (Enhancing Islington's Character)

Strategic Policies

CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.3 Residential Conversions and Extensions

DM3.4 Housing standards

DM3.5 Private Outdoor Space

DM3.7 Noise and Vibration

DM7.1 Sustainable Design and Construction

DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes

DM8.2 Managing Transport Impacts

DM8.4 Walking and Cycling

DM8.5 Vehicle Parking

DM9.2 Planning Obligations

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington

- Accessible Housing in Islington
- Car Free Housing
- Planning Obligations and S106
- Urban Design Guide
- Affordable Housing Small Sites SPD
- Conservation Area Design Guidelines

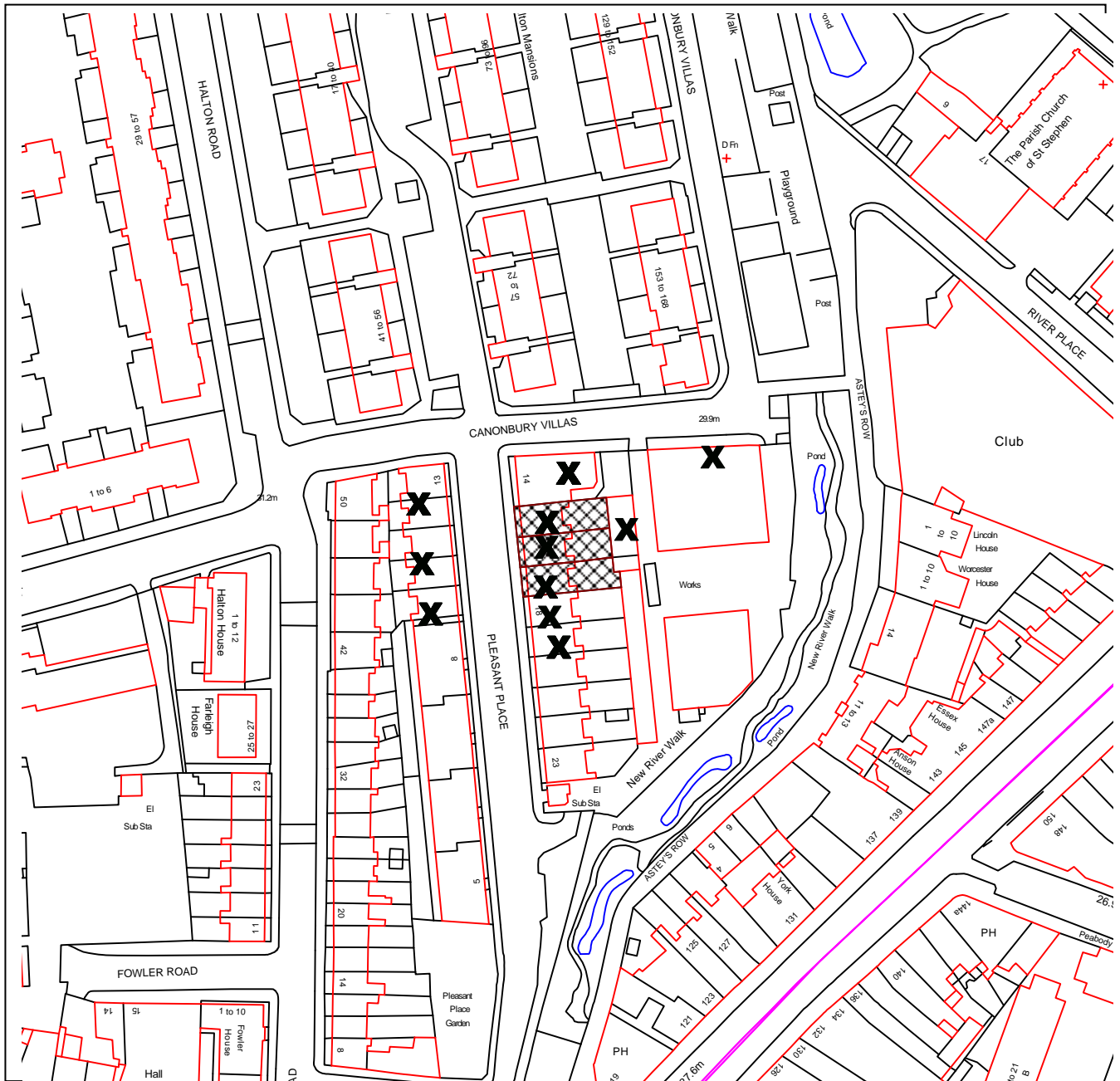
London Plan

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

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/0752/FUL

LOCATION: 15, 16 & 17 PLEASANT PLACE, LONDON N1 2BZ

SCALE: 1:1250

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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:	15 th July 2014	NON-EXEMPT	

Application number	P2014/0189/FUL
Application type	Full Planning Application
Ward	St Mary's Ward
Listed building	Not listed
Conservation area	Upper Street North Conservation Area
Development Plan Context	Archaeological Priority Area (APA3) Upper Street Local Shopping Area
Licensing Implications	None
Site Address	168 Upper Street, London N1
Proposal	Redevelopment of the site to provide a 6 storey plus basement building with retail A1 uses at basement and ground floor level, the creation of 3 self contained residential units (3 x 2 beds), new ground floor shop frontages and associated alterations.

Case Officer	Paul Conboy
Applicant	Aria - Mr David Smith
Agent	Amin Taha Architects – Mr Peter Rae

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 black)



3. PHOTOS OF THE SITE/SURROUNDINGS



Image 1: View of existing application site with proposed outline of the proposed development.



Image 2: View westwards of existing application site.



Image 3: View eastwards of existing application site.

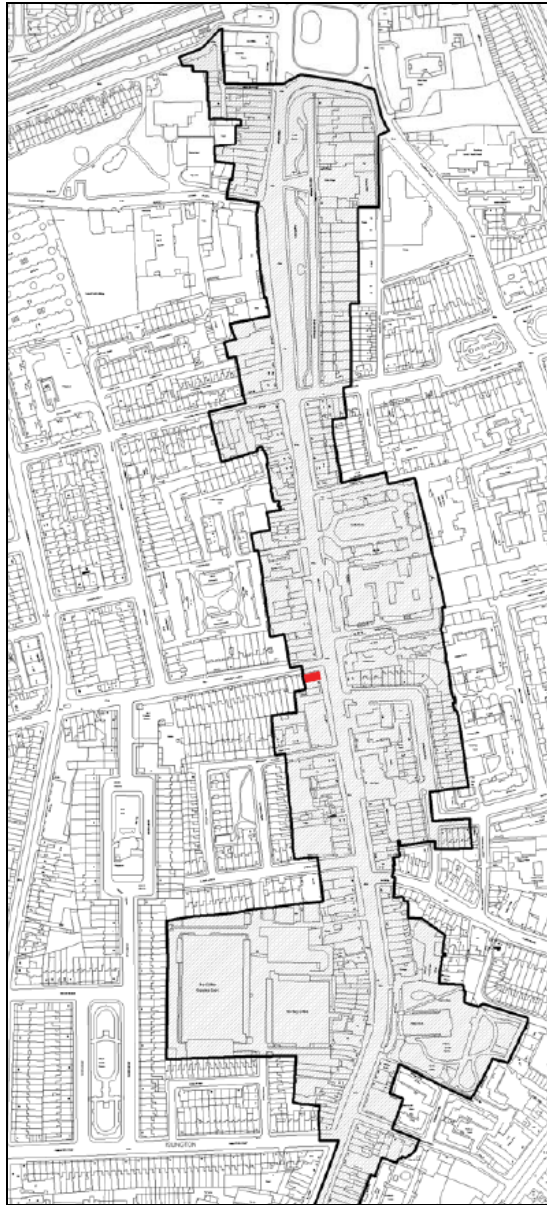


Image 4: Upper Street North Conservation Area Map

4. SUMMARY

- 4.1 Full planning permission is sought for the erection of a 6 storey plus basement level building with a basement and ground floor A1 unit and the creation of 3 x 2 bed residential units on the upper floors with associated refuse stores, cycle storage and alterations.
- 4.2 The introduction of a mixed commercial and residential use on the site is considered acceptable in principle. The surrounding area is characterised by a wide variety of A1/A2 /A3 units with residential units above commercial units in the area. The area is highly accessible and has a high pedestrian footfall for what is a very central location.
- 4.3 The site is currently undeveloped and would have had previously built form on it which was removed through bomb damage. The open plot detracts from the character and appearance of the area and it is considered that a well designed replacement building has the potential to significantly improve the visual amenity of the area and enhance the character and appearance of the Upper Street North Conservation Area and views into the nearby Barnsbury Conservation Area. The space was used previously as an informal green space which was planted but was not accessible by the public. It is important to

note this green space was informal and there is no policy designation for this area and therefore it had no protection in planning policy terms.

- 4.4 The area is mixed in character and the site is located within a Conservation Area. The layout, scale and massing of the proposed development is considered to offer a contemporary yet contextual finished building in this location. Subject to the submission of detailed conditions regarding the final finishing materials the proposed development is considered to enhance the character and appearance of the surrounding conservation area.
- 4.5 The impact of the development on neighbours has been considered. It is important to note the physical constraints of the site which is enclosed to the rear and side by mainly blank residential elevations. It is considered that the overall proposed massing and height of the development will have no material adverse impact on the amenity levels of adjoining occupiers in this case.
- 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. Bearing in mind the constraints of the site and the location itself it is considered that the proposed creation of 3 x 2 bed units offers an acceptable quantum in this specific case.
- 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 which identifies that all new development shall be car free. This will be secured via Unilateral Undertaking.
- 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 site itself is located within the Upper Street North Conservation area and is within 50 Metres of the adjoining Barnsbury Conservation area. The site is located within an Archaeological Priority Area and occupies a reasonably narrow plot with frontages onto the busy commercial Upper Street with its flank elevation located along Barnsbury Street.
- 5.2 The site historically suffered from bomb damage and formed an open plot along this section of Upper Street and Barnsbury Street. Until recently the area was heavily planted with vegetation with high railings. The adjoining buildings (159-167 Upper Street) have just completed extensive refurbishment. During these works the application site was cleared and used to store general building materials related to the development. The refurbishment of the adjoining buildings has finished and the application site is now under separate ownership to the adjoining site.
- 5.3 The immediate Upper street area is characterised by a wide variety of A1/A2/A3 uses at basement and ground floor levels with residential and office uses on the upper floors of

buildings within this section of Upper Street. Barnsbury Street has basement and ground floor commercial uses near the junction with Upper Street and then becomes primarily residential properties the further west you go along Barnsbury Street.

6. PROPOSAL (IN DETAIL)

- 6.1 Full planning permission is sought for the erection of a 6 storey plus basement level building with a basement and ground floor A1 unit and the creation of 3 x 2 bed residential units on the upper floors with associated refuse stores, cycle storage and alterations. The proposal seeks to reinstate an end of terrace building in this location to repair the urban fabric of the area. The existing gap site is not characteristic of the area and would have had built form on it originally. The proposed development seeks to create a modern yet contextual building in this location. The building would have a basement and ground floor retail unit with three residential units located above with the residential access from Barnsbury Street.
- 6.2 The proposed building would be finished in a terracotta moulded panels along the main facades. The terracotta moulds would replicate the window patterns on the upper floors of the adjoining terrace with faux moulded windows and the insertion purposefully punched window openings that intentionally align with the internal layouts and spaces of the flats. The moulded replica windows would be maintained along the proposed Barnsbury Street elevation would also have with further punched window openings. V
- 6.3 The building would be finished in a matt finished terracotta material which is proposed to be a dark brown to bronze colour. The final colour can be secured via condition. The building includes several decorate and ornate columns, pilasters and a fifth floor roof feature which reflects the character of the other end of the existing terrace. The proposed roof floor of the building would contain residential accommodation with access to a rear roof terrace.
- 6.4 Adequate refuse and cycle storage is allocated to serve each of the new units within the development. The development would include large expanses of glazed and active retail frontage onto both Upper Street and Barnsbury Street.

7. RELEVANT HISTORY:

Planning applications:

- 7.1 P2013/0499/ADV: Refused advertisement and subsequent dismissed appeal at Advertisement hoarding. 2.84m high hoardings with 'Aria' logo painted four times.
- 7.2 P110603: Planning permission granted on the 31st October 2013 for the change of use of ground and basement floors to create 4 retail units (A1 use) and one restaurant/bar (A3/A4 dual use) together with external alterations at ground floor level to street frontages and rear. (Adjoining site 159-167 Upper Street).
- 7.3 167 Upper Street: P2013/1976/PRA Approval of prior approval on the 6th August 2013 for the change of use of the first and second floors and curtilage from B1 (a) office accommodation to 3 x 1 bed residential flats (C3 use class).

- 7.4 166 Upper Street: P2013/2949/PRA Approval of prior approval on the 25th September 2013 for the for the change of use of the first and second floors and curtilage from B1(a) office accommodation to 1 x 1 bed & 1x 3 bed residential flats (C3 use class).
- 7.5 The majority of the upper floors of 159-167 Upper Street have recent prior approvals allowing the change of use of the vacant office floorspace to residential units of a variety of mix's and numbers under the government relaxed change of use allowances.

Pre-application advice:

- 7.6 Q2013/0822/MIN– Pre-application advice provided in relation to the redevelopment of the site for commercial and residential purposes. The application went through a series of different design reiterations including an appearance at members briefing with a proposed CGI below. Previous design ideas included a bronze finished building with faux window reveals.



CGI image of the proposed redevelopment of the site seen by members at members briefing.

Design Review Panel

- 7.7 The application as submitted was brought to Design Review Panel for review on the 11th March 2014. The panel broadly supported the scheme and the panels comments are highlighted below with a copy of the formal response also appended to this report in appendix 3 :

Panel's observations

- 7.8 **Design Concept** - The Panel welcomed the concept of urban repair and the opportunity to reinstate the end to the historic terrace which was lost in the past. Panel members were generally supportive of the design concept and much of the discussions surrounded the quality of implementation, detailing and materiality. Panel members did not object to the design option in principle. However, it was pointed out that the level of detail proposed for the Barnsbury Street elevation was a departure from the original design concept of a more simplified frontage on the secondary street with a more detailed and ornamental frontage to Upper Street.

- 7.9 **Elevational treatment** - Panel members were generally supportive of the proposed elevational treatment. However, concerns were raised that outward opening windows would severely compromise the elevation and would be uncharacteristic in the area. The Panel felt that a clear understanding of the ventilation strategy was required in order to truly assess the impact it would have on the proposed fenestration treatment. There was a debate about the positioning of mullions and overall the panel felt that taking cues from the architectural detailing (i.e. window surrounds and other compositional lines on the elevation) was not quite as successful as it appeared to provide a somewhat contrived appearance.
- 7.10 **Officer response:** Improvements have been made to the window details and ventilation is adequate and windows will be operable. Mullions have been removed from the plans. The window arrangements along Barnsbury Street are considered to be acceptable and justified in visual terms.
- 7.11 **Materiality** - The Panel was generally welcoming of the proposed use of terracotta particularly in comparison with the previous iteration where perforated metal had been proposed. They felt, however, that further thought should be given to the specification of the terracotta panels, particularly in relation to the size of panels, the finish and colour. They highlighted that a glazed finish should be limited to the ground floor (which would assist in addressing any concerns relating to graffiti). However, they felt that upper levels should be a true matt. They were not convinced by the samples which were shown during the presentation as they did not appear to offer enough of a matt finish and would be at odds with the texture of adjoining brickwork. The Panel, therefore, encouraged the design team to further explore the choice of terracotta panels and highlighted that particular attention should be given to the colour of the panels to ensure that the proposed building would be contextual. They also pointed out that the colour and dimension of joints needed to be carefully considered. It was felt that these matters could be addressed by a condition to the planning application.
- 7.12 **Officer response:** Officers agree with the DRP panel members and suggest very detail facing materials conditions and securing the architects for the entire development process which has been secured by Unilateral Undertaking.
- 7.13 **Other matters** - Panel members stressed the importance of compliance with lifetime homes requirements and also questioned whether there was scope for provision of amenity space.
- 7.14 **Officer response:** Conditions proposed to cover this area. Generally the accessibility of the scheme is considered to be acceptable bearing in mind the scale and physical constraints of the site.

Summary

- 7.15 The Panel generally supported the proposed regeneration of this prominent site on Upper Street. They welcomed the innovative design but highlighted that in order to achieve a successful proposal, some aspects such as lifetime homes, amenity provision, materials and detailing needed to be further developed or resolved. It was accepted that some of these aspects could be addressed as conditions but the Panel encouraged the design team to resolve as much as possible at application stage. Due to the complexity of the design, the Panel felt it important to retain the design team from all stages of design development through to implementation to ensure a faithful delivery of the proposed design concept.

Enforcement:

- 7.16 Enforcement case ref E/2013/0008 for the erection of an unauthorised hoarding around the site. The hoarding was removed following a dismissed appeal.

8. CONSULTATION

Public Consultation

- 8.1 A total of 80 letters were sent to occupants of adjoining and nearby properties along Richmond Grove, Upper Street & Barnsbury Street dated 27/01/2013. A site notice and press advert was also displayed on 20th February 2014. However, it is the councils practice to accept and consider fully all representations received right up to the decision date of an application.
- 8.2 4 letters of objection have been received from the public with regard to the application. The objections are from The Highbury Fields Association, The Angel Association, The Canonbury Society & The Upper Street Association.
- 8.3 The grounds of objection raised are as follows (with the paragraph that provides response to each issue indicated in brackets).
- Object to the use of terracotta cladding rather than brick to match the remainder of the existing terrace. (See paragraphs 10.5-10.10).
 - Inappropriate window spacing along Barnsbury Street elevation. (See paragraphs 10.5-10.10).
 - Feel proposed replacement building should match remainder of the existing terrace more. (See paragraph's 10.5-10.10).
 - Inappropriate window spacing and design overall of the proposed development. (See paragraph's 10.5-10.10).
 - Unacceptable modern design and finish to the traditional terrace setting. (See paragraph's 10.5-10.10)

External Consultees

- 8.4 **Greater London Archaeological Advisory Service (GLAAS)** raised no objections to the scheme subject to conditions.

Internal Consultees

- 8.5 **Design and Conservation:** Officers notes previous advice to create urban repair on this site but note the modern approach to its redevelopment. Officers recognise the development attracts different and divergent design opinions on the merits and visual appropriateness of the site. Officers consider the development to be an interesting approach to redeveloping the site and are keen to ensure the highest quality details to be submitted for approval to ensure the development will be a success in visual terms. Also recommend the same architects are secured during the final design and implementation of the proposed development.

- 8.6 **Planning Policy:** Support the basement and ground floor retail provision. Overall no objections subject to cycle parking conditions.
- 8.7 **Transport Planning:** Recommend conditions to secure 6 cycle parking spaces to be provided and servicing and delivery hours from 7am until 1 pm along Barnsbury Street.
- 8.8 **Pollution/Noise Officer:** Standard noise condition recommended to be applied re noise if any mechanical equipment. (None proposed within this application)
- 8.9 **Accessibility officer:** Welcome the level thresholds, circulation spaces and future stair lift location, lift to basement contained within the proposed retail unit are also welcomed. Further conditions to secure bike storage and final accessibility layouts and compliance with lifetime home standards and Islington's Flexible home standards to be secured by condition.
- 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 £1,000 per flat. Additional climate change measures to be secured by condition where necessary.

9.0 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:

Archaeological Priority Area (APA3)
Upper Street Local Shopping Area
Upper Street North Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

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

- Land Use;
- Design, scale, appearance and impacts of the proposed development on the character and appearance of the surrounding conservation area.
- Neighbouring amenity impacts;
- Quality of resulting accommodation and Dwelling Mix;
- Sustainability & Energy efficiency and renewal energy;
- Affordable housing and small sites contributions
- Transport and highways
- Accessibility
- Refuse facilities

Land-use

10.2 The site is located within a Local Shopping frontage as allocated within Islington's Development Management Plan.

10.3 The introduction of a mixed use commercial and residential use to this site is considered to be acceptable in principle. The site is within a Local Shopping Area, part A of Policy DM4.6 Local Shopping states,

'A. Proposals will only be permitted where an appropriate mix and balance of uses within the Local Shopping Area, which maintains and enhances the retail and service function of the Local Shopping Area is retained.' The proposed ground floor retail use is supported by Local Plan policy.

10.4 The remaining section of the terrace from 159-167 Upper Street has several approved applications for residential uses on the upper floors. Bearing in mind the central location of the site and the immediate uses it is considered that the proposed land uses in this case are entirely appropriate at this location.

Design and Appearance

10.5 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.

10.6 The site is located within a conservation area, and is surrounded by an attractive terrace along Upper Street and Barnsbury Street. Red brick finish is the dominant material within the remainder of the terrace. However there is a mixture of stock brickwork and render finished within the immediate locality. Extensive discussions have been undertaken with officers during pre- app and during the course of the submitted application concerning the merits of creating an urban repair infill which would replicate the remainder of the terrace or the potential to create a modern and contextual yet innovative new structure.

10.7 The architects have chosen to explore a modern yet contextual approach which picks up on key design attributes within the terrace while still creating a modern finished design terracotta finished building here. It is considered that the modern designed building as proposed offers a sympathetic yet different building when seen within its local context. The proposed building picks up enough of the features of the existing terrace along Upper Street to be read as a modern yet integral re-imagination of the terrace. Design and Conservation officers note the need to ensure the highest quality finishing materials are produced for the development which has been secured via condition. Subject to the final selection of an appropriate colour, the use of terracotta moulds for the

main facades is not considered objectionable and offers a modern yet complementary material in this case for what will be a modern building in its own right.

- 10.8 The proposed scale and height of the development is a representative balance of surrounding buildings and not considered excessive.
- 10.9 At all points officers and DRP panel members have stressed the importance of ensuring that the final built design is of the highest quality and finish to ensure that the development results in an attractive addition to the Upper Street townscape and not an eyesore. Weight has been given to the quality of finish and appearance of other modern finished buildings by the architects in this case. The applicants have agreed as part of the signed Unilateral in relation to this application to keep the same architects Amin Taha on board through the final design and implementation. This measure should help further to ensure the architectural integrity and quality of the finished building can be achieved.
- 10.10 Concerns have been raised from amenity groups questioning the design rationale and final proposed appearance of the building. These points have been fully considered. The Council must consider the submitted plans on their individual merits. Objectors raise particular concern regarding the pattern of window openings along both Upper Street and particularly Barnsbury Street. It is considered by officers that these openings while different in appearance and location are interesting features of the development which reflect the internal living arrangements of the units. It is also important to note the existing narrowness of the application site which is considered to ensure that the development while modern in appearance will blend into its surroundings and is not considered that the development would become a dominant or incongruous feature when seen within the local context surrounding the site. 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

- 10.11 There have been no objections received from any adjoining resident highlighting concerns regarding any potential adverse impacts of the development on their amenity levels. Nevertheless the Council have considered the proposed development in this case to ascertain if any adverse impact would be experienced.
- 10.12 The rear of the building would face the blank elevation of 3 Barnsbury Street which has no windows along this elevation. The proposed southern flank elevation would mirror the existing built form with some protrusion beyond the rear building line of 167 Upper Street. The Council note from the approved plans that the proposed additional depth and height of the proposed development would be located close to a staircase windows on the upper floors of 167 Upper Street. Other adjoining uses are located across public carriageways along Upper Street and Barnsbury Street and it is considered therefore that there would be no material adverse impact on these residents. Overall the proposed development is not considered to have any material adverse impact on the amenity levels of adjoining occupiers in terms of loss of light/daylight, outlook or any material increase in enclosure.
- 10.13 The proposed roof terrace area is considered to be well set away from adjoining rear habitable room windows and would not give rise to any adverse material impacts in terms of increased overlooking or loss of privacy in this case.

Quality of Resulting Residential Accommodation and Dwelling Mix

- 10.14 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.
- 10.15 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 3 x 2 bed units. It is noted that the physical constraints of the site do not facilitate the creation of good sized larger family units with appropriate amenity space provision. However the proposed units are well laid out and would form attractive and high quality internal living environments. While the proposed units are all the same size, it is considered that the creation of 3 very comfortable and well laid out 2 bed units maximises the potential of the site and creates very attractive units which there is a clear market demand for. All three units will have very good access to light/daylight and will create spacious internal spaces with two of the three units being maisonettes with large mezzanine floors.
- 10.16 It is noted that 2 of the three units have no outside amenity space. This is considered to be acceptable bearing in mind the physical constraints of the site. The Council would not accept projecting or even recessed balconies in design or conservation terms on the main elevations. Therefore the scope to create any amenity space for two of the proposed units is not feasible. However the overall internal layout and square meterage of each unit is generous and it is considered that the overall generous sizes of the units and their very good access to light and outlook and highly central location along Upper Street make this slight deficiency in terms of the provision of amenity space acceptable in this case. There is also local provision of open space within short walking distance of the site in the form of Milner Square, Gibson Square and Islington Green. The provision of the amenity space in this scheme has been justified against DM policy 3.5.

Sustainability, Energy Efficiency and Renewable Energy

- 10.17 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. Further conditions regarding climate change mitigation measures will be secured by condition. The applicants have signed and completed a Unilateral undertaking to pay £ 3,000 to offset some of the CO2 emissions from the proposed development here.

Highways and Transportation

- 10.18 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 retail space and residential units, from obtaining a residents permit. This will ensure adequate provision of spaces for existing users.

Accessibility

- 10.19 The retail unit would be accessibly with level threshold from the public pavement along Upper Street. The unit's basement would also be accessible via lift.
- 10.20 The residential units embrace lifetime home standards and have spaces to accommodate a char lift into the future if required. Generally the development is considered to create an acceptably inclusive development bearing in mind the scale and physical constraints of the site. The final accessibility credential of the site will be secured via condition to ensure the development merits as many as possible of the council flexible home standards prior to the implementation of the scheme.

Refuse facilities

- 10.21 There is a designated refuse facility located towards the rear of the site which is considered to provide adequate refuse facilities for the three units. The commercial elements of the proposal will use the pavement for their rubbish collection as is the normal procedure in this part of Upper Street.

Housing and Financial Viability

- 10.22 The proposal is a minor application for 3 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). The applicant has agreed to pay the full small sites contribution in this case of $3 \times \text{£ } 50,000 = \text{£ } 150,000$ which is welcomed and has been secured through the completion of a Unilateral agreement in this case.
- 10.23 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 £3,000 (£1,000 per unit) and the unilateral agreement has been signed and completed.
- 10.24 The proposed development would also be liable for the Mayor's CIL.

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 Unilateral Undertaking to be signed and completed by the applicants 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 £150,000 towards affordable housing within the Borough.
2. A contribution of £3,000 towards carbon offsetting.
3. Retention of Amin Taha Architects

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 secure a Unilateral Undertaking 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
	<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	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Design and Access statement dated January 2014, Islington Flexible homes standards document, Lifetime homes checklist document, drawing numbers: 219-001/REV 2, 219-101/REV 4, 219-102/REV 3, 219-103/REV 3, 219-104/REV 3, 219-105/REV 1, 219-151/REV 4, 219-150/REV 4, 219-200/REV 1, 219-201/REV 1 & 219-300/REV1.</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>

<p>3</p>	<p>Materials and Samples</p> <p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. These shall include:</p> <ul style="list-style-type: none"> a) detailed elevation drawings at scale appropriate to show the precise profile and configuration of the moulded terracotta cladding panels and style of joint between panels b) sample panel of a minimum of two moulded terracotta cladding panels showing colour and texture and style of joint between panels c) details (including sections and reveals) and sample of window frames showing colour and texture d) details and sample of roofing materials e) details and elevations of the shopfronts and samples showing colour and texture f) any other materials to be used <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<p>4</p>	<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>
<p>5</p>	<p>Plant Noise and Fixed Plant</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90,T}$.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<p>6</p>	<p>Code for Sustainable Homes (Compliance)</p> <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>

7	<p>GLASS Archaeology Details</p> <p>CONDITION: In the event of a buried heritage asset being found during site clearance or construction works no further works (including demolition works) shall take place on site unless and until the applicant has undertaken a programme of building recording and historic analysis, which considers building structure, architectural detail and archaeological evidence along with details of mitigation and asset protection.</p> <p>This shall be undertaken in accordance with a written scheme of investigation submitted by the applicant and approved by the Local Planning Authority.</p> <p>REASON: Built heritage assets of archaeological interest may survive on the site. The Local Planning Authority (in conjunction with English Heritage) wishes to secure the protection of archaeological assets if they are discovered</p>
9	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The bicycle storage area(s) hereby approved, which shall be secure and provide for no less than 6 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	<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>
11	<p>Waste Management</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 219-101/REV 4 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>
12	<p>Car free development</p> <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"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) 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: To ensure that the development remains car free.</p>

List of Informatives:

<p>1</p>	<p>Positive statement</p> <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>
<p>2</p>	<p>Community Infrastructure Levy (CIL)</p> <p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at 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>
<p>3</p>	<p>Sustainable Sourcing of Materials</p> <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>
<p>4</p>	<p>No permission for any roll shutters, signage or illumination of the hereby approved shop fronts.</p> <p>The grant of planning permission grants no permission for any signage, creation of roller shutters or any form of illumination to be used in relation to the new shopfronts. Separate planning permission and advertisement consent would be required to sought from the council for these works</p>
<p>5</p>	<p>Unilateral Undertaking linked to this permission.</p> <p>Your attention is drawn to the fact that this planning permission has a signed and completed Unilateral Undertaking which should be adhered to if the development is implemented into the future.</p>
<p>6</p>	<p>Hours of construction</p> <p>Your attention is drawn to Environmental Heath's construction hours for developments of this type which is</p>

	<p>8am to 6 pm Monday to Fridays 9am to 1pm Saturdays Not at all on Sundays and Bank Holidays.</p>
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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)

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

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
- Upper Street North Conservation Area

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

Islington UDP

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

London Plan

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

Appendix 3 DRP response to plans submitted for the redevelopment of 168 Upper Street.

CONFIDENTIAL



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Our ref: **DRP/024**

Date: 11 April 2014

Peter Rae
Amin Taha Architects Ltd
15 Clerkenwell Close
London
EC1R 0AA

Dear Peter Rae,

ISLINGTON DESIGN REVIEW PANEL

RE: 168 Upper Street, Islington – Planning Application Ref: P2014/0189/FUL

Thank you for coming to Islington's Design Review Panel meeting on 11 March 2014 for review of a proposed development scheme at the above address. The proposed scheme under consideration was for redevelopment of the site to provide a 6 storey plus basement building with retail A1 uses at basement and ground floor level, the creation of 3 self contained residential units (3 x 2 beds), new ground floor shop frontages and associated alterations (in accordance with planning application description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), Martin Pearson, Alec Forshaw, Sarah Featherstone, Stafford Critchlow and Ben Gibson in the afternoon of Tuesday 11 March 2014 including a site visit followed by a presentation by the design team, questions and answers session and deliberations at Islington's Municipal Offices, 222 Upper Street. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

- **Design Concept** - The Panel welcomed the concept of urban repair and the opportunity to reinstate the end to the historic terrace which was lost in the past. Panel members were generally supportive of the design concept and much of the discussions surrounded the quality of implementation, detailing and materiality. Panel members did not object to the design option in principle. However, it was pointed out that the level of detail proposed for the Barnsbury Street elevation was a departure from the original design concept of a more simplified frontage on the secondary street with a more detailed and ornamental frontage to Upper Street.
- **Elevational treatment** - Panel members were generally supportive of the proposed elevational treatment. However, concerns were raised that outward opening windows would severely compromise the elevation and would be uncharacteristic in the area. The Panel felt that a clear understanding of the ventilation strategy was required in order to truly assess the impact it would have on the proposed fenestration treatment. There was a debate about the positioning of mullions and overall the panel felt that taking cues from

be at odds with the texture of adjoining brickwork. The Panel, therefore, encouraged the design team to further explore the choice of terracotta panels and highlighted that particular attention should be given to the colour of the panels to ensure that the proposed building would be contextual. They also pointed out that the colour and dimension of joints needed to be carefully considered. It was felt that these matters could be addressed by a condition to the planning application.

- **Other matters** - Panel members stressed the importance of compliance with lifetime homes requirements and also questioned whether there was scope for provision of amenity space. There also appeared to be inconsistencies between different drawings, for example in regards to height and relationship to the roof ridge next door.

Summary

The Panel generally supported the proposed regeneration of this prominent site on Upper Street. They welcomed the innovative design but highlighted that in order to achieve a successful proposal, some aspects such as lifetime homes, amenity provision, materials and detailing needed to be further developed or resolved. It was accepted that some of these aspects could be addressed as conditions but the Panel encouraged the design team to resolve as much as possible at application stage. Due to the complexity of the design, the Panel felt it important to retain the design team from all stages of design development through to implementation to ensure a faithful delivery of the proposed design concept.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that as the scheme under review is currently the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,



Luciana Grave

Design Review Panel Coordinator/
Design & Conservation Team Manager



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/0189/FUL

LOCATION: 168 UPPER STREET, LONDON N1

SCALE: 1:1400

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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		
Date:	15th July 2014	NON-EXEMPT

Application number	P2014/1522/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	Peter Barber Architects

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 black)**



3. **PHOTOS OF SITE/STREET**



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



Image 2: Existing derelict buildings looking along the Mews in NE direction.



Image 3: View from entrance to the Mews from Durham Street



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



Image 5: Existing boundary wall / fencing to the rear of Moray Road

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 166sqm of **Page 56** 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. It is proposed to demolish these buildings 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. The area is residential in character and the site is not located within a Conservation Area.
- 4.4 This application is submitted following the refusal of planning permission (refs: P2013/2148/FUL and P2013/4756/FUL) at Planning Sub-Committee B on the 13th February 2014. Application ref: P2013/2148/FUL is currently subject to an existing appeal ref: APP/V5570/A/14/2215179.
- 4.5 The design, layout, scale and massing of the proposed development is considered 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. For the most part, conversions of buildings along the Mews have respected the existing built form in terms of height. The application has been reduced in height compared to the most recent scheme, and set down from the adjoining existing building at Moray Mews. In addition, considerable effort has been made to minimise impacts on surrounding occupiers. As well as the reduction in height in comparison to the previous proposals, the design has been modified significantly to include 'punctuating gaps' at frequent intervals along the length of the terrace. This re-design acts to alleviate the appearance of a large expanse of blank wall to the rear and also reduces perceived sense of enclosure and loss of outlook to occupiers of properties to the rear of the site, along Moray Road.
- 4.6 The impact of the development on neighbours has been considered in detail. A daylight and sunlight report dated 15 April 2014 has been undertaken to fully 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.
- 4.7 The quality and sustainability of the resulting scheme is acceptable, complying 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.
- 4.8 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 green roofs.
- 4.9 The redevelopment of the site has no vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with **Page 57** 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'.

- 4.10 In summary, the proposal is considered to be acceptable, has addressed the previous reasons for refusal and is 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 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.
- 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 units are not considered to have any historic interest and demolition is not resisted.

6. PROPOSAL (IN DETAIL)

- 6.1 Full planning permission is sought for the demolition of existing vacant buildings and erection of 8 no. residential units comprising 7 x 2 bedroom and 1 x 3 bedroom 2 storey houses with associated refuse stores, cycle storage and landscaping. The proposal seeks to introduce residential use to the site which has historically been in use for warehousing/storage/commercial use.
- 6.2 The existing Mews private road would be extended to the NE 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 part one storey / part two storey in height, designed in an 'L' shape with flat roofs and terrace areas at first floor. Rooflights are proposed to provide additional light to the properties. The 1 x 3 bedroom / 4 person end of Mews unit has a sloping roof including rooflights and obscurely glazed windows to the rear first floor to mitigate overlooking/loss of privacy to the properties along Playford Road (No. 83 & 85).
- 6.3 Due to the site being land locked, the layout of the building along the Mews results in the rear elevations towards Moray Road being blank. The placement of windows to the front and side elevation overlooking the private amenity spaces has been carefully considered to maximise the amount of daylight serving the proposed units, whilst not jeopardising the privacy of surrounding occupiers. Obscure feature frameless glass windows are proposed at first floor to overcome privacy/overlooking concerns to the rear to properties along Hatley Road/

- 6.4 Amenity space is provided in the form of ground floor courtyards and first floor screened, terrace areas to the 2 bedroom units. The end unit has a first floor terrace area and a private rear garden. Refuse, recycling and cycle storage is provided within the curtilage of each unit.
- 6.5 The scheme currently being assessed is produced as a result of pre-applications meetings and taking into consideration the reasons for refusal at Planning Committee B on 13th February 2014.

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 **P2013/2418/FUL and P2013/4756/FUL** - 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. Refused at Planning Sub-Committee B on 13/02/2014 [Subject to Appeal ref: APP/V5570/A/14/2215179]

REASON: The proposed development by reason of its excessive height, and unsympathetic massing, would result in a detrimental material impact on the amenity of the neighbouring residents, due to the overbearing nature of the sheer wall to the rear elevation located directly on the boundary to the gardens of the neighbouring properties on Moray Road, resulting in an unacceptable sense of enclosure to all the adjoining properties. As such the proposed development would be contrary to Policy DM 2.1 of the Development Management Policies 2013 and Policy CS9 of the Islington Core Strategy 2011.

REASON: The proposed development by reason of its excessive height, form and location of windows to the front elevation would result in a detrimental material impact on the amenity of the neighbouring residents by virtue of overlooking to properties along Hatley Road. As such the proposed development would be contrary to Policy DM 2.1 of the Development Management Policies 2013 and Policy CS9 of the Islington Core Strategy 2011.

REASON: The applicant has failed to submit written confirmation of an agreement to pay the full contribution sought by the Islington Affordable Housing Small Sites Contributions SPD. Therefore, the proposal is contrary to policy CS12 Part G of the Islington Core Strategy 2011, the Islington Affordable Housing Small Sites Contributions SPD.

REASON: The proposed development, by reason of its poor quality design would out of keeping with the character, context and appearance of the surrounding area contrary to policies CS8 and CS9 of the Islington Core Strategy 2011, policy DM2.1 of the Islington Development Management Policies 2013, and the Urban Design Guide (2006).

- 7.2 **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 by applicant on 19 June 2013.
- 7.3 **P121205** – Demolition of existing buildings and redevelopment to create 13 residential units and 153sqm of B1 commercial space. This application remains invalid.
- 7.4 **P100731** - Partial demolition and conversion of the existing buildings to create 8 x 2 bed residential units. Withdrawn on 31 August 2012.

- 7.5 **P070682** - Demolition and redevelopment of site create 13 x 3 bed houses and 166 sqm of commercial space. Withdrawn on 30 March 2007.
- 7.6 **P060885** - Redevelopment of site create 13 houses and 166 sqm of commercial space. Approved 29 June 2006.
- 7.7 **981303** - Redevelopment to provide eight houses with integral garages. Approved 09 December 1998.
- 7.8 **971796** - Construction of 8 houses (2 x 3 bedroom and 6 x 2 bedroom) including demolition of existing workshop. Withdrawn 19 Feb 1998.
- 7.9 **890625** - Change of use of existing buildings into one 3 bedroom house and six 2 bedroom houses and elevational alterations. Refused 01 March 1990.
- 7.10 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.
- 7.11 **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.
- 7.12 **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.
- 7.13 **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.

Pre-Application Advice:

- 7.14 **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.

Enforcement:

- 7.15 None.

8. CONSULTATION

Public Consultation

- 8.1 A total of 141 letters were sent to occupants of adjoining and nearby properties dated 25th April 2014. A site notice and press advert was also displayed on the 25th April 2014. Consultation expired on the 22nd May 2014 however it is the Council's practice to continue to consider representations made up until the date of a decision.

- 8.2 6 letters of objection had been received from the public with regard to the application, from owners and/or occupiers of Moray Road and Hatley Road.
- 8.3 The grounds of objection raised are as follows (with the paragraph that provides response to each issue indicated in brackets).
- Scale and design (See paragraphs 10.6 – 10.11);
 - Loss of privacy / condition to ensure first floor oriel windows remain obscurely glazed (See paragraphs 10.16 – 10.19);
 - Height of first floor terrace screening at 1.6 metres is not high enough (See paragraphs 10.19);
 - Overdevelopment of the site (See paragraphs 10.5);
 - Unacceptable noise and disruption during building work (See paragraph 10.21);
 - Unacceptable development within a conservation area (See paragraph 10.7);
 - Proximity to properties along Hatley Road (See paragraph 10.17-10.19);
 - Loss of light / outlook to surrounding residential properties (See paragraphs 10.12 – 10.16 & 10.20);
 - Set a precedent for further development (See paragraph 10.43);
 - Maintenance of the rear wall and Party Wall concerns (See paragraph 10.42).

External Consultees

- 8.4 **Fire Department:** “The Brigade will be satisfied subject to the following matters, previously raised in our letter of 18th October 2013, being adequately met, namely:

The requirement in Approved Document B of the Building Regulations that vehicle access for fire appliances is possible within 45m of all points within a dwelling house.

ii) The suitable location of a fire hydrant to prevent excessive travel distance between it and the appliance parking location for Brigade personnel.

iii) The provision of turning facilities for any dead end access route that is more than 20m long.

If the proposals cannot meet the provisions of Approved Document B this Authority strongly recommends that sprinklers be considered for this development.

- 8.5 **Metropolitan Police (Crime Prevention):** No comments received to this application, however advised as part of previous application with same description of development that the layout and design of the development raises no concerns.

Internal Consultees

- 8.6 **Parks/Ecology Officer:** No comments received specific to this revised application. However, comments provided to previous scheme – same survey submitted dated September 2013 - “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 have been 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. Conditions are recommended.

8.7 **Design and Conservation:** The redesigned scheme fully addresses the constraints and character of the site. The proposals would provide a well designed, contemporary addition to the area. Brick is the prominent building material which is welcomed in this location. A condition should be attached to ensure a sample of brickwork is constructed on site as well as the mortar and the materials for the ground surface treatment along the mews.

8.8 **Planning Policy:** The proposals would result in the loss of b-use floorspace and this should be justified consistent with policies CS13 and DM5.2. The focus on 2-bed units is consistent with the housing mix set out in DM3.1. The units appear to meet the space standards for 2 storey houses consistent with table 3.2 and the amenity space standards in DM3.5 are also met. Given the sensitive nature of the site and its proximity to residential properties it will be important to provide a good level of amenity including overshadowing, overlooking, privacy, daylight/sunlight and outlook consistent with policy DM2.1. In addition the design should respect and respond positively to the local context and character of the area including nearby buildings consistent with DM2.1 and Core Strategy policies CS8 and CS9.

As 8 additional units are being provided the small-sites affordable housing contribution applies consistent with policy CS12 and the Affordable Housing – Small Sites contributions SPD. £50,000 per unit is applicable to this site = £400,000.

8.9 **Transport Planning:** No specific comments provided to this revised scheme however comments provided to original scheme - 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. The applicant should set out arrangement for refuse collection. This is a car-free development. The rights of residents to apply for CPZ permits should be removed.

8.10 **Sustainability Officer:** The proposal will result in an increase in impermeable area on the site, and therefore will affect drainage and surface water run-off levels. Details on how the scheme is designed to ensure no net increase in surface water drainage from the site post development is achieving in accordance with the drainage hierarchy and in accordance with our Sustainable Urban Drainage (SuDS) standards in DM 6.6 are required to be submitted. SuDS measures such as green roofs, permeable paving and landscaping should be maximised and factored into the details to be submitted as part of the drainage scheme (SuDS management train).

Water efficiency and use of rainwater butts is supported. Require a condition relating to Code for Sustainable Homes – achieving Code level 4 for all units which meets policy DM7.2 requirements.

8.11 **Accessibility:** Consistent with policy CS12 all new housing should meet the council's flexible homes standard as set out in the Inclusive Design SPD. 10% should be wheelchair accessible. All units except unit 6 and 7 which have stepped access would be wheelchair accessible and flexible home compliant. A definite workable position for the future installation of a through floor lift is required. A condition is needed to ensure provision is made for the future installation of a platform lift at the entrance to units 6 and 7. The provision for the parking and charging of mobility scooters is supported.

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.

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 falls within the Core Strategy Finsbury Park key area for housing delivery within the Borough. The introduction of a residential use to this site is considered to be acceptable in principle; the adjoining uses are residential.
- 10.3 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. It is important to note the physical restraints of the site which is enclosed on each side by existing residential properties.
- 10.4 Moray Mews has been accepted to be built for residential purposes with a number of permissions being granted for buildings which would have a neutral amenity impact over the existing adjoining buildings. The main reason for the grant of planning permission at the site

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

- 10.5 The existing vacant buildings at the site are in a dilapidated state and are of no merit to the site or surrounding area. The introduction of residential use in this specific location has been previously established and given the site constraints and close proximity of residential buildings, residential use would appear most appropriate. The creation of 8 no. family homes to this site is not considered to represent over-development. The proposed units are of an acceptable size, of a good layout with adequate amenity space.

Design and Appearance

- 10.6 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.
- 10.7 Whilst the site is not located within a conservation area, it is surrounded by good quality Victorian housing. For the most part, conversions of buildings along the Mews have respected the existing built form in terms of height. Yellow gault brick is predominant in the local context, with red brick being used only for detailing.
- 10.8 The scheme has been subject to pre-application meetings and this scheme has been submitted following the refusal of applications ref: P2013/2418/FUL and P2013/4756/FUL, one of the reasons for refusal being poor quality design that is out of keeping with the character, context and appearance of the surrounding area.
- 10.9 The application has been reduced in height compared to the recently refused schemes, and set down from the adjoining existing building at Moray Mews. As well as the incorporation of punctuating gaps as a result of the part single, part two storey development, the first floor level is between 60cm and 70cm lower than the previous scheme presented to Planning Committee. In addition, considerable effort has been made to minimise impact to surrounding occupiers. As well as the reduction in height in comparison to the previous proposals, the design has been modified significantly to include 'punctuating gaps' at frequent intervals along the proposed terrace to alleviate the appearance of a large expanse of blank wall to the rear. This design also reduces perceived sense of enclosure, impact on outlook and loss of light which were previously raised as concerns. The proposed scale and height of the development is a representative balance of surrounding buildings and not considered excessive. A condition shall be attached to ensure appropriate finish/materials in order to safeguard the character and appearance of the development and the existing setting.
- 10.10 The 7 x 2 bedroom units will have flat, green roofs with rooflights. The end building at the foot of the 'L' shaped development, which fronts onto the mews, has been revised to include a pitched roof with low gradient.
- 10.11 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) of the Development Management Policies 2013.

Neighbouring Amenity

- 10.12 There have been 6 objections to the proposed development. Concern has been expressed insofar as loss of light to surrounding residential properties. A revised daylight

and sunlight study dated 15th April 2014 has been submitted in support of this application. Windows of adjoining residential properties along Moray Road, Hatley Road and Playford Road have all been assessed.

- 10.13 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.

Daylight

- 10.14 Loss of daylight calculations were performed for ground floor windows at the rear of 32-50 Moray Road, 17-31 Hatley Road and 83-85 Playford Road. All windows analysed would meet the vertical sky component criteria within the BRE guidelines. For a large majority of windows analysed the results are improved compared to the previous scheme. Under these circumstances the proposed scheme does not result in an unacceptable loss of daylight to surrounding properties.

Sunlight

- 10.15 Sunlight provision to windows at the rear of Moray Road and 83-85 Playford Road would also meet the BRE guidelines. Sunlight provision to windows at the rear of Hatley Road is not an issue since they face northwards (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 result of the BRE analysis shows that all windows meet the BRE guidelines for sunlight provision and there is no unacceptable loss.

Privacy and Overlooking

- 10.16 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.
- 10.17 Objection has been raised to the proximity of the proposed development to existing properties along Hatley Road. This distance has been acknowledged by the applicant and mitigating measures have been adopted in an attempt to overcome resident concerns.
- 10.18 The proposed first floor bedroom windows will face onto the rear elevation of properties along Hatley Road. It is acknowledged that the windows on the proposed new units and the rear windows of properties along Hatley Road fall short of the 18 metre separation distance between habitable windows, the closest in this instance being 9.5 metres. To overcome overlooking/loss of privacy in this instance, obscure glazed bay windows are proposed at first floor (SE facing). There are additional windows serving the bedrooms to the side elevation to ensure there is adequate light to these rooms. The first floor windows to the rear of the end property which backs onto the rear of properties along Playford Road are also finished in obscure glazing to overcome any potential overlooking/loss of privacy. A condition is attached to ensure the windows are maintained as such thereafter. There are windows at ground floor with a similar separation distance serving kitchens; however these windows will be positioned at such a level as not to

result in loss of privacy / increased overlooking to the rear of properties along Hatley Road.

- 10.19 In addition to this, the first floor terrace areas are screened to the south by 1.6 metre high timber trellis and to the north by 1.6 metre high walls. Objection has been raised that the screening at 1.6 metres is not high enough to prevent loss of privacy to properties along Hatley Road. Screening to terrace areas at 1.6 metres is considered generally acceptable, however 1.7m would be more appropriate to prevent overlooking, and it is considered that this height would provide adequate screening whilst not resulting in a mass of blank façade, so a condition is recommended.
- 10.20 Objection has also been raised that the proposed development results in a loss of outlook to surrounding residential properties. This scheme has been amended following the previous refusal, and the first floor element of the scheme has now been reduced in height by 60-70 cm. As well as the overall reduction in height in comparison to the previous proposal, the design has been modified significantly to include 'punctuating gaps' at frequent intervals along the length of the terrace. This re-design acts to alleviate the appearance of a large expanse of blank wall to the rear and also reduces perceived sense of enclosure and loss of outlook to occupiers of properties to the rear of the site, along Moray Road. Outlook has improved since the previous scheme and this was not a reason for refusal previously.

Noise

- 10.21 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 including hours of work 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

- 10.22 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.
- 10.23 The proposed residential units all meet 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.
- 10.24 Whilst the houses are not technically dual aspect, the scheme has been designed to achieve the maximum amount of natural light and ventilation through the building given the site restrictions. There will be windows and door opening to the south onto the Mews and also to the west onto gardens and terrace areas. The end unit will be dual aspect. 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.

- 10.25 Outdoor amenity space has been provided for all new residential units within ground floor courtyards and first floor, screened terrace areas. The end unit has a first floor terrace and private rear garden. The front courtyards will be enclosed by 1.35 metre boundary walls and the first floor terrace areas will be screened to the front with 1.6 metre high timber trellis railings. This will provide privacy without the need to incorporate large blank solid enclosures. Notwithstanding this, it is recommended that a condition is included to ensure details of terrace screening to a height of 1.7m to be submitted to and approved in writing by the Local Planning Authority.
- 10.26 All units except unit 6 and 7 which have stepped access would be wheelchair accessible and flexible home compliant. On balance and taking into consideration the proposal in its entirety, whilst not desirable, the fact that units 6 and 7 are not visitable but adaptable is accepted in this instance. A condition is suggested to ensure provision is made for the future installation of a platform lift at the entrance to units 6 and 7.
- 10.27 The Access and Inclusive Design Officer has requested a definite 'workable position for the future installation of a through floor lift'. A condition is recommended that such details are submitted. The submitted Design and Access Statement refers to the provision for the parking and charging of mobility scooters which is supported.

Sustainability, Energy Efficiency and Renewable Energy

- 10.28 The scheme generally retains the sustainable design commitments made under the previous application which is supported. However, the proposal will result in an increase in impermeable area on the site, and therefore will affect drainage and surface water run-off levels. Details on how the scheme is designed to ensure no net increase in surface water drainage from the site post development is achieving in accordance with the drainage hierarchy and in accordance with our Sustainable Urban Drainage (SuDS) standards in DM 6.6 are required to be submitted. A condition is recommended to request further detail to address this.
- 10.29 The commitment to achieve 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). Water efficiency and use of rainwater butts is supported.
- 10.30 The provision of green roofs is encouraged and a condition is attached to control this.

Bats

- 10.31 Previous concern was raised by neighbours that there are bats roosting in the existing vacant buildings at the site. Given the results of the submitted 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 report makes a number of recommendations that it would be appropriate for the developer to adhere to. A condition, however, has been recommended that a new survey must be taken immediately prior to demolition or tree works by a licensed bat worker given the time that has lapsed since the last survey.

Highways and Transportation

- 10.32 The Mews will be re-paved as part of the new development. As with the previous scheme, in order to keep the access free for emergency vehicle / refuse collection it will be necessary for non-fixed bollards to be located at the entrance to the Mews which are removable with a universal key. Street Environment are happy with this approach. It has

been agreed that the refuse truck / emergency vehicles will reverse back to the end of the Mews to collect waste from the development.

10.33 The Fire Brigade is satisfied with the proposal subject to emergency vehicle access for fire appliances is possible within 45m of all points within a dwelling house, the suitable location of a fire hydrant. There is a fire hydrant located within the site (Dwg 121_P_100 Rev P04).

10.34 The development would be car free, as required by Core Strategy Policy CS10 and a condition is proposed 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.

10.35 Cycle storage is provided within the curtilage of each residential dwelling which is supported.

Contaminated Land

10.36 A Contamination Report has been submitted which the Council are satisfied with. As outlined in the report, there will need to be a watching brief for anything unexpected during the excavation and a validation report submitted to the Pollution Team after the works are complete to verify that the remediation has been carried out as set out and the imported soil quality.

Foul Drainage

10.37 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

10.38 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).

10.39 The applicant has agreed to pay the full affordable housing and small sites contribution of £400,000 (£50,000 per new unit).

10.40 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.

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

Party Wall Agreement

10.42 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 and are dealt with under separate legislation.

Other matters

10.43 Objection has been raised to the proposed scheme setting a precedent for further development. Each application is determined on a case by case basis, taking into consideration planning policy and other material considerations. There is no basis to

suggest that this scheme will set a precedent for further similar development along Moray Mews.

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:

A CONTRIBUTION OF £400,000 TOWARDS AFFORDABLE HOUSING WITHIN THE BOROUGH.

A CONTRIBUTION OF £12,000 TOWARDS CARBON OFFSETTING.

That, should the Section 106 Deed of Planning Obligation not be completed within 6 weeks from the date when the decision was made by the Committee, the Service Director, Planning and Development / Head of Service – Development Management 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 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: Site Location Plan 121_P_001 Rev P03; 121_P_002 Rev P03; 121_P_003 Rev P01; 121_P_100 Rev P04; 121_P_101 Rev P04; 121_P_102 Rev P05; 121_P_200 Rev P06; Design and Access Statement dated April 2014; Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan Proj. No. 4008 dated 04/04/2014; Daylight and Sunlight Report dated 15 April 2014; Phase 2 Environmental Investigation and Geo-Technical Investigation ref 0426-P2E-1-A revision A dated August 2013; Asbestos Demolition Survey dated 15/05/2013; Bat Survey Report dated September 2013; Waste

	<p>Management Statement; Code Pre-Assessment dated 4th April 2014; 4008-D.</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	Construction and Demolition Logistics Plan (Details)
	<p>CONDITION: A report assessing the planned demolition and construction vehicle routes and access to the site including hours of work 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	Materials and Samples
	<p>CONDITION: Sample panels of all proposed brickwork for each different area of brickwork, 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> <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	Paving and Hard Surfaces
	<p>CONDITION: Notwithstanding the approved plans, samples of the front garden paving and ground surface treatment along the Mews 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>
6	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>
7	Drainage
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority</p>

	<p>prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve no net increase in surface water run-off from the site post-development. The drainage system shall be installed /operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water.</p>
8	Green Roofs (Compliance)
	<p>CONDITION: The biodiversity green roofs as indicated on Drawing No. 121_P_100 Rev P04 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>
9	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> <ol 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 (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>REASON: In the interests of sustainability and in accordance with the Council's policy of car free housing.</p>
10	Land Contamination (Details)
	<p>CONDITION: The development shall be carried out in accordance with the approved details and scheme of remediation as set out in the GO Contaminated Land Solutions Ltd report dated 15/03/2013 and no variation there from shall take place without the prior written consent of the local planning authority. A validation report, that demonstrates the effectiveness of the remediation carried out, shall be submitted to and approved in writing by the local planning authority prior to occupation of the residential units.</p> <p>REASON: To protect occupiers and the environment from contamination risk.</p>

11	Accessible Homes Standards (Compliance)
	<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>
12	Removal of Permitted Development Rights – Houses (Compliance)
	<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>
13	Waste Management
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 121_P_100 Rev P04 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>
14	Details of bollards
	<p>CONDITION: Details of the location of non-fixed bollards to be located at the entrance to the Mews which are removable with a universal key shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The non-fixed bollards shall be carried out in accordance with the details so approved, and shall be maintained as such thereafter.</p> <p>REASON: In order to keep the access free for emergency vehicle / refuse collection.</p>
15	Terrace Screening
	<p>CONDITION: Notwithstanding the plans hereby approved details of the proposed 1.7m high screening to the first floor terrace areas shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The terrace screening shall be carried out in accordance with the amended plans so approved, and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the character and appearance of the development and the existing setting, and safeguard residential amenity.</p>
16	Platform Lift Provision
	<p>Condition: Details shall be submitted to demonstrate that provision can be made for the future installation of platform lifts at the entrance to properties 6 and 7 which are shown on Plan No. 121_P_100 Rev P04 to have stepped access from the Mews to the front courtyard area.</p>

	REASON: To ensure inclusive access to all properties is achieved.
17	First Floor Obscure Glazing
	<p>CONDITION: All windows shown on the plans hereby approved as being obscurely glazed shall be provided as such prior to the first occupation of the development</p> <p>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>
18	Bat Survey
	<p>CONDITION: 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>
19	Bat Boxes
	<p>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 timetable detailed in the approved scheme.</p> <p>* 4 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.</p> <p>* 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.</p> <p>Reason: in order to protect the conservation status of bats in compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).</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>

	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.
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
	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.
5	Hours of Construction
	<p>No building work shall be carried out at the site outside the following hours:</p> <ul style="list-style-type: none"> • 8am - 6pm, Monday to Friday; • 8am - 1pm, Saturday; and • no audible building works to be carried out on Sunday or public holidays
6	Section 106
	SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
7	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</p>

	<p>the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required.</p>
<p>8</p>	<p>Highways Requirements</p> <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> <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.</p> <p>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.</p>

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

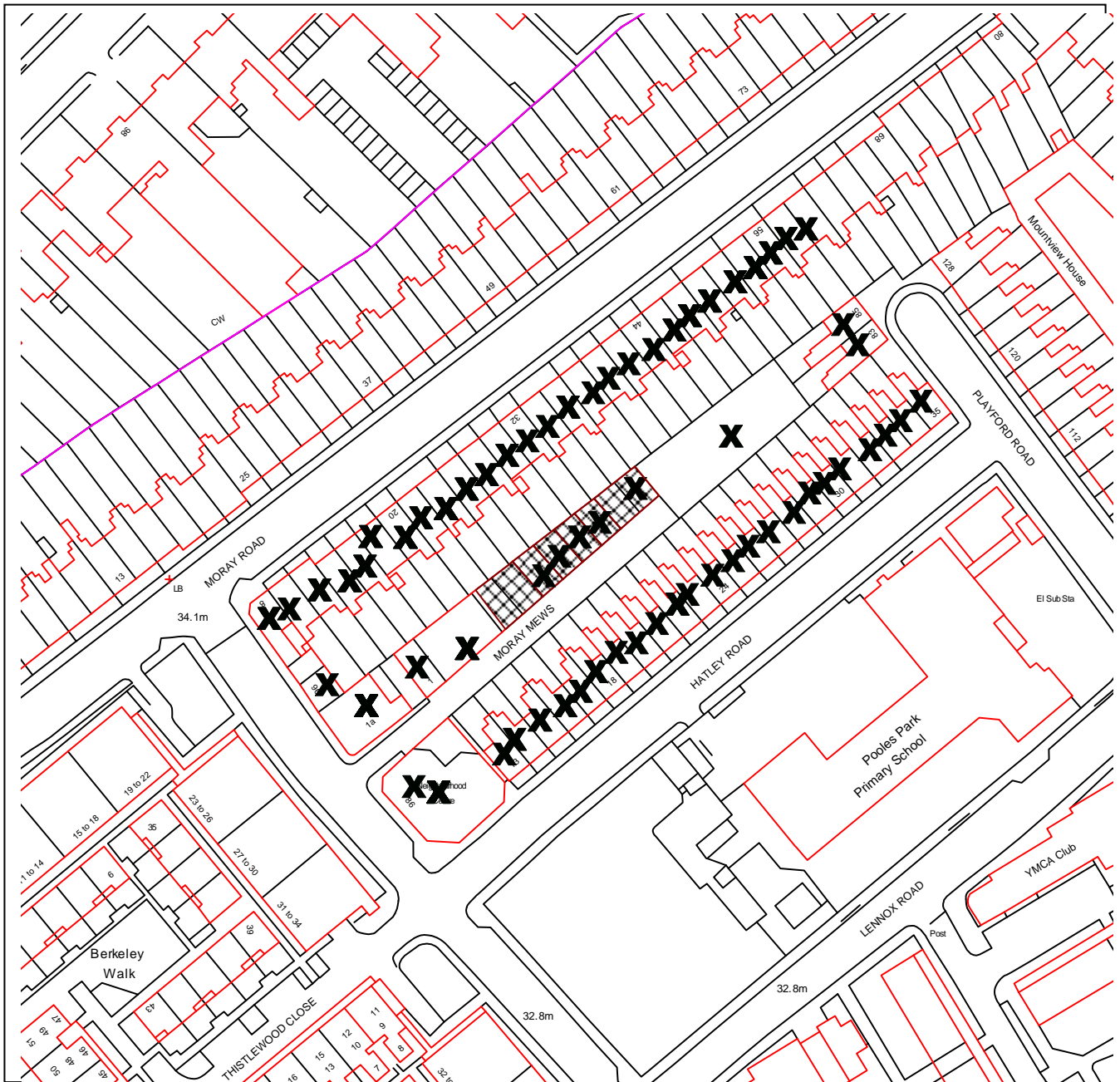
- Accessible Housing in Islington
- Car Free Housing
- Conservation Area Design Guidelines
- Green Construction
- Inclusive Landscape Design
- Planning Standards Guidelines
- Planning Obligations and S106
- Urban Design Guide

London Plan

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



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1522/FUL

LOCATION: 2A - 9 MORAY MEWS, ISLINGTON, LONDON

SCALE: 1:1250

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

PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:
Date:	15 July 2014	NON-EXEMPT

Application number	P2013/4213/FUL
Application type	Full Planning Permission
Ward	Hillrise
Listed building	No
Conservation area	Whitehall Park
Development Plan Context	Conservation Area
Licensing Implications	None
Site Address	30-32 Dresden Road, London N19 3BD
Proposal	Erection of a two storey dwelling to rear of 30 - 32 Dresden Road on existing hard-standing with additional basement

Case Officer	Patrick Brennan
Applicant	Union Realty Ltd
Agent	Lipton Plant Architects

1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1 – Site frontage



Image 2 – Aerial view of rear of property

4.0 SUMMARY

- 4.1 Planning permission is sought for construction of a two-storey dwelling within the hard-stand area to the rear of the property.
- 4.2 The site would be excavated so that the lower level would be set within a basement level, and the proposal would effectively be single-storey in height.
- 4.3 The main issues to be considered in the assessment of this application relate to the impact on the character and appearance of the conservation area, the impact on neighbouring properties in terms of amenity, and the impact on existing trees.
- 4.4 Overall, the proposal is considered to be acceptable. The proposal would in effect be single storey and would not cause harm to the character and appearance of the conservation area, or give rise to any unreasonable amenity impacts on neighbouring properties in terms of overlooking, overshadowing or visual bulk.
- 4.5 The Council's Tree Protection and Landscape Officer is satisfied that existing trees to be retained would be sufficiently protected during, the demolition and construction process and that minor incursion into the trees rooting area is acceptable as this will not result in the inappropriate loss of root or rooting area.

5.0 SITE AND SURROUNDING

- 5.1 The site is located on the northern side of Dresden Road, between Hazellville Road and Ashmount Road.
- 5.2 The property sits within a mixed terraced row of three-storey terraces and consists of a three-storey building occupied by five flats with a hard-stand parking area at the rear, accessed via an underpass extending along the eastern property boundary and under the first floor.
- 5.3 The property is anomalous to the terraced row in which it sits, being a more contemporary development approved in 1989 and is larger than the majority of surrounding properties. The front façade features two bay windows at ground and first floor level and two dormer windows projecting from the roof slope at second floor level serving the loft.
- 5.4 The surrounding area is predominantly residential and features a mix of three to four styles of traditional terraces.
- 5.5 The property is flanked by three-storey terraces with large rear gardens directly abutting the existing hard-stand parking area at the rear of the site.
- 5.6 Directly to the rear of the property is the Hornsey Lane Estate.

6.0 PROPOSAL (in Detail)

- 6.1 The proposal consists of the construction of a two-storey dwelling at the rear of the property, abutting the rear and side boundary garden walls.

- 6.2 The proposal would be two-storey, however the lower level would be set within a basement level, so that the proposal would effectively be single-storey in height with an overall height of approximately 3.5m above the existing ground level.
- 6.3 The dwelling would consist of two bedrooms, a bathroom and a storeroom at lower ground level and a kitchen, dining/living area and a WC at upper level. Access between levels would be provided via an internal staircase on the western side of the building.
- 6.4 The dwelling would be single aspect with glazing on the southern side of the building.
- 6.5 The lower level would feature a 2.4m wide lightwell on the southern side of the dwelling. Access to the upper level would be provided by a small bridge/landing over the lightwell. Independent access to the lightwell would also be provided via a staircase within the lightwell.
- 6.6 Access to the property from the street would be provided via the existing accessway extending along the eastern boundary.
- 6.7 A new refuse and bike store would be provided at the southern end of the existing hard-stand area.
- 6.8 The existing hard-stand area would be re-landscaped as an amenity space for the proposed dwelling and would include the retention of two TPO protected trees, planting of two new trees and other landscaping.
- 6.9 The proposed dwelling would also include a green roof.

Revision 1

- 6.10 Following discussions with Council officers, and in order to ensure consistency with Council's 'car-free' policy for new dwellings (Policy DM8.5), the applicant has submitted revised plans showing the removal of a car space at the south-west corner of the hard-stand area.

7.0 RELEVANT HISTORY:

Planning Applications

- 7.1 **880495:** Redevelopment to provide 1x3 bedroom 2 x 2 bedroom and 2x1 bedroom flats in 3 storey building with basement car park. (As amended by letter dated 14th July 1988) – Approve with conditions 18 July 1988.
- 7.2 **881551:** Redevelopment to provide 2 x 1 bedroom 2 x 2 bedroom and 1 x 3 bedroom flats – Approved with conditions 7 February 1989.
- 7.3 **890732:** Approval of car parking/landscaping details pursuant to condition 4 of planning permission dated 7.2.89 for redevelopment for flats – approve with no conditions 25 July 1989.

- 7.4 **900626:** Retention of second floor rear extension – Approved with conditions 1 August 1990.
- 7.5 **880495:** Redevelopment to provide 1x3 bedroom 2x2 bedroom and 2x1 bedroom flats in 3 storey building with basement car park. (As amended by letter dated 14th July 1988) – Approve with conditions 18 July 1988.
- 7.6 **P120769:** Erection of two new two storey dwelling to rear of existing hard standing area to rear of 30-32 Dresden Road with additional basement storey, including associated light wells, landscaping and associated works – Withdrawn by applicant 29 October 2012.
- 7.7 **P2013/2296/FUL:** Erection of two new two storey dwelling to rear of existing hard standing area to rear of 30-32 Dresden Road with additional basement storey, including associated light wells, landscaping and associated works – Withdrawn by applicant 6 September 2013.

Enforcement:

- 7.8 **E/2014/0190:** Unauthorised pruning of protected tree - Open pending further investigation. It is noted that these tree works have prompted several additional letters and objections.

Pre-application Advice:

- 7.9 **R110505:** Preapplication advice – advice relating to the proposed construction of a new dwelling at the rear of the site, issued 5 September 2011.

Tree history:

- 7.10 **T070028:** Tree felling in Whitehall Park Conservation area; 1 X Hawthorn adjacent to rear parking area; Felling to ground level and remove stump – Approved with conditions, 7 February 2007.
- 7.11 **T070017:** Pruning of trees subject of Tree preservation order: Tree Preservation Application At: 30-32 Dresden Road, Whitehall Park, London, N19 3BD; TPO Reference: T1-T4 of LBI TPO (No.87) 1989; PO Number: T070017; Work Specifications: Species: T1 (Lombardy Poplar); Works: Crown Reduce back to the last reduction points (approximately 40%); Cut back to clear rear of the property to a distance no greater than 2-2.5m; Remove Deadwood and Ivy; Species: T2-T4 (Lombardy Poplar); Works: Crown Reduce back to the last reduction points (approximately 40%); Remove Deadwood and Ivy where applicable – Approved with conditions 7 February 2007.
- 7.12 **T090598:** Tree felling of T5 of LBI TPO(No. 87) 1989 – Approved with conditions, 29 January 2010.
- 7.13 **T090599:** Tree felling in the Whitehall Park Conservation Area. Notification has been received to carry out the following tree works at the rear of 30-32 Dresden Road, N19 3BD. X1 Hawthorn – Fell – Approved with conditions 15 January 2013.

7.14 **T110409:** Tree Preservation Application At: 30-32 Dresden Road, Islington, London, N19 3BD; TPO Reference: T32 & T33 – Cedars of LBI TPO (No.335) 2007; PO Number: T110409; Work specifications: 2 x Lombardy Poplars (T32&T33) as detailed in TPO plan of LBI TPO (No.335) 2007 Re-pollard – Approved with conditions 6 December 2011.

8.0 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 89 adjoining and nearby properties at on 6 December 2013. A site notice and press advert were displayed on 12 December 2013. The public consultation of the application therefore expired on 2 January 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report a total of **17 objections** had been received from the public with regard to the application, including one with 34 signatories, some of whom have lodged independent objections also. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Impact on character and appearance of conservation area (10.4-10.15).
- Impact on visual amenity (10.27-10.29).
- Proposed development not in keeping with surrounding Victorian buildings (10.4-10.15).
- Proposed materials would be out of character (10.14).
- Loss of privacy from overlooking and views towards rear of properties on northern side of Dresden Road (10.18-10.21).
- Overlooking to rear of Ashmount Road properties to west (10.21).
- Height, scale and massing is out of scale with surrounding area (10.4-10.9).
- Removal of existing parking space and impact on on-street parking availability (10.49-10.50).
- Impact on on-site trees from basement excavation (10.38-10.45).
- Impact on cherry tree on adjoining property to east (10.47).
- Removal of sycamore tree at rear (10.45).
- Loss of natural habitat for flora and fauna and impact on biodiversity (10.64).
- Impact of light pollution from south-facing windows (10.17).
- Retention of existing poplar tree (10.45).
- New dwelling would be visible from Dresden Road through the existing accessway (10.8 & 10.28).

8.3 Objections were also received raising issues in relation to, fire safety/hazard, issues arising from construction during works and the impact of the basement excavation on the structure of surrounding buildings. These are not matters which form part of the assessment of this planning application, rather would be addressed under separate controls and legislation should the application be approved.

External Consultees

8.4 None.

Internal Consultees

Design and Conservation Team raise **no objection** to the proposal subject to conditions and advise that it would normally be expected that a back land development surrounded by gardens in a conservation area would be no more than single storey in height. This would preserve the character and appearance of the location. This is an unusual site in that there are higher than normal boundary walls to the rear of the site adjoining the flats. It is considered that as an exception it may be possible to achieve two storeys.

The current application has been amended to take on board pre-application advice previously given. The site will be excavated so that the ground floor is in effect a basement with the first floor only above ground level. It sits within the existing boundary walls of the site and is considered to be subservient to the immediate surroundings. The scheme is not considered to be harmful to the character or appearance of the Conservation Area.

The materials should be conditioned for subsequent approval.

- 8.5 **Tree Preservation / Landscape Officer** has **no objection** to the proposal subject to conditions and advises that the two TPO trees are to be retained and a scheme of protection during construction has been supplied. If adhered to, the detail in the arboricultural report is sufficient to protect the trees through the demolition and construction process. Future pressure for inappropriate works to the trees may be resisted due to the presence of the TPO.

The minor incursion into the trees rooting area is acceptable as this will not result in the inappropriate loss of root or rooting area.

The only remaining issue they still have is the replacement of the two TPO'd trees that have been previously removed. It is recommended that a landscaping scheme be conditioned to ensure the size, species and position of the replacement trees are appropriate and also to ensure an acceptable level of hard and soft landscaping is provided.

Furthermore, the replacement trees can be pursued under the Tree Protection Order designation if they are not replaced as part of this scheme.

9.0 RELEVANT POLICIES

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

National Guidance

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

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013, the Finsbury Local Plan and Site Allocations. 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, Finsbury Local Plan 2013 and Site Allocations 2013:

Islington Local Plan	London Plan
Whitehall Park Conservation Area	None

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

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

- Principle/Land Use
- Design, Conservation and Heritage
- Neighbouring Amenity
- Quality of housing
- Trees & landscaping
- Car parking
- Affordable Housing, Carbon Offsetting and Financial Viability
- Sustainability and Biodiversity

Principle/Land Use

- 10.2 The Council has previously indicated in pre-application discussions and discussions in relation to previous applications that the principle of the erection of a new building to provide residential accommodation within the hard-stand area to the rear of the property would be acceptable subject to design. This view is maintained.
- 10.3 The host site is much larger than the majority of other properties along Dresden Road and the existing hard-stand area is considered to be of adequate size to be able to accommodate a new building at the rear without unreasonably causing harm to the character of the area or causing any unreasonable amenity impacts on adjoining properties.

Design, Conservation and Heritage

- 10.4 The proposal would consist of the construction of a two-storey building within the hard stand area to the rear abutting the rear and both side boundary walls.

- 10.5 The lower level of the building would be set within a basement so the proposal would in effect be one-storey above ground level and would not be any higher than the existing boundary wall to the north.
- 10.6 As noted by the Design & Conservation Officer, the applicant has been previously advised to consider excavating the site to allow the building to sit lower to the ground, reducing its bulk, visibility and any amenity impacts on adjoining properties, and this advice has been adopted.
- 10.7 Point 7.13 of the Whitehall Park Conservation Area Design Guidelines (CADGs) states that '*New buildings should conform to the height, scale and proportions of the existing buildings in the immediate area*'. There is no resistance to backland development within the Development Management Policies. Whilst the proposal is one storey only above ground level, it would not be appropriate to develop a higher or larger building in this location. Indeed, Council has previously provided pre-application advice advising that any development above the height of the rear boundary wall would not be supported.
- 10.8 As noted, the proposal would be effectively single storey by virtue of the basement excavation and not higher than the existing rear boundary wall. It would be much lower than the majority of surrounding buildings, the majority of which are three-storey, and would be relatively discrete given its backland location. Whilst it may be visible through the existing accessway, it would not be prominent and would not cause any unreasonable harm to the streetscene. It is therefore considered that the proposal would be consistent with the design guidance in point 7.13 of the CADGs above.
- 10.9 It should be noted that the proposal sits within the existing boundary walls of the site and is considered to be subservient to the immediate surroundings and that the scheme is not considered to be harmful to the character or appearance of the Conservation Area.
- 10.10 It is considered that the proposal offers a contextual design which is of a sufficient quality so as to conserve the significance of the conservation area, in accordance with Policy DM2.3 (Heritage).
- 10.11 The proposed design, whilst contemporary, is sensitive and respectful to its surrounds in terms of its height and scale, makes efficient use of the site, and provides for a sustainability benefit in the form of a green roof, which also serves to integrate the building within the green space to the rear of the terraced rows along Dresden Road and Ashmount Road.
- 10.12 Whilst the garden character does contribute to the character of the area, it is not considered that the single storey structure to the rear of this property would cause any significant harm to this character.
- 10.13 The proposal would also retain some green space between buildings, as well as two existing poplar trees and proposes the planting of two new trees and new landscaping, which will maintain and contribute to the existing garden character in the immediately surrounding area.

- 10.14 The proposed materials would be contemporary, including non-stock brick and aluminium powder coated doors and windows, and this is considered acceptable so as to avoid the appearance of a 'mock-traditional' building. As suggested by the Design and Conservation Officer, a condition of approval is recommended requiring that materials be submitted for further approval prior to the commencement of any works on site.
- 10.15 The proposal is therefore considered to be acceptable when considered against Policy DM2.1 (Design) and DM2.3 (Heritage) of the Islington Development Management Policies.

Neighbouring Amenity

- 10.16 The amenity implications of this proposal on adjoining properties principally relate to overlooking, overshadowing and visual bulk and views.
- 10.17 An issue was also raised by objectors in relation to potential light spillage from windows within the proposal at night. It is not considered that light emitted from these windows at night would cause any unreasonable disturbance beyond what could be reasonably expected in an urban setting such as this.

Overlooking

- 10.18 The proposal provides for a single aspect to the south, as there are no windows on the north, east or western walls and faces inward towards the rear of the existing flats on the site. Whilst the proposal would offer views towards rear windows of adjoining properties along Dresden Road (Nos. 28 & 34), the separation between the rear windows for these properties and the south-facing windows within the proposal would be more than 18m, which is the minimum separation distance suggested by DM2.1 of the Development Management Policies.
- 10.19 Given this separation, it is not considered that the proposal would result in an unacceptable loss of privacy to Nos. 28 and 34 Dresden Road as a result of overlooking.
- 10.20 Based on the submitted plans, the south-facing windows of the proposal would be approximately 16.5m from the existing rear windows for flats located directly to the south of the proposal. This is slightly less than the 18m minimum suggested by the Development Management Policies, and therefore a condition is recommended requiring the submission of further details of screening measures for the south-facing windows, to mitigate overlooking and views between the proposal and the north-facing rear windows within the flats to the south.
- 10.21 It is considered that the proposal would not create any unreasonable opportunities for overlooking into adjoining rear yards which do not already exist, as the proposal would be single storey in height, and views would be restricted by boundary walls and fences.

Overshadowing

- 10.22 The shadow implications of the proposal would be limited to the rear gardens of 12 and 13 Ashmount Road and the northern part of the rear yard for 28 Dresden Road.

There would be no additional shadows cast to the north, as the proposal would not be any higher than the existing boundary wall.

- 10.23 The shadow implications of the proposal on properties to the east and west are considered acceptable. The proposal would be only slightly higher than existing boundary walls and fences.
- 10.24 Whilst there may be some additional shadows cast over the rear gardens of 12 and 13 Ashmount Road in the morning, there would be no additional shadows cast in the afternoon.
- 10.25 In relation to 28 Dresden Road, the proposal would impact the very rear section of the rear garden, and there would be no additional shadows cast on the majority of the rear garden for this property and no additional shadows in the morning.
- 10.26 Overall, the shadow implications of the proposal are considered to be acceptable and would comply with the BRE guidelines requiring two hours of direct sunlight, as there would be no additional shadows cast over 13 Ashmount Road and 28 Dresden Road in the afternoon and morning respectively.

Visual bulk and views

- 10.27 It is not considered that the proposal will result in an unreasonable level of visual bulk for the reasons set out earlier in this report. The proposal would not be visible from the north and only be partly visible above boundary walls from properties to the east and west. Whilst the proposal would be visible from the rear of properties along Dresden Road and Ashmount Road, it would not disturb views or be overly bulky, noting that the proposal would be much lower in height than surrounding buildings.
- 10.28 Objections have noted that the proposal would be visible through the side access from the street, however whilst this may be the case, it would not result in a breach of policy, and therefore a refusal could not be substantiated on this point.
- 10.29 The visual amenity impacts of the proposal are therefore considered acceptable.

Quality of housing

- 10.30 The proposal would result in the creation of a new two-storey dwelling comprising two bedrooms and living spaces. The dwelling would comply with the recommended minimum floor space standards contained in Table 3.3 of the London Plan 2011 and Table 3.2 of the Islington Development Management Policy Document Submission Version 2012.
- 10.31 Whilst the dwelling would be single aspect, it would feature a southerly aspect therefore maximising solar access to windows. Ideally, the dwelling would feature dual aspect, however this may create opportunities for overlooking impacting privacy and the current arrangement of the dwelling has come about partly in response to advice from Council. The single aspect with a southern orientation is therefore considered acceptable in this instance.

- 10.32 There was some concern about the ability of the lower level bedrooms to receive adequate daylight access given that they would be located below ground level.
- 10.33 The applicant has provided a daylight and sunlight assessment which indicates that the lower level bedrooms would received an Average Daylight Factor (ADF) of 3.43% (Bedroom 1) and 2.76% (Bedroom 2) which is in excess of the BRE guidance for bedrooms of 1%.
- 10.34 As the unit would receive adequate light and have reasonable outlook, it would be difficult to sustain a refusal based on the single aspect element of the unit.
- 10.35 The proposal provides space for provision of a stair lift and a space for a through-the-floor lift from the entrance level and space for turning a wheelchair is provided in the living rooms/dining room and in one bedroom in accordance with Policy DM3.5 (H).
- 10.36 The proposal would otherwise achieve consistency with Policy DM3.4 in terms of floor to ceiling heights, room sizes, approach and entrance and width of front doors to dwellings, internal doors and hallways.
- 10.37 The existing hard-stand landscaped area would be re-landscaped to provide for an amenity space for the proposed dwelling which would be in excess of the minimum of 30m² required for new dwellings by Policy DM3.5 (Private outdoor space).

Trees & landscaping

- 10.38 The application proposes the retention of two trees protected by a Tree Protection Order located adjacent to the western property boundary and planting of two replacement trees for those removed, in response to guidance provided by Council officers on site and in pre-application advice.
- 10.39 It is noted that unauthorised pruning has been undertaken to the two protected trees on site which has drawn understandable criticism from objectors. The Council has commenced an enforcement investigation into these works which is on-going and may result in prosecution. However the determination of this application must be considered independently of this enforcement investigation. It should be noted that whilst the works to these two mature poplar trees are unfortunate and ill timed, the works carried out do not facilitate the actual development of the two-storey house. This conclusion has been drawn in conjunction with the Council's Tree Preservation Officer and is based on the fact that the works have lopped the upper most parts of these trees rather than lower branches. Separate prosecution Action is being considered nevertheless because they constitute unlawful works to trees which are preserved.
- 10.40 An objection received was critical of the objectivity of the Arboricultural Report submitted with the application, however it is noted that this report has been prepared by a professional arboriculturalist and should be considered on its merits. The report has also been reviewed by the Council's Landscape and Tree Protection Officer.
- 10.41 The applicant has provided an arboricultural report which sets out a scheme of protection during construction and Council's Tree Preservation Officer is satisfied

that it would be sufficient to protect the trees through the demolition and construction process.

10.42 Policy DM6.5 (A) requires that *'developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats'*.

10.43 It is considered that the proposed landscape scheme, which includes the provision of a green roof, retention of two existing trees, planting of two new trees, and planting of new landscaping, is consistent with this policy.

10.44 The provision of a green roof would also be consistent with Policy DM6.5 (D). Details of the proposed green roof should be required as a condition.

10.45 The proposal would result in the removal of two existing trees, however the Council's Landscape & Tree Preservation Officer is supportive of their removal and these trees would be replaced by new trees which would be immediately be protected by tree protection orders.

10.46 In order to ensure that the size, species and position of the replacement trees are appropriate and also to ensure an acceptable level of hard and soft landscaping is provided, a condition of approval is recommended requiring the submission of a landscape plan as recommended by the Tree Preservation and Landscape officer.

10.47 It is noted that an objection raised concerns in relation to the impact of the proposal on a Cherry Tree on an adjoining property to the east, however this tree has since been removed (with permission) and replaced. The Tree Preservation Officer is satisfied that the proposed development will not impact this new tree.

Car parking

10.48 As noted, the applicant provided revised plans showing the removal of the existing car space within the rear hard-stand area which would have been allocated to the dwelling, contrary to Policy DM8.5 which requires that *'no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair-accessible parking'*.

10.49 The proposal no longer includes a car space for the proposed dwelling and is therefore consistent with Policy DM3.5.

10.50 Whilst the proposal may result in the loss of some informal parking areas for the flats at the front of the site, the hard stand area at the rear is not designated as formal car parking for the existing flats at the front of the site, and therefore the proposal would not result in any loss of formal car parking areas for these properties.

10.51 The proposed arrangement would also be consistent with Council's policy for 'car-free' development (Policy DM8.5).

Affordable Housing, Carbon Offsetting and Financial Viability

- 10.52 For the creation of new dwellings, Council requires contributions to be made towards affordable housing and carbon offsetting.
- 10.53 The Islington Affordable Housing Small Sites Contributions SPD (adopted 25th October 2012) is supplementary to Islington's Core Strategy policy CS12 Part G, and states that residential development proposals below a threshold of 10 residential units (gross) will be required to provide a financial contribution towards affordable housing provision elsewhere in the borough.
- 10.54 The required payment is a commuted sum of £50,000 per new residential unit created, unless it can be established that a lower amount should be paid in order for the scheme to remain viable.
- 10.55 The Council has engaged an independent surveyor (Adams Integra) to assess the viability of the proposal which has recommended that an affordable housing contribution of £10,000 can be made in respect of this proposal. The report suggests that the applicant has justified not paying the full contribution (£50,000) as the build costs are particularly high due to the problems with access to the plot and excavating the basement.
- 10.56 The report prepared by Adams Integra has been reviewed by Council's CIL & Development Viability Team which has indicated that it is supportive of Adams Integra's recommendation.
- 10.57 A contribution of £1,500 towards carbon offsetting is also required as the proposal is a new build.
- 10.58 The applicant has agreed to payment of these contributions, however a unilateral undertaking confirming full payment of the affordable housing small site contribution of £10,000 and the carbon offsetting contribution of £1,500 has not yet been completed and signed at the time of writing this report.
- 10.59 Therefore, any recommendation for approval should be subject to the signing of the unilateral undertaken confirming full payment of the affordable housing and carbon offsetting contributions in order to achieve compliance with policy CS12 Part G of the Islington Core Strategy 2011 and the Islington Affordable Housing Small Sites Contributions SPD.

Sustainability and Biodiversity

- 10.60 Policy DM7.2 requires developments to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.61 Minor new-build residential developments of one unit or more are required to achieve an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with Building Regulations Part L 2010 (equivalent to Code for Sustainable Homes level 4), unless it can be demonstrated that such provision is not feasible.

- 10.62 The applicant has indicated that the proposal is to be constructed in accordance with the requirements of Code Level 4 for Sustainable Homes.
- 10.63 It is recommended that a condition require the submission of a design stage recognised accreditation certificate supporting assessment confirming that the development achieves a Sustainable Homes rating of no less than 'Level 4'.
- 10.64 A number of objectors have raised concerns regarding the potential loss of habitat as a result of the proposal. It is considered that the proposal would not result in any significant loss sensitive habituate which would warrant refusal of the application, noting that the rear part of the site is predominantly hard-stand and the two existing TPO protected trees would be retained.

Other matters

- 10.65 Objectors have suggested that the applicant has not correctly met the obligations of Certificate B in terms of notifying affected parties. It is the applicant's responsibility to notify all relevant parties and has made a declaration on the application form indicating that the requirements of Certificate B have been met. The Council has met its statutory obligations in full in terms of consultation of neighbouring and surrounding properties.
- 10.66 Concerns have been raised by objectors in relation to the potential impacts on flooding and the structure of surrounding buildings as a result of the basement excavation. It is noted that there is nothing within Development Management Policies which specifically resist the construction of basements and the site is not located within a flood risk area. It is noted that matters relating to the manner and method of the construction of the proposed basement, and the wider development as a whole, in the absence of any policy framework, are matters more appropriately addressed and controlled by separate legislation, including the Building Regulations, Party Wall Act and the Environmental Protection Act in this instance.
- 10.67 Similarly, matters relating to noise, nuisance or disturbance during construction of the development are not material considerations in the planning assessment of this application and are also controlled by separate legislation.
- 10.68 Objectors have also raised questions as to why the Council would support this application when an application for the development of a single storey dwelling to the rear of 1 Dresden Road was refused by Council and an appeal was subsequently dismissed. It is noted that each application is considered on its merits and independently against the Council's Planning Policies, and with respect to the proposal at 1 Dresden Road, the principle reason for refusal in this instance related to the loss of garden space, whereas the rear of the host site currently features hard-stand parking areas. The other reasons for refusal in relation to the proposal at 1 Dresden Road related to the particular materials proposed and the potential impact on existing trees. As has been previously noted in this report, the proposed materials are considered acceptable and the Council's Landscape & Tree Protection Officer has no objection to the proposal subject to a condition.
- 10.69 Some inaccuracies have been identified in the application material, including the Design and Access Statement which suggests at Section 7.2 that the proposal would be three-storeys instead of two and a suggestion that the plans indicate that

the proposal would be higher than the rear boundary wall. The applicant has confirmed that Section 7.2 of the Design and Access Statement contained an error and has provided a revised document confirming that the proposal is two-storeys. The applicant has also confirmed that the proposal would not be higher than the rear boundary wall. There is a small section of boundary fence on Drawing No. 242.(1).2.018 which appears lower than the height of the development, however this relates to a side boundary fence, not the rear boundary wall.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal would result in the construction of a two-storey dwelling within the rear hard-stand area at the rear of the property.
- 11.2 The lower level of the building would be set within a basement so the proposal would in effect be one-storey above ground level and would not be any higher than the existing boundary wall to the north.
- 11.3 For the reasons set out above, it is considered that the proposal will not have any unreasonable impact on character and appearance of the Whitehall Park Conservation Area and would not result in any undue harm to the residential amenities of neighbouring occupiers that would warrant withholding planning permission
- 11.4 The proposal is considered to be consistent with the Islington Core Strategy (2011), the Islington Development Management Policies (2012), the Urban Design Guide 2006 and the Whitehall Park Conservation Area Design Guidelines.

Conclusion

- 11.5 It is recommended that planning permission be granted subject to conditions and the signing of a unilateral undertaking 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 conditions listed below and 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. An affordable housing small sites contribution of £10,000; and
2. A carbon offsetting contribution of £1,500.

List of Conditions:

1	Commencement
	<p>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	Approved plans list
	<p>The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan, Design and Access Statement (October 2013 – Rev C), Daylight Assessment (November 2013 – issue 1), Arboricultural Survey & Planning Integration Report (25 October 2013), Drawing Nos. 242.(1).0.001 (Rev E), 242.(1).0.003 (Rev A), 242.(1).0.004 (Rev A), 242.(1).0.005 (Rev A), 242.(1).0.006 (Rev A), 242.(1).0.007 (Rev A), 242.(1).1.016 (Rev A), 242.(1).1.017, 242.(1).1.018, 242.(1).2.015, 242.(1).2.016, 242.(1).2.017, 242.(1).2.018, 242.(1).3.013, 242.(1).3.014</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Detailed drawings/Sample of materials (Details)
	<p>CONDITION: Detailed drawings at scale 1:50 or samples/details of external materials used shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p>

	<p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	<p>Landscaping and Trees</p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed replacement trees: their location, species and size; at least two new trees must be provided; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and g) any other landscaping feature(s) forming part of the scheme. <p>All landscaping including trees, in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
5	<p>Sustainability</p> <p>CONDITION: Prior to any superstructure works commencing on the site, a design stage recognised accreditation certificate and supporting assessment confirming that the development achieves a Sustainable Homes rating of no less than 'Level 4' shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall achieve the agreed rating(s) and shall be maintained as such thereafter.</p>

	REASON: In the interest of addressing climate change and to secure sustainable development.
6	Green Roof
	<p>CONDITION: Details of the biodiversity (green/brown) roof shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with the plans hereby approved; and c) planted/seeded with an agreed 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/brown) roof 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 so approved 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>
7	Screening measures
	<p>CONDITION: Notwithstanding the plans hereby approved, prior to commencement of works, plans and details of screening measures up to a height of 1.8m above floor level to the upper level south-facing windows shall be submitted to the Council for approval.</p> <p>REASON: To restrict views between the proposal and rear windows for properties to the south and protect privacy.</p>

List of Informatives:

1	S106
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	Superstructure
	<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	CIL
	<p>COMMUNITY INFRASTRUCTURE LEVY (CIL) (GRANTING CONSENT): 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	<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.</p>

APPENDIX 2: RELEVANT POLICIES

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

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.

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

3 London's people

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.14 Existing housing

5 London's response to climate change

Policy 5.3 Sustainable design and construction
Policy 5.9 Overheating and cooling
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.12 Road network capacity
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.21 Trees and woodlands

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

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)

C) Development Management Policies June 2013

Design and Heritage

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

Housing

DM3.1 Mix of housing sizes
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.6 Play space

Health and open space

DM6.5 Landscaping, trees and biodiversity

Designations

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

Islington Local Plan

Whitehall Park Conservation Area

London Plan

None

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design
Small Sites Contribution
Accessible Housing in Islington
Conservation Area Design Guidelines
Inclusive Landscape Design
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



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2013/4213/FUL

LOCATION: 30-32 DRESDEN ROAD, LONDON N19 3BD

SCALE: 1:1000

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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		
Date:	15 th July 2014	NON-EXEMPT

Application number	P2014/1604/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	Not listed
Conservation area	Hats and Feathers Conservation Area
Development Plan Context	<ul style="list-style-type: none"> - Building Structure to be Retained - Central Activities Zone (CAZ) - Bunhill and Clerkenwell Core Strategy Key Area - Employment Priority Area – Finsbury Local Plan Policy BC8 - Mayors Protected Vista – Alexandra Palace viewing deck to St Pauls Cathedral
Licensing Implications	n/a
Site Address	9 Dallington Street, London, EC1V 0BQ
Proposal	Erection of a fourth floor rear extension and fifth floor roof extension to provide an increase in office floorspace (Use class B1) along with 3 x residential flats (Use class C3) (2x2bed and 1x3 bed units) together with associated works and external alterations, provision of private amenity space, landscaping and installation of 10x no.condenser units within a screened enclosure at roof level. Internal alterations at the ground floor level to create new residential entrance and insertion of two new roof lights at the rear.

Case Officer	Emily Benedek
Applicant	Harsworth Pooled Property Unit Trust
Agent	Jessica McSweeney – Planning Perspective

1.0 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1;
2. Conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

2.0 SITE PLAN (site outlined in black)



3.0 PHOTOS OF SITE/STREET



Image 1: Aerial view of street elevation



Image 2: View from Compton Street



Image 3: Existing front elevation

4.0 SUMMARY

- 4.1 Planning permission is sought for the erection of a fourth floor rear extension and fifth floor roof extension to provide an increase in office floorspace (Use class B1) along with 3 x residential flats (Use class C3) (2x2bed and 1x3 bed units) together with associated works and external alterations, provision of private amenity space, landscaping and installation of 10x no.condenser units within a screened enclosure at roof level. Internal alterations at the ground floor level to create new residential entrance and insertion of two roof lights at the rear.
- 4.2 The proposed residential units and additional office space would provide a good level of amenity and the extension would not detract from the character and appearance of the application property or the conservation area and would not detrimentally impact upon neighbour amenity. The quality of the existing showrooms to be retained will be improved by the new internal layout.

5.0 SITE AND SURROUNDING

- 5.1 The site is located on the north side of Dallington Street and consists of a mid-terraced property which is used for retail purposes on the ground floor and offices on the upper floors. The property is five storeys in height, with a flat roof. The rear part of the building is set at a lower level than the main part of the building fronting Dallington Street.
- 5.2 The properties surrounding the site on Dallington Street comprise a mix of styles ranging from 1970s style buildings to art deco and modern buildings. These vary in height ranging from five to six storeys. The neighbouring properties include a mix of uses including educational, retail, commercial and residential facilities. To the rear of the site the property abuts St Peters and St Pauls Primary School a four storey building and a five storey building used for commercial purposes.
- 5.3 The site is located within the Hats and Feathers Conservation Area, however the building is not listed.

6.0 PROPOSAL (in Detail)

- 6.1 The proposal consists of erection of a fourth floor rear extension and fifth floor roof extension to provide an increase in office floor space (Use class B1) along with 3 x residential flats (Use class C3) (2x2bed and 1x3 bed units) together with associated works and external alterations, provision of private amenity space, landscaping and installation of 10x no.condenser units within a screened enclosure at roof level. Internal alterations at the ground floor level to create new residential entrance and insertion of two roof lights at the rear.
- 6.2 The ground floor plan will be altered to create a new internal courtyard via the main entrance which will lead to the entrance to the flats. In addition the rear section of Unit A at the ground floor level will be replaced with cycle storage facilities and a plant room. The toilets to the rear of Unit B will be relocated within the ground floor area to enable to insertion of roof lights to the front and rear elevations of this unit. Units A and B will continue to be used as showrooms and will be maintained as two separate units measuring 167m² and 219m² respectively.

- 6.3 Minor changes are proposed on the second and third floors including the insertion of new accessible toilet facilities and an additional internal staircase to be located at the front of the building. Refuse facilities for the B1 office space will be located on every floor adjacent to the lift.
- 6.4 The proposed partial fourth floor extension covering the rear part of the site will measure a maximum of 8.9 metres in width and 6.3 metres in depth. This part of the extension will provide 101m² of office space and the lower floor of the 3 bedroom maisonette.
- 6.5 The proposed fifth floor roof extension will follow the profile of the existing building and will be set back by 2.85 metres from the front building line. The proposal will measure 3.75 metres in width and 7.5 metres in depth. The extension will increase in width to the rear part of the site creating an 'L shaped' formation. The rear part of the extension will measure 13.5 metres in width and a maximum of 4.7 metres in depth. The proposed roof extension will measure 2.9 metres in height resulting in a building that will measure 19.1 metres in height overall. It is proposed that Unit A will be a 2 bed 4 person unit measuring 131.9m² and will provide 22m² of private amenity space. Unit B will be a 2 bed 4 person unit measuring 89.2m² and with 16m² of amenity space whilst Unit C will be a 3 bed 6 person unit measuring 154.6m² and providing 57m² of private amenity space.
- 6.6 A new screened plant enclosure is proposed on the roof of the fifth floor extension which will incorporate, a new water tank, the lift over run and 10no. VRF condenser units. It is proposed that this enclosure will measure a maximum of 11.2 metres in depth, 11.4 metres in width and 2.5 metres in height.
- 6.7 Amended plans were received on 27th June 2014 which reconfigured the internal layouts to comply with Lifetime Homes Standards.

7.0 RELEVANT HISTORY

Planning Applications

- 7.1 **P031181** - Renewal of existing lean to roof to the rear of the premises, including slight adjustment of roof pitch and boundary wall height. Approved 18/07/2003
- 7.2 **961164** - Change of use of the top (third) floor (rear) from B1 offices to a live-work unit; the installation of a roof lantern within the unit. Approved 24/10/1996
- 7.3 **P00373** - Change of use of loading bay to gallery and installation of new shopfront. Approved 27/03/2000
- 7.4 **931394** - Alterations to windows and doors replacement of skylight new flat roof raising 4th floor flank wall and other alterations in connection with refurbishment for business use (B1). Approved 03/12/1993

Pre-application Advice:

- 7.5 Q2013/1009/MIN - Extension to existing fourth floor to provide an increase in employment floorspace together with a new fifth floor also a rooftop extension to

provide four residential flats with associated amenity space. Pre-app advice also sought in respect of a proposed new entrance.

- 7.6 Q2012/0170/MIN - Proposed extensions at 4th floor level and new 5th floor level with terrace.

Enforcement:

- 7.7 No history.

8.0 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 133 adjoining and nearby properties at Dallington Street and Compton Street on 6th May 2014. A site notice was placed at the site and the application advertised on 8th May 2014. The public consultation of the application therefore expired on 29th May 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.

- 8.2 At the time of the writing of this report twenty three responses had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Loss of light and overshadowing in an already dark street (10.22-10.24)
- Loss of privacy as a result of overlooking from new apartments (10.22-10.24)
- Already inadequate parking in the area this application will exacerbate proposal (10.25-10.27)
- Building works will contribute to hazardous traffic especially as the site is next to a nursery (8.3)
- Noise and disturbance from the building works (8.3)
- Increase density in building in area which is already overpopulated (10.5)
- Building will be visible from neighbouring balconies and living room windows (10.24)
- Noise and disturbance from air conditioning units (10.28)
- No requirement for additional showrooms (10.3)
- No need for additional flats or office space (10.2-10.6)
- Loss of sunlight to the terrace (10.21-10.23)
- Noise and disturbance from office workers using terraces (10.28)
- Height and scale of building out of character with conservation area determined as historical Clerkenwell (10.9-10.13)
- Impact of proposed construction vehicles on existing narrow road (Addressed through Construction Management Plan condition)
- Frontage of proposed building out of character and unsightly (10.12)
- Additional floors will create sense of enclosure (10.24)
- Daylight/Sunlight report does not make any mention of Enclave Court (10.23)
- Proposal reduces amount of commercial floor space contrary to policy BC8 of Finsbury Local Plan and Central Activities Zone (10.2)
- Cladding out of character (10.12)
- Existing buildings have a sense of symmetry and proportionality (10.9-10.13)
- Development is piecemeal in nature and the proposal will have an incongruous visual impact (10.9-10.13)
- No affordable housing provision has been made (10.32-10.33)

- 8.3 It must be noted that matters related to the manner and method of construction of the proposed extensions are not material considerations in the planning assessment of this application. These are matters that are covered by separate legislation including the Building Regulations, the Party Wall Act and the Environment Protection Act. However, a condition is proposed to ensure that construction traffic and methods would protect residential amenity.

Internal Consultees

8.4 **Design and Conservation Officer –**

No in principle objections to the proposal.

The following conditions should be attached:

1. Details of all facing materials to be submitted prior to construction.
2. Detailed drawings of all proposed window and door frames
3. Details of the landscaping for the internal courtyard

8.5 **Acoustic Officer –** Recommends conditions relating to:

1. Sound insulation and noise control measures
2. Fixed plant noise limit
3. Details of compliance with noise limit condition

8.6 **Planning Policy -**

No in principle objection to the creation of B1 floor space and C3 floor space in this location, although it is noted that 80% of the new floor space will be residential. Loss of light to the school needs careful consideration. As the proposal results in the loss of A1 floor space marketing information should be provided to show that this area has been actively marketed for 2 years.

8.7 **Access and Inclusive Design –**

No in principle objections to the plans but further improvements could be made to ensure the proposal meets the Lifetime Homes Standards.

Revised drawings have been received responding to these points.

External Consultees

- 8.8 **London Fire and Emergency Authority –**No in principle objections to the scheme.

- 8.9 **Metropolitan Police -**No in principle objections to the scheme subject to it complying with the Secured by Design principles.

9.0 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, 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.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

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

- Land use
- Design and impact upon conservation area
- Landscaping
- Amenity
- Neighbouring Amenity
- Highways and Transport
- Noise and Vibration
- Access
- Refuse
- Archaeology
- Affordable Housing

Land use

- 10.2 The site is within the historic Clerkenwell area as identified in the Finsbury Local Plan policy BC7. This requires the protection and enhancement of the special character of Historic Clerkenwell through heritage-led development that reinforces its uniqueness and provides for a limited expansion in floorspace including a range of employment uses, along with an enhanced public realm. Policy CS13 encourages new business floorspace within the CAZ, while CS7 supports employment development within Bunhill and Clerkenwell which contributes to a diverse local economy and supports that of central London. The proposal will provide 101m² of B1 floorspace and is therefore considered acceptable.
- 10.3 Although it is acknowledged that the proposal will result in the loss of 12% of the existing showroom area to make space for the cycle storage facilities and the plant room which are considered ancillary uses to the existing facilities. This loss equates to 78m² out of a total of 615.7m² and it is considered that the proposed alterations to the ground floor layout will improve the facilities to the existing ground floor units providing more natural light to both units and accordingly is considered acceptable.
- 10.4 Policy 3.4 of the London Plan encourages boroughs to optimise housing output, taking into account local context and character, design principles and transport capacity. This is supported by Core Strategy policy CS12 which seeks to provide more high quality, inclusive and affordable homes within the borough.

- 10.5 The proposal includes the extensions of the fourth and fifth floors and results in the creation of 3 residential units. The resultant development would provide a mix of 2 and 3 bed units, which would provide an appropriate mix of housing sizes within the units in accordance with Table 3.1 of the Development Management Policies and would comply with the London Plan's Density Standards.
- 10.6 As such, the principle of the development is acceptable subject to the assessment of the proposal in light of all other relevant policy, the site context and any other material planning consideration. The character of the conservation area would be preserved.

Design and impact upon the conservation area

- 10.7 The application site consists of a mid terraced property five storey property set within a row of terraced properties of mixed design. Whilst it is appreciated that some of the properties have been modernised in recent years, there is a clear vertical delineation formed by the alignment of windows in the front elevation, such that provides a uniform appearance to the street scene.
- 10.8 The proposal would introduce a rear extension to the fourth floor and a new fifth floor. The proposed fourth floor extension, which will be located to the rear of the site, will match the fabric of the existing building using the same bricks and window layout to ensure the proposal matches the existing floors below. It is proposed that the new fifth floor level will be almost entirely glazed (with small amounts of white render) in order to minimise its impact on the street scene and the proposal has been designed to have limited views of the rooflines from the public realm and the extensions would therefore not be considered prominent.
- 10.9 The Conservation Area Design Guide (CADG) for Hats and Feathers Conservation Area states that: *roof extensions should be set back and not visible from public spaces*. It also states that buildings should be limited to 18 metres in height. It is acknowledged that the proposed development will measure 19 metres in height overall. However, given that the proposed fifth floor extension is set back from the main frontage and the building is only 1 metre higher than normally permitted, and is a suitable height in the context, it is not considered that the resultant building will have a detrimental impact on the character and appearance of the Conservation Area.
- 10.10 The Council's Urban Design Guide (UDG, paragraph 2.3.3) states that: *the scale of a frontage can be further reduced by articulating the top floor as a recessive element and employing materials such as glass and steel with a lightweight appearance*.
- 10.11 The proposed fifth floor element will be recessed back by 5.5 metres from the front building line and given the dense nature of the street is unlikely to be visible from the Dallington Street. Furthermore, as the site is located behind St Peters and St Pauls school, the proposal will only be afford limited views from Compton Street.
- 10.12 The proposal also involves the introduction of brass mesh cladding to the front of the property and would be visible from Dallington Street. The mesh cladding to the front of the property is a modern approach which would add interest to the building and tie in with other modern materials in the local context.
- 10.13 As such, it is considered that the proposed extensions would be subordinate to and integrate with the application property. Whilst some views of the extensions could be afforded between the properties on Compton Street, these would be limited. Therefore, the proposed rear extensions are not considered to result in harm to the

conservation area and be in accordance with adopted guidance and policies CS9 of the Core Strategy and DM2.3 of the Development Management Policies.

Landscaping

- 10.14 Full details of the landscaping on the ground floor level and fourth and fifth floors have not been submitted. However, the plans detail an area of hardstanding at ground floor level to create an internal courtyard. Each of the residential units will be provided with an external patio featuring some soft landscaping which will allow for private amenity space. Subject to a landscaping condition requiring details to be submitted to and approved by the Local Planning Authority, the proposal is considered to be acceptable.

Amenity

- 10.15 Table 3.2 of policy DM3.4 of the Development Management document stipulates the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. Details of each unit are set out in the table below against the minimum floor space standards.

Unit	No. Bedrooms/ Expected Occupancy	Floor Space	Minimum Required Floor Space	Garden Space	Minimum Required Garden Space
A	2/4	131.9	70	22	8
B	2/4	89.2	70	16	8
C	3/6	154.6	95	57	30

- 10.16 The proposed residential units would meet the minimum required floor spaces as set out in the London Plan and the Development Management Policies. All units would be dual aspect in line with Council policy and Flat C would be a duplex unit located over two floors at the fourth and fifth level.
- 10.17 With regard to amenity space, policy DM3.5 details that all new residential development should provide good quality, private outdoor space in accordance with the minimum required figures. This policy requires a minimum of 5 square metres on upper floors and 15 square metres on ground floors for a 1-2 person dwelling and for each additional occupant, an extra 1 square metre. Where family units are proposed (3 bed or more) then a minimum of 30 square metres of amenity space should be provided.
- 10.18 The proposed family unit would be located across the fourth and fifth floors and would have a private roof terrace measuring 57 square metres. Furthermore, Flats A and B would have private roof terraces which would provide sufficient amenity space.
- 10.19 The units have been designed to comply with Lifetime Homes Standards.

Neighbour Amenity

- 10.20 The proposal would introduce a fifth floor level that would include a number of windows and a roof terraces.
- 10.21 It is noted that the immediate buildings due north and south east of the site are schools whilst the remaining properties which could be impacted by the site are used

for residential purposes. A daylight/sunlight report attached with this application found that with regards to a daylight analysis, 18 windows in Dallington School and 2 windows in St Peters and St Paul RC Primary School would fail the VSC test. However, these affected classrooms are all dual aspect with additional windows which will receive acceptable levels of daylight. In addition one window would be affected at 9a Dallington Street, however this room also has an additional window which would mitigate the impacts.

- 10.22 Furthermore, with regards to sunlight only 2 windows would fail this test at St Peters and St Pauls School however these windows have been mentioned above and are dual aspect. Whilst it is acknowledged that Dallington Street is densely populated in terms of its building layout it is not considered that the proposal will contribute to increased loss of light and overshadowing to the existing street. Concerns have also been raised regarding overlooking to the school playground however, this playground is currently overlooked by the existing neighbouring buildings and it is not considered that the proposal will exacerbate the situation. It is noted that relevant windows have been designed with louvres to reduce overlooking of the playground.
- 10.23 With regard to the properties to the east of the site, most notably the residential units at Enclave Court, many of these properties have windows and terraces looking towards the site. The proposed units have been designed with no windows on the flank elevation facing Enclave Court rather facing Dallington Street or the playground of St Peters and St Pauls RC School. The proposed balcony for unit A will face Dallington Street, but does have a boundary with Enclave Court. A condition is proposed to provide a privacy screen at this location at fourth and fifth floors. With regards to Unit C, no windows will be placed on the flank elevation facing 9A Dallington Street and bedroom 2 will face the existing internal courtyard shared with Dallington School. In addition the private amenity space will be at the front of the property facing Dallington Street and is therefore not considered to give rise to any overlooking or loss of privacy to the occupiers of the neighbouring residential property apart from a small stretch on the boundary which would have a privacy screen (details reserved by proposed condition). Given the orientation of the property it is not considered that the proposals will result in any loss of light to the occupiers of this neighbouring property. It is noted that the Daylight/Sunlight report confirms that all Enclave Court properties' windows would pass the relevant BRE guidance which is adopted by the Council in this respect.
- 10.24 It is acknowledged that in order to ensure that Flat B complies with planning policy and is dual aspect there are three windows which will face 9A Dallington Street this elevation will be enclosed by the balcony with additional screening which will minimise overlooking to the occupiers of the neighbouring residential property. Whilst the proposed extensions will be visible from the neighbouring properties this does not mean it is unacceptable and as demonstrated above is not considered to have a detrimental impact on the amenities of neighbouring occupiers. The proposed extension would be seen from neighbouring properties, but would comply with BRE light regulations, and given the urban context, would not create such a sense of enclosure that a refusal could be sustained.

Highways and Transportation

- 10.25 The site has a PTAL of 6a, which is 'Excellent', with Farringdon Railway Station and Barbican Tube Stations and a number of major bus routes in close proximity to the site.
- 10.26 Fourteen cycle parking spaces are provided to the rear of the site as well as three self-contained bicycle storage facilities for the occupiers of the residential units (each accommodating up to 3 bicycles). In addition 6 visitor cycle parking spaces are provided adjacent to the front entrance from Dallington Street and would meet the requirements of DM8.4/Appendix 6 of the Development Management Policies.
- 10.27 A condition is recommended restricting the occupiers from applying for a parking permit in accordance with the Councils Car Free Housing policy.

Noise and Vibration

- 10.28 It is noted that concern has been raised regarding potential disturbance to neighbours from the proposed increase in occupancy levels at the site as well as the impact of office workers using the terraces. Whilst the occupancy of the site would be increased, the area is of mixed character, with high levels of flatted development. In fact, the Council's Noise Officer raised concerns about potential noise impacts to future occupiers as a result of the close proximity of the development to St Peters and St Pauls School and has recommended appropriate conditions regarding sound insulation for the new units and the mechanical equipment so that it is not considered that the proposal will create a noise nuisance to the occupiers of the neighbouring properties.

Access

- 10.29 Positive steps have been taken with this proposal and reference has been made to the Council's Inclusive Design SPD with measures including separate lifts for residents and powered gates to the courtyard. It is also noted that two of the units will be wheelchair adaptable. Following concerns from the Inclusive Design officer regarding the proposed internal layout of the residential units the plans have been amended to ensure the proposal would comply with the Council's Flexible Homes Standards.

Refuse

- 10.30 It is proposed that individual refuse containers will be located on every floor adjacent to the lifts for the use of the commercial properties. In addition separate bin storage facilities will be located at the ground floor level for use of the three residential flats comprising of four x 360 litre bins – two for general waste and two for recycling. This will comply with Islington's Refuse and Recycling Storage Requirements.

Archaeology

- 10.31 The site is located within an Archaeology Priority Area and due to the scale of the development it is unlikely that substantial foundations/excavations would be required. However, English Heritage (GLAAS) has noted that no archaeology details or conditions are required in this case.

Affordable Housing

- 10.32 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (SPD) together with Core Strategy policy CS12 Part G states that development proposals below a threshold of 10 residential units (gross) will be required to provide a financial contribution towards affordable housing provision elsewhere in the borough.
- 10.33 The applicant has agreed to pay the full amount of £180,000 towards affordable housing in the borough and £3,000 towards carbon offsetting and if minded to approve the application, the contribution would be secured through a legal agreement.

Other matters

- 10.34 Concerns have been raised about the height of the development as the property is located within the Mayors Protected Vista (Alexandra Palace viewing deck to St Paul's Cathedral). Following a review of the 2013 St Paul's Height Study the applicant has submitted additional plans to show that the site actually falls outside of this designated area (based on Islington's interactive map as well) and the proposal will therefore not adversely affect this protected vista.
- 10.35 Concerns have also been raised regarding noise and disturbance from the building works and disruption from construction vehicles. However, this can be overcome through a Construction Management Plan condition.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed extensions and three additional units are considered to be acceptable with regards to the land use, design, amenity, neighbour amenity, archaeology, highways and transportation, noise levels, access, refuse and affordable housing provision.
- 11.2 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions and S106 agreement as set out in Appendix 1 - RECOMMENDATION.

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:

1. A contribution of £180 000 towards affordable housing within the Borough.
2. A contribution of £ 3 000 towards carbon offsetting

All payments are due on practical completion of the development and are to be index-linked from the date of committee. Index linking is calculated in accordance with the Retail Price Index. Further obligations necessary to address other issues may arise following consultation processes undertaken by the allocated S106 officer.

That, should the **Section 106** Deed of Planning Obligation not be completed within 6 weeks from the date of the committee decision of the application, the Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development is not acceptable in planning terms. ALTERNATIVELY should this application be refused and appealed to the Secretary of State, Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader 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
	<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	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans: DAL.112.1000, DAL.12.3004, DAL.12.4000A, DAL.12.4001C, DAL.12.4020A, DAL.12.4040A, L.12.3003F, DAL.12.3002 G, DAL.12.4041C, DAL.12.4021B, DAL.12.4061A, DAL.12.3005, Design and Access Statement with Heritage Notes, Daylight and Sunlight Report, Noise Assessment, Planning Statement, Computer Generated Images.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act</p>

	1990 as amended and also for the avoidance of doubt and in the interest of proper planning.
3	Materials
	<p>Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window/door treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) sample of bronze feature screen g) curtain walling h) grey steel gates and screen i) any other materials to be used. j) louvred screen <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Parking
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) 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: To ensure that the development remains car free</p>
5	BREEAM and Code for Sustainable Homes
	<p>Prior to any superstructure works commencing on the site, a design stage recognised accreditation certificate and supporting assessment confirming that the development achieves a BREEAM [Office/Retail/Schools/Bespoke/multi-residential rating (2008) / BREEAM New Construction rating (2011)] of no less than 'Excellent' and Code of Sustainable Homes rating of no less than 'Level 4' shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall achieve the agreed rating(s) and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

6	Refuse/Recycling Provided (Compliance)
	<p>The dedicated refuse / recycling enclosure(s) 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>
7	Cycle Parking Provision (Compliance)
	<p>The bicycle storage area(s) hereby approved, which shall be covered and secure, 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>
8	Windows (Details)
	<p>Details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The details shall include materials, profile, reveal depth and detailing. Double glazing units with unsympathetic/inappropriate proportions and UPVC windows will not be considered acceptable.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
9	Landscaping (Details)
	<p>A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c) existing and proposed underground services and their relationship to both hard and soft landscaping; d) proposed trees: their location, species and size; e) soft plantings: including grass and turf areas, shrub and herbaceous areas; f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and i) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme</p>

	<p>which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such.</p>
10	Noise
	<p>A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq,8\text{ hour}}$ and 45 dB $L_{max\text{ (fast)}}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16\text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16\text{ hour}}$</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>Reason: To protect the amenities of future occupiers of the residential units.</p>
11	Noise
	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq\ Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90\ Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>Reason: To protect the amenities of neighbouring occupiers</p>
12	Noise
	<p>A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 11. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>Reason: To protect the amenities of neighbouring occupiers</p>
13	Rooftop Enclosures
	<p>No development shall be carried out until details of the rooftop enclosures/screening and the lift overrun are submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved plans and permanently maintained thereafter.</p>

	Reason: To ensure the proposal does not have a detrimental impact on the street scene.
14	<p>Code of Construction</p> <p>No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
15	<p>Privacy Screens</p> <p>Details shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works being carried out, of privacy screens at a height of 1.7 metres from finished floor level to be erected at the eastern boundary of the terraces to Flat A at fourth and fifth floor and Enclave Court.</p> <p>The privacy screens shall be fully implemented prior to first occupation of the flat.</p> <p>REASON: In order to protect neighbouring amenity.</p>

List of Informatives:

1	<p>Positive Statement</p> <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.</p> <p>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.</p>
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	The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.
2	Unilateral undertaking
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
3	Highways
	<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.</p> <p>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</p> <p>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> <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.</p>

	<ul style="list-style-type: none"> - 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. <p>NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer.</p> <p>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</p> <ul style="list-style-type: none"> - 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".
4	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>

APPENDIX 2: RELEVANT POLICIES

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

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.

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 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

3 London's people:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice

6 London's transport:

- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking

7 London's living places and spaces:

- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review:

- 8.2 Planning obligations
- 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

CS8 (Enhancing Islington's Character)

Strategic Policies

CS9 (Protecting and Enhancing Islington's Built and Historic Environment)

CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.3 Residential Conversions and Extensions

DM3.4 Housing standards

DM3.5 Private Outdoor Space

DM3.7 Noise and Vibration

DM7.1 Sustainable Design and Construction

DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes

DM8.2 Managing Transport Impacts

DM8.4 Walking and Cycling

DM8.5 Vehicle Parking

DM9.2 Planning Obligations

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington

- Accessible Housing in Islington
- Car Free Housing
- Planning Obligations and S106
- Urban Design Guide
- Affordable Housing Small Sites SPD
- Conservation Area Design Guidelines
- Inclusive Design

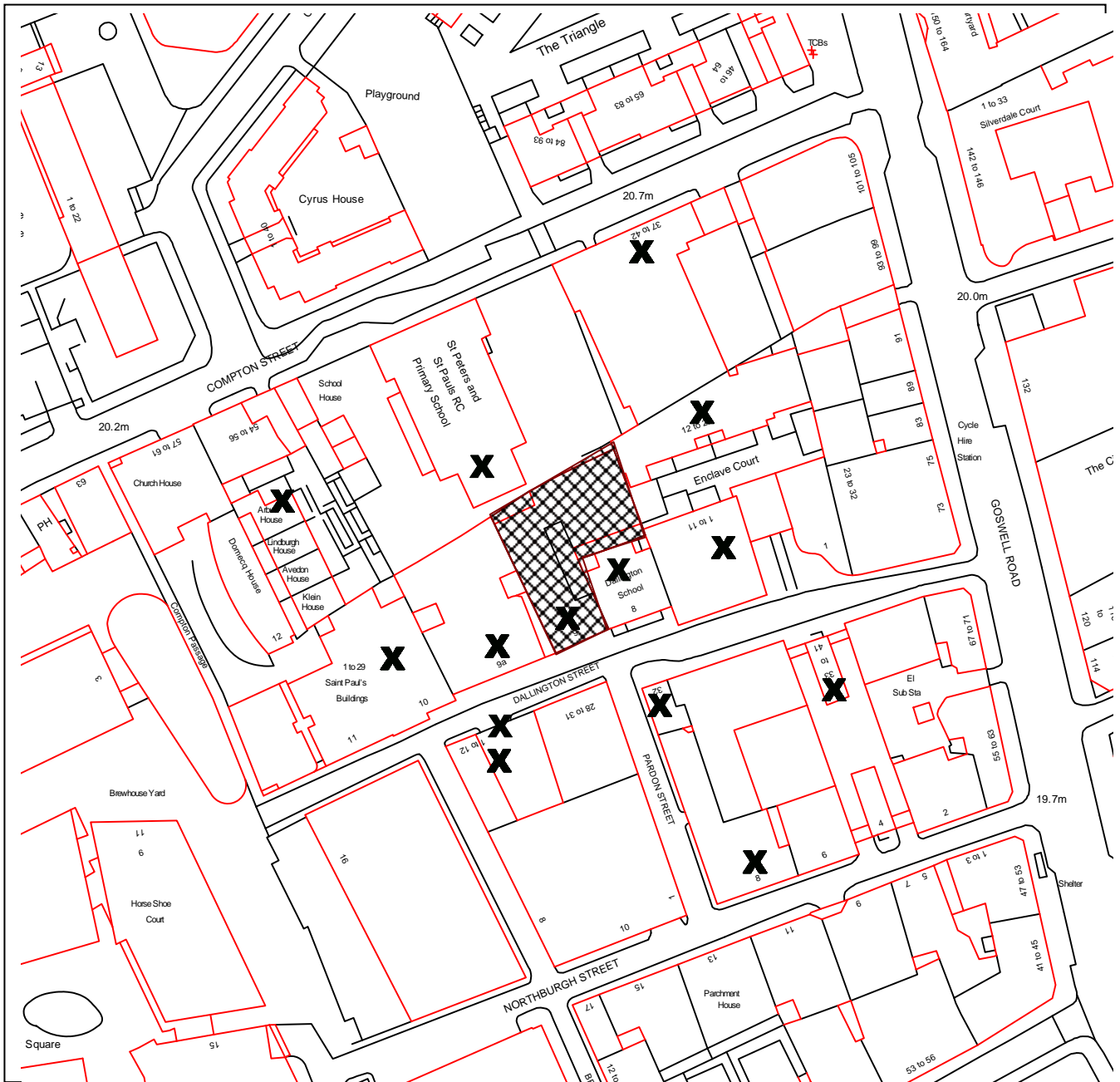
London Plan

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

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1604/FUL

LOCATION: 9 DALLINGTON STREET, ISLINGTON, LONDON

SCALE: 1:1250

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

PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		
Date:	15th July 2014	NON-EXEMPT

Application number	P2014/2012/FUL
Application type	Full Planning Application
Ward	Finsbury Park
Listed building	Locally listed
Conservation area	N/A
Development Plan Context	None
Licensing Implications	None
Site Address	Ambler Primary School, 80 Blackstock Road
Proposal	Erection of a single storey (standalone) building adjacent to the Blackstock Road frontage to provide a dedicated building to accommodate the breakfast and after schools clubs, enabling the additional first form entry class to be located adjacent to the existing within the main building; insertion of new entrance door within the existing front boundary wall.

Case Officer	Ashley Niman
Applicant	Sachin Desai, LB Islington
Agent	John Keefe, Ream Partnership

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: The relevant corner of the school from Blackstock Road

4.0 SUMMARY

- 4.1 Planning permission is sought for a single storey stand alone building sited in the North West corner of the playground of the site, this has been identified for the dedicated accommodation of breakfast and after school clubs, and thereby allowing an additional first form entry class to be located within the main building.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The principal of the land use(educational use) is acceptable, since there is a clear need for the additional building and the loss of playspace is justified. The proposed building is for breakfast and after school club use in association with the main school building.
- 4.3 The new structure will not harm the appearance, character and setting of Ambler Primary School nor the wider street scene.
- 4.4 The new structure will not materially affect the amenity of adjacent residents.
- 4.5 It is therefore recommended that planning permission be granted subject to conditions.

5.0 SITE AND SURROUNDING

- 5.1 Ambler Primary School is a multi storey Victorian Board School. It is a locally listed building (Grade B).It is not located within a conservation area. The building has had few significant external alterations in recent years, including a metal façade enclosed area and a new separate childrens centre building located to the rear (West) of the site.
- 5.2 The main play area of the school is located in the North West and South West of the site, and there are two entrances off Blackstock Road and one off Romilly Road to the rear.
- 5.3 The surrounding area is mostly dominated by 2/3 storey terraced residential dwellings with ground floor commercial units (for example on Blackstock Road) and immediately to the South are the 3 storey Blackstock Mews and Chapman Place residential developments.

6.0 PROPOSAL (in Detail)

- 6.1 A new detached single storey building is proposed (a proposed area of 104.22m²). It will be located in the North corner of the site, 1.5m from the Blackstock Road boundary and extending right up to the Northern boundary, with a new level access off Blackstock Road. This will provide a dedicated space for breakfast and after school activities, and free up space within the existing main building for the additional year 1 group class to be sited adjacent to the existing year 1 group class. The building will also be used to house other activities during the school day to

accommodate the loss of existing space in the main building during and after transition from a single form to 2 form entry.

- 6.2 The building will incorporate a disabled and staff WC, kitchenette and storage area.
- 6.3 The proposed building will have a part sloping roof and will be finished in cedar cladding with a completely glazed western elevation. It will measure 8m in depth x 18m in width. The building will reach a height of 3.2m in total.
- 6.4 The siting of the building will require the repositioning of an existing climbing frame (along with a part of a soft play area), and the removal of existing shrubs and vegetation and a low level brick wall.
- 6.5 The new pedestrian access through the Blackstock Road boundary wall will be 1.5m wide and sited approximately 9m from the Northern boundary.

7.0 RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 P062206 External alterations to existing single storey building (known as block B). Refurbishment and replacement of existing windows, installation of new double doors in west elevation, installation of new door and window in north elevation. Erection of a single storey reception area and buggy store with roof lights (on east side of block B). Approved 21/11/06
- 7.2 P062770 Alteration to existing block for additional new kitchen including external extract, replacement of new kitchen windows, Installation of new ground to first floor dumb waiter and replacement of upper section to classroom (RM36) windows. Approved 03/03/2007
- 7.3 P091544 (Former School Keepers House) Conversion to 5 self-contained flats, including 3 storey rear extension. Approved 30/09/2009

The most relevant recent applications have been highlighted above.

8.0 ENFORCEMENT

- 8.1 None

9.0 CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 107 adjoining and nearby properties at Romilly Road, Blackstock Road, Ambler Road and Chapman Place on the 11th of June 2014. A site notice and press advert were displayed on 12th June 2014. The public consultation of the application therefore expired on 3rd July 2014, however it is the

Council's practice to continue to consider representations made up until the date of a decision.

- 9.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

External Consultees

- 9.3 **Sports England** have no objection

Internal Consultees

- 9.4 **Tree Officer** has no objection subject to a conditions relating to protection measures.
- 9.5 **Access Officer** has no objection subject to a condition requiring further details.
- 9.6 **Design and Conservation Officer** has no objection subject to a condition relating to roofing materials.

10.0 RELEVANT POLICIES

- 10.1 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

- 10.2 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

- 10.3 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, 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

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

none

Supplementary Planning Guidance (SPG) / Document (SPD)

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

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Land Use and Need
- Design Considerations
- Neighbouring amenity
- Accessibility.
- Landscaping

Land-use and Need

11.2 Ambler School is a two form entry primary school, but is currently operating as a single form entry school.

11.3 Following analysis the school was deemed suitable for permanent expansion in accordance with Islington's policies relating to the provision of school places. This means that the provision of an additional 180 spaces will be phased over the next 6 years. This follows the provision of a 30 space 'bulge class' in September 2014.

11.4 The submitted planning statement states that the existing building can accommodate the majority of additional places through internal reorganisation. However there is insufficient space on the ground floor to accommodate an additional Year 1 group class. This buldge class needs to be in place by September 2014).

11.5 In Islington, 781 children were eligible under September 2013 criteria, rising to 1117 in September 2014. There are currently 550 places available in Islington, rising to about 700 by September 2014. This need for places sets the background for the application.

11.6 London Plan policy 3.19 states that "Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted." Further guidance is set out in the National Planning Policy Framework (NPPF), which states that: "open space, sports and recreational buildings and land, including playing fields, should not be built on unless,

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

11.7 Policy DM6.3 of the Development Management policies seeks to protect existing play space across the borough by resisting their loss unless a replacement play space of equivalent size and functionality is proved to meet the needs of the local population. Where this is not possible development will only be permitted where it

can be demonstrated robustly that the space is no longer required and its loss would not lead to a shortfall in overall play provision in the local area.

- 11.8 The proposed building will be located on existing playground space, with an area equivalent to 171m². A section 77 application (development on playspace) has been submitted to the Secretary of State for the loss of the playground space.
- 11.9 It is anticipated by the applicants that this will be approved. Should it be approved then this would provide justification for the loss of this play space. It should also be noted that the area in question is an underused area of the site due to the lack of natural daylight and passive surveillance with dense planting making it a difficult area to supervise and monitor school children and visitors.
- 11.10 A condition is proposed to ensure that play equipment is relocated and installed promptly to enable play provision to be retained as far as possible.
- 11.11 This particular siting also was carefully chosen in terms of its proposed use, with a new dedicated access provided off street level to facilitate easy drop off and collection at children at staggered times before and after school.
- 11.12 The provision of the new facility can be classified as the provision of new social infrastructure. Development Management Policy DM4.12 therefore applies. The policy has particular relevance in regard to inclusive access, avoiding adverse impact on the amenity of surrounding uses, and seeking to ensure the safety and amenity of children. These matters are covered under Access and Amenity.
- 11.13 The London Plan supports new and expanded education facilities. Policy 3.18 states “Development proposals which enhance education and skills provision will be supported including new build, expansion of existing facilities or change of use to educational purposes. Those which address the current projected shortage of primary schools places will be particularly supported”. There is therefore in principle support for additional education facilities for primary schools.
- 11.14 In conclusion therefore, it is considered that the loss of playspace (which Sport England does not object to) is offset by the enhanced educational facilities which provide a social function serving the community. Given the arguments put forward above it is concluded that there is sufficient justification to comply with the above policies.

Design Considerations

- 11.15 The main school building is a late Victorian brick structure, but does have some alterations and modern structures erected in the grounds.
- 11.16 The proposed single storey structure is designed to be low key and unobtrusive. Its modern design does not compete with the historic main building and its materials are chosen to match that of the Children’s Centre which exists to the rear of the play area.

- 11.17 As such, it is considered that, given its scale and siting, some 15m from the main building, the proposed structure would not harm the setting or the character and appearance of the principal school building.
- 11.18 Running along the Blackstock Road boundary of the school is a 2.2m high brick wall. Whilst the building will be sited only 1.5m from this boundary, given its design and limited height, (approximately between 2.5m to eaves, 3.2m to its highest eaves) the boundary wall, (including a similarly sized wall/fence along the North West boundary) will mostly obscure the building from public view.
- 11.19 As such, its impact upon the wider street scene is considered to be limited, and in compliance with policies in this respect.

Accessibility

- 11.20 Both front and rear thresholds are level and therefore suitable for disabled access. The facility includes a Disabled and Staff WC. There is also an individual entrance to the facility from the street (1.5m wide)
- 11.21 A condition is proposed to ensure that gate and building complies with access standards.

Landscaping and Trees

- 11.22 There are a total of 5 trees that would be affected by the development.
- 11.23 Trees T1, T2 and G3 are sited along the Eastern boundary and given the proximity of the proposed building, these trees will need to be removed. These are given a category C grading in accordance with BS 5837.
- 11.24 The trees identified as T4 and G5 in the submitted aboricultural report (by GHA trees, dated 12th May 2014) are considered to be of importance (graded A or B in accordance with BS 5837) are sited along the North West boundary. The report concludes that, whilst the proposed development would encroach into the root protection area of T4, adequate protection measures during the build could ensure that this tree (and G5) could be retained. A condition to ensure this is recommended.
- 11.25 The Tree Officer has reviewed the scheme and, subject to conditions suggested above, does not object to the proposal.

Neighbouring Amenity

- 11.26 The Council seeks to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, sense of enclosure or noise. The proposed structure will be single storey and will be set behind a retained boundary school wall. Whilst the structure will be sited right up to the North West boundary (with No 78 Blackstock Road, a residential property) , there will be no material impact on the amenity of the adjacent residents, as the

proposed classroom would be South East of the house and only marginally higher (3.2m at the mid point) than the boundary wall (which is 2.2m high).

11.27 The proposal is therefore considered not to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Development Management Policies.

12 SUMMARY AND CONCLUSION

Summary

- 12.1 The principle of the land use is acceptable and there is clear justification for the loss of external playspace.
- 12.2 The new structure will not harm the appearance, character and setting of the existing main school building.
- 12.3 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions.

Conclusion

It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to conditions:

List of Conditions:

1	Commencement
	<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	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan, LB1/RP01 REV 1, LB1/RP/02 Rev 2, LB1/RP/03 Rev</p>

	<p>3, LB1/RP/04 Rev 1, LB1/RP/05 Rev 1 (General Front Elevations), Arboricultural and Planning Integration Report (GHA/DS/1960:14). Cover letter (author John Keefe dated 15/5/2014), Design & Access statement/supporting statement (May 2014)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted in part 9 of the application form.. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	*Materials
	<p>CONDITION: Prior to the commencement of development details of the roof materials of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	Trees
	<p>CONDITION: No development (including demolition works) shall take place on site until a method statement for the retention of the trees identified in the submitted arboricultural report (by GHA trees, dated 12th May 2014) and details of the 3 new trees to be planted, have been submitted to and approved in writing by the Local Planning Authority. The Councils Tree Officer (jon.ryan@islington.goc.uk) should be contacted 2 weeks before commencement of development of any works to arrange a site inspection.</p> <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.</p>
6	*Access
	<p>CONDITION: Prior to the commencement of development details of the disabled access, access into the classroom, new boundary gate, and internal details of the class rooms and W/C's hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing acceptable access arrangements and to ensure that the external appearance of the development is of a high standard.</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</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>
2	Tree Protection Measures
	<p>The Council shall be contacted regarding the pre-commencement meeting and be updated at the defined stages of construction.</p>
3	Accessibility
	<p>The access doorway widths to the building and from the Blackstock Road entrance, along with the disabled WC should comply with Islington's Inclusive Design SPD. The shared kitchen facilities should comply with building regulations.</p>

APPENDIX 2: RELEVANT POLICIES

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

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.

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 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

3 London's people Policy 3.1 Ensuring equal life chances for all Policy 3.18 Education facilities	7 London's living places and spaces Policy 7.1 Building London's neighbourhoods and communities Policy 7.2 An inclusive environment Policy 7.3 Designing out crime Policy 7.4 Local character Policy 7.8 Heritage assets and archaeology Policy 7.18 Protecting local open space and addressing local deficiency
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B) Islington Core Strategy 2011

Spatial Strategy Policy CS8 (Enhancing Islington's Character)	Policy CS15 (Open Space and Green Infrastructure) Policy CS16 (Play Space) Policy CS17 (Sports and Recreation Provision)
Strategic Policies Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)	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	Energy and Environmental Standards DM7.4 Sustainable design standards
Health and open space	Infrastructure DM9.1 Infrastructure DM9.3 Implementation

DM6.3 Protecting open space
DM6.4 Sport and recreation
DM6.5 Landscaping Trees & diversity

Designations

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

Islington Local Plan

Locally Listed Building

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design
Conservation Area Design Guidelines
Urban Design Guide
Accessibility SPD

London Plan

Accessible London: Achieving and
Inclusive Environment
Providing for Children and Young
Peoples Play and Informal Recreation
Planning for Equality and Diversity in
London

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/2012/FUL

LOCATION: AMBLER PRIMARY SCHOOL, 80 BLACKSTOCK ROAD,
LONDON N4 2DR

SCALE: 1:1400

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Islington Council, LA086452

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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:	15 July 2014	NON-EXEMPT

Application number	P2014/1243/FUL
Application type	Full Planning Application
Ward	Finsbury Park Ward
Listed building	Unlisted
Conservation area	N/A
Development Plan Context	Core Strategy Key Area 3 – Nags Head and Upper Holloway
Licensing Implications	N/A
Site Address	Grafton Junior School 9 Eburne Road London N7 6AR
Proposal	Erection of a single storey structure for use as a classroom.

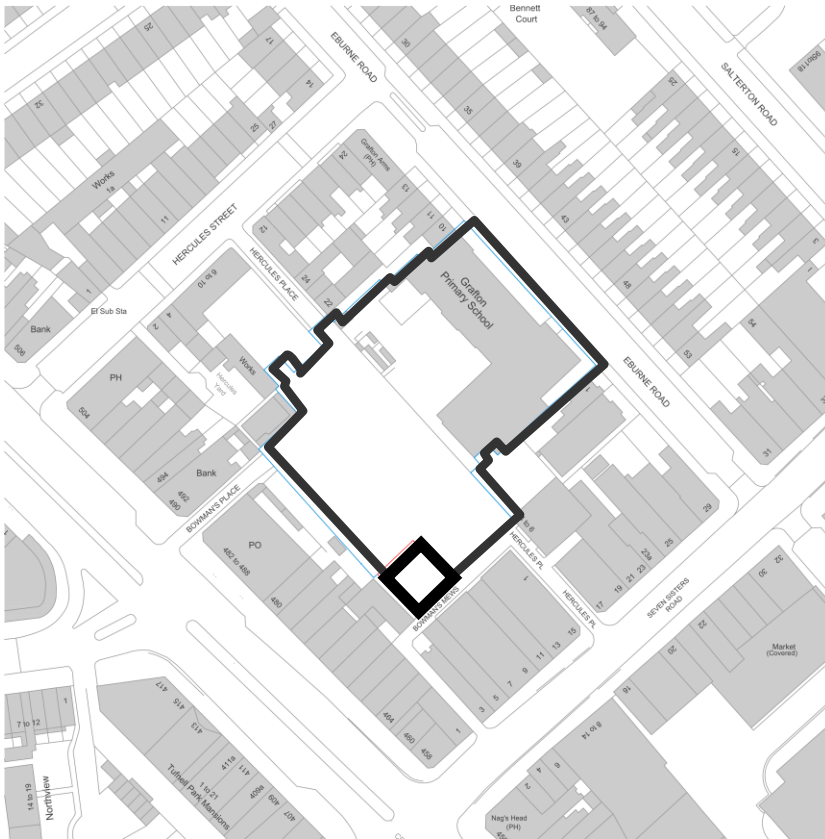
Case Officer	Sandra Chivero
Applicant	Mrs T Sergides (Head Teacher)
Agent	Jennings Design Associates

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

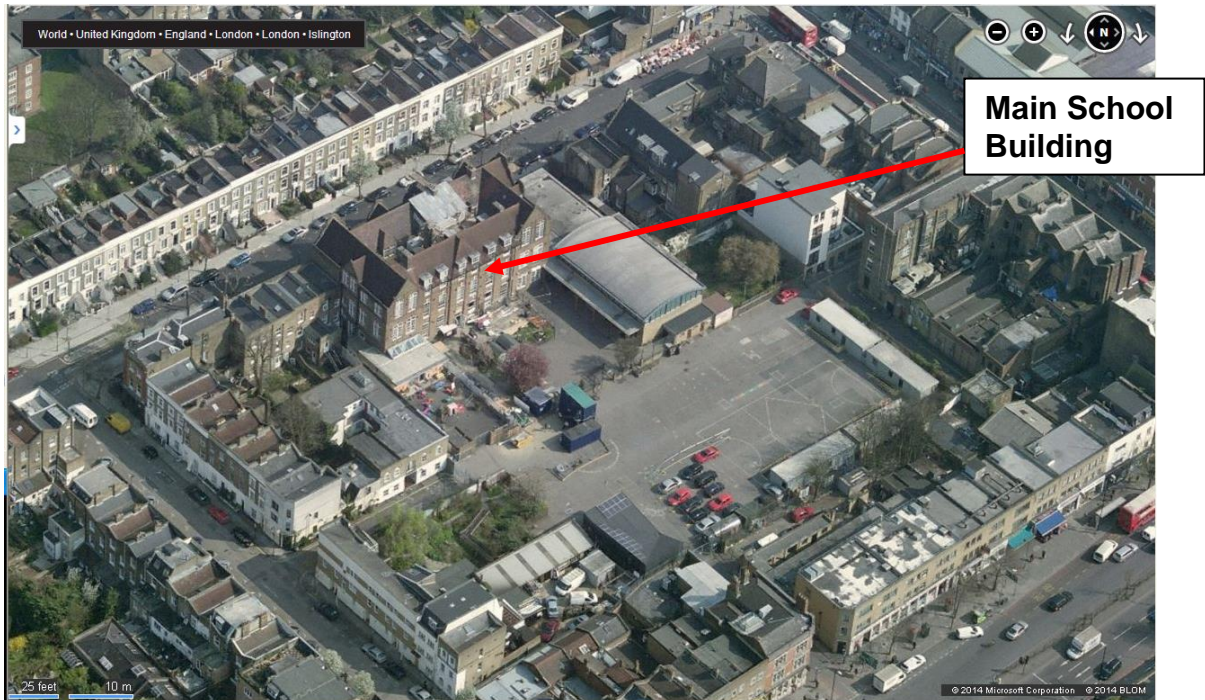


Image 1. Birds eye view of the School Playground



Image 2. Photo of School Playground taken from rear of 5-9 Seven Sisters Road



Image 3. Bowman's Mews

4. SUMMARY

- 4.1 Planning permission is sought to erect a temporary single storey structure for use as classroom to the south-western corner of the playground.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 There is an immediate need for a short-term teaching space and the temporary building will be required for up to 5 years. Evidence has been provided to demonstrate that the proposal would not result in the loss of play ground area as it would be positioned on a former playground now established as car parking space. Furthermore, existing temporary porta-cabins would be removed elsewhere in the school site resulting in a net increase of playing field.
- 4.4 The new single storey structure would be located on the periphery of the play ground and would not be visible from the main road, it is considered not to be visually harmful.
- 4.5 The new structure will also not materially affect the amenity of adjacent residents.

5. SITE AND SURROUNDING

- 5.1 The site comprises of a three storey Victorian Primary School. The school building is located along Eburne Road and the site can be accessed from Eburne Road, Bowman's Mews, Hercules Place and Bowman's Place.

6. PROPOSAL (in Detail)

- 6.1 The erection of a temporary single storey structure for use as classroom. The structure would be located on the south-western corner of the playground.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 P101915 - Installation of 2 temporary porta-cabins in the school playground until the 31.07.2011 during the refurbishment of the Victorian School Building Approved on 28 October 2010
- 7.2 P101430 - Installation of two porta-cabins in the school playground for 13 months as temporary classrooms during the refurbishment of the Victorian School Building - Approved on 24 August 2010
- 7.3 P092223 - Conversion of temporary gate into a permanent access gate to the school playground from Hercules Place. The reason for refusal was as follows - Refused 06 April 2010 for 1 reason relating to

The creation of a permanent access gate close proximity to adjoining residential properties was considered to give rise to significant increases in the movements of people and cars in the vicinity of the site which are considered to have a detrimental impact on the amenity levels of adjoining occupiers in terms of noise disturbances, loss of privacy and security and safety concerns.

- 7.4 P091091 - Erection of a rear canopy – Approved on 06 August 2009
- 7.5 P081199 - Refused for Erection of railings above new dwarf wall to the eastern boundary – Approved on 17 October 2008 for 1 reason relating to

The height and design of the proposed railings was considered to detract from the character and appearance of the building and the streetscene.

- 7.6 P062662 - Internal alterations including installation of a new lift shaft and one storey rear extension to accommodate expanded nursery provision plus new community building in eastern corner of the site (Modification of previously approved application reference number P052988) – Approved on 15 March 2007:
- 7.7 P070308 - Erection of bike shed in playground on south west boundary adjoining Bowman's Place – Approved on 20 March 2007:
- 7.8 P060199 - Erection of new toilet block abutting newly built gymnasium in school playground (Modification of planning permission ref: P051459) – Approved on 24 March 2006
- 7.9 P052988 - Erection of rear single storey extension to main building to accommodate new early years centre and reception area, with the roof to be partially decked as a terrace area. Removal of existing activity/ community building and erection of a new larger single storey activity/community building in the eastern corner of site alongside Bowman's Place. Installation of 2 large bay windows in south facing side elevation at first and second floor levels of main school building. Alterations to main playground and provision of new parking area – Approved on 10 February 2006:
- 7.10 P051459 - Erection of new toilet block abutting newly built gymnasium – Approved on 08 August 2005
- 7.11 P051566 - Conservatory in nursery playground area - Approved on 09 August 2005
- 7.12 P042474 - Erection of a single storey rear extension – Approved on Approved on 21 December 2004
- 7.13 920766 - Use of school playground for parking at weekends – Approve on 03 December 1992

- 7.14 P011419 - Erection of a part one/part two storey extension to the school to be used as a school/community sports hall – Approved on 20 February 2002
- 7.15 921135 - Granted for Use of school playground as a Saturday Market Approved on 25 January 1993:
- 7.16 P021008 - Erection of a part one/part two storey extension to the school to be used as a school/community sports hall (revised scheme) – Approved on 11 June 2002:
- 7.17 931336 - Continued use of school playground as a Saturday market Approved on 12 December 1993:
- 7.18 950183 - Use of school playground as a Sunday Market (as outlined on the approved drawing) – Approved on 19 June 1995
- 7.19 P021693 - Erection of a one storey cabin in the rear grounds of the school – Approved on 16 August 2008

ENFORCEMENT:

- 7.1 22 June 2010: Enforcement Case (Ref. E10/04831) Alleged Breach of control - Wall to be reinstated Closed

PRE-APPLICATION ADVICE:

- 7.2 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties. A site notice and a press advert were also displayed. At the time of writing of this report no responses had been received from the public with regard to the application.

Internal Consultees

- 8.2 **Policy Team** The Policy Officer commented that the portion of the site that the classroom is proposed to be built on appears to be part of the playground. There is separate guidance issued by Department of Education about the loss of playing fields, with the change of use requiring a separate application, known as a Section 77 application. However, a written statement has been submitted stating there will be a net increase in playing fields. This is by virtue of the fact that an existing modular building will be removed from another part of the playground and the new classroom would be built on land used for car parking.

- 8.3 Given the increase in pupil numbers it is not clear if there will be overall improvements to the playground space.
- 8.4 There is support for new/expanded education facilities in the London Plan (Policy 3.18).
- 8.5 The provision of a new classroom can be also be classified as the provision of new social infrastructure. Development Management Policy DM4.12 therefore applies.
- In the Design and Access statement there is some commentary about the accessibility of the site and building - the Inclusive Design Officer can provide further advice on this.
- 8.6 The Development Management Policies Document (as at paragraph 4.71) is clear that proposals for new educational facilities should ensure the safety and amenity of children (Development Management Policies paragraph 4.71).
- 8.7 **Public protection** - The Acoustic Officer recommends a noise condition should be attached to any permission granted. A condition has been attached to this effect, in order to ensure noise to the two no. AC Units is set within prescribed units.
- 8.8 **Design and Conservation** - The Design and Conservation Officer stated that the proposed structure would be single storey in height and would not be visible from the main road. It is therefore considered not to be visually harmful to the surrounding area.
- 8.9 **Inclusive Design Team** – Inclusive Design Officer commented that the the inclusion of an accessible WC is welcome. We are told that there will be step free access but details of how this will be achieved have not been supplied – clarification is requested.
- 8.10 The applicant is also advised to consider the installation of a sound enhancement system, the judicious use of colour and tone and the installation of blinds at all windows to reduce glare and overheating. A informative has been attached to this effect.

External Consultees

- 8.12 **Metropolitan Police** – The Designing Out Crime Officer stated that Islington Police have no objections in principle to the proposal. However, recommendations have been made concerning crime reduction principles and future community safety. Conditions have been attached to this effect.

8.13 Additional points were also recommended, these required that the design and layout of the existing school footprint should be considered and improved. Whilst in general is not possible and beyond the scope of the proposal, this was to allow for the possibility that the school may find the funding to improve other aspects of their security and not just the proposed extension.

8.14 **Sport England** did not raise any concerns.

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, 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.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Location
- Design and Appearance
- Amenity
- Access

Land use

10.2 **Location** The portion of the site that the classroom is proposed to be built on appears to be part of the playground. A written statement has been submitted stating that S77 approval is not required. It clarifies that there will be a net increase in playing fields – this is by virtue of the fact that an existing modular

building (110.5m²) will be removed from another part of the playground and the new classroom (77.5m²) would be built on land currently used for car parking. Evidence in the Design and Access Statement and photographs has been provided to demonstrate that the existing use of part of the playground as a car park has been over several years. The proposal is therefore considered to accord with Paragraph 3.40 of the London Plan which highlights that school playing field provision provides an important contribution to high quality play spaces. The proposal would further comply with London Plan policy 3.19 states that “Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted.”

10.3 The proposal would accord with further guidance set out in the National Planning Policy Framework (NPPF), which states that open space, sports and recreational buildings and land, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

10.4 The proposal would comply with the provisions DM Policy 6.4.

10.5 Provision of additional classroom space. It is proposed to provide a new classroom space with a gross area of 77.5m². The supporting statement provided states that, following a review of future space requirements, it has been identified that there is an immediate need for a short-term teaching space and that the temporary building will be required for up to 5 years. There is support for new/expanded education facilities in the London Plan. Policy 3.18 which states that “Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes. Those which address the current projected shortage of primary schools places will be particularly supported.”

10.6 This is also supported by policy DM4.12.

Design and Appearance

10.6 The proposed single storey structure would incorporate a flat roof with single ply membrane and the external walls would be colour coated steel. Two air conditioning units would also be mounted to the classroom at a low level to the northern and southern elevations. Three double glazing pvcu/ powder coated windows would be positioned to the eastern elevation. A fire exit and three double glazing pvcu/ powder coated windows would be incorporated to the western elevation.

10.7 Due to scale, size and location on the periphery of the playground the single

storey structure is considered appropriate and would not be visually prominent. Overall the proposal is considered to accord with policy DM2.1 of the Development Management Policies (Submission Document 2012) and the objectives of the Islington Urban Design Guide (2002).

- 10.8 Notwithstanding the above, due to the temporary nature the single storey structure is considered unacceptable to grant an unrestricted permission. A condition has therefore been attached to the permission requiring the temporary classroom to be removed on or before 04 August 2019. The limitation of the consent period ensures compliance with policy DM2.1 of the Development Management Policies. In any event the supporting document indicates that the temporary building is required for a duration of up to 5 years.

Access

- 10.9 The inclusion of an accessible WC is welcome and it is considered that the details provided are satisfactory. Whilst it is stated in the documents submitted that there will be step free access, details of how this will be achieved have not been supplied. A condition has therefore been attached to the permission requiring details on access to be submitted and approved in writing to secure appropriate inclusive access.
- 10.10 In addition, no details of the new gate through the existing boundary treatment have been provided. A condition has also been attached to the permission requiring these details to be submitted and approved to ensure child safety.

Amenity

- 10.11 It is confirmed that access to the classroom will be via the playground. It is not clear how the classroom will be separated from the rest of the playground or the car park. The existing car park is separated by what appears to be temporary fencing. This is not considered to mitigate any safety or amenity concerns for the children using the temporary class room. A condition has therefore been attached to the permission requiring the details of a scheme to separate the temporary classroom from the rest of the play ground and car park. This would be in line with paragraph 4.71 of the Development Management Policies Document which requires proposals for new educational facilities to ensure the safety and amenity of children.
- 10.12 The proposed structure is single storey in height and is not considered to give rise to any excessive impacts in terms of amenity on adjoining properties along Bowman's Mews where ground floor commercial units dominate with upper floor flats. The reduction in car parking spaces is also considered to minimise impact of traffic on residents.
- 10.13 As recommended by the Acoustic Officer a noise control condition has also been attached to the permission in relation to the two air condition units which would be mounted on the new structure.

10.14 Overall, subject to conditions the proposal is considered not to prejudice the residential amenity of neighbouring and adjoining properties inline with policy DM2.1 of the Development Management Policies.

Security

10.15 The Designing Out Crime Officer has recommended a condition requiring measures to be implemented to achieve the 'Secure by Design Physical Security accreditation'.

11. SUMMARY AND CONCLUSION

Summary

11.1 The principle of the land use is acceptable. The temporary building will be required for up to 5 years. It is also demonstrated that the proposal would not result in loss of playground space.

11.2 Due to scale, height and positioning the proposed new structure would not be visually intrusive.

11.3 Subject to conditions the proposal is also considered not to prejudice the residential amenity of neighbouring and adjoining properties in line with policy DM2.1 of the Development Management Policies.

11.4 As such, the proposed development is considered to accord with the policies In the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

11.5 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	<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	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>2 no. Letters from Tom Louvre (Head of Capital Asset Management and Contract – Islington Council) dated 13 May 2014 and 18 March 2014, Outdoor Unit – Model SRC35ZJX-S Noise Test, S0020-111Rev.C, S0020-115Rev.A, Location Plan, Design and Access Statement –November 2013 (Issue 3), Existing Site Plan A, Inverter Heat Pump Model SRK – ZJX, Email sent 27 June 2014 from Nicholas Smith – JDA Architects.</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	Temporary Class Room
	<p>CONDITION: The hereby approved single storey structure is granted only for a limited period until 04 August 2019, on or before that date the structure and all its associated/ ancillary goods shall be dismantled and removed from the site and the land shall be reinstated to the condition as evident prior to the erection of the temporary building hereby approved or another condition as agreed in writing by the Local Planning Authority.</p> <p>REASON: The temporary building is such that the Local Planning Authority is only prepared to grant permission for a limited period. The limitation of the consent period ensures compliance with policies: CS9 of the Core Strategy (2011) and policies DM2.1</p>
4	Details of separation of temporary classroom from play space and car park space
	<p>CONDITION: Notwithstanding the approved drawings, details of new fencing which would separate the classroom from the rest of the play ground and car park shall be submitted within three months of the permission and approved in</p>

	<p>writing by the Local Planning Authority. Details of which shall be fully implemented and maintained as such for the lifetime of the temporary classroom.</p> <p>REASON: To ensure the safety and amenity of children.</p>
5	Secured By Design Physical Security
	<p>CONDITION: Notwithstanding the approved drawings the following shall be fully implemented and the works shall be permanently maintained as such during the lifetime of the temporary structure:</p> <ul style="list-style-type: none"> - All ground floor windows and any other accessible windows will meet a minimum PAS 24:2012 or STS 204 standard. - All external doors will meet a minimum PAS 24:2012 or STS 201 - All glazing in doors and windows as above to include one pane of laminated glass to BS EN 356 2000 rating P1A. 6.8mm minimum thickness. - Door recesses should be avoided as they create hiding places, bullying points, ASB, burglary weak spots and arson points <p>REASON: In order to achieve the Secured By Design Physical Security accreditation and to help prevent crime and keep ongoing costs down for the lifetime of the school extension.</p>
6	Details of access of new gates
	<p>Details of new gates leading to the new classroom shall be submitted within three months of the permission and approved in writing by the local planning authority. Details of which shall be fully implemented and maintained as such for the lifetime of the temporary classroom. .</p> <p>REASON: In the interest of visual amenity and to ensure safety to children.</p>
7	Details of step free access to the classroom
	<p>The following details shall be submitted within three months of the permission and approved in writing by the local planning authority. Approved details shall be fully implemented and maintained as such for the lifetime of the temporary classroom:</p> <ul style="list-style-type: none"> ▪ A safe vehicular drop off point ▪ A site plan illustrating the relationship between the new unit and the main body of the school and associated play facilities ▪ A level or gently sloping approach to the class room, provided with rest points wherever travel distances exceed 50m. ▪ A level or ramped approach into the classroom, in accordance with guidance set out in Islington's Inclusive Design SPD <p>REASON: To secure appropriate inclusive access to classroom.</p>

8	Fixed Plant (Compliance)
	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</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.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Secured By Design Physical Security
	<p>INFORMATIVE: Should funding allow it is recommended to</p> <ul style="list-style-type: none"> - All boundary fencing should be 1.8m high. All fencing should allow permeability so that people can see into the school through the fence and vice versa. No climbing aids should be available on or adjacent to the fence. - All gates and entrances should be 1.8m high. These should be opened during morning peak hours and afternoon peak hours only. At all other times the gates are to be closed and locked. All entrances to have audio and video access control linked to the reception office of the school. - All entrances should channel visitors, deliveries etc to the staffed office reception for visual verification of who they are. There should be no access into the school buildings from any point during the perimeter lock down period of the school day.

	<ul style="list-style-type: none"> - Main communal entrance door to the school should meet LPS 1175 SR2 or STS 202 BR2. - All lighting to communal outside areas e.g. roads, driveways, entrances, footpaths and parking, car park areas to meet BS 5489-1: 2013. A lighting engineer should design this so no shadows are created and white light is used. Uniformity of light should achieve a rating of 0.4Uo and should never fall below 0.25Uo. - All entrances, exits and doors should be lit to this same standard. - Front office/reception points should overlook and have a clear line of site of pedestrian entrance and vehicular entrance. The reception desk should create an airlock where visitors have to go through two access control points in order to get to school corridors and or classrooms. - Due regard for reception security needs to be factored in. A panic alarm should be considered that links into the staff room or other manned area. - Car parks should have a secure access controlled boundary during the lock down period of the school day. - Plant room, IT suites and any other high cost, high risk desirable property should be protected by solid walls and PAS 24:2012 doors. If computers, IT, laptops or Notepads, I-Pads etc are left in situ in ground floor classrooms with windows then these windows should be protected by shutters or collapsible grilles to LPS 1175 rating 1 or STS 202 rating 1 or higher. - If CCTV is deemed appropriate to mitigate against any risk then the system must be carefully thought through, have an operational requirement written down and designed carefully. Further information can be found at www.ico.gov.uk as well as within the SBD New Schools guide already supplied to you. - Planting should not create hiding places. Trees should have a clearance from the ground up of at least 2 metres and shrubs should not be planted that grow to more than 1 metre in height.
3	Further Information on secured by design
	<p>INFORMATIVE: Further information on the initiative may be found on www.securedbydesign.com Once a development has been completed, the main opportunity to incorporate crime prevention measures has gone. Careful design needn't cost more if considered from the outset.</p>
4	Blinds, Sound Enhancement System and Bold Tonal contrasts
	<p>INFORMATIVE: The applicant is advised that blinds should be fitted at all windows to reduce glare and overheating, a sound enhancement system should be installed and bold tonal contrasts should be employed to enhance the ability of those with visual impairments to read the space.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan polices 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, Finsbury Local Plan 2013 and Site Allocations 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

- | | |
|--|---|
| 3 London’s people | 7 London’s living places and spaces |
| Policy 3.1 Ensuring equal life chances for all | Policy 7.1 Building London’s neighbourhoods and communities |
| Policy 3.18 Education facilities | Policy 7.2 An inclusive environment |
| Policy 3.19 | Policy 7.3 Designing out crime |
| | Policy 7.4 Local character |
| | Policy 7.8 Heritage assets and archaeology |
| | Policy 7.18 Protecting local open space and addressing local deficiency |

B) Islington Core Strategy 2011

- | | |
|--|---|
| Spatial Strategy | Policy CS15 (Open Space and Green Infrastructure) |
| Policy CS8 (Enhancing Islington’s Character) | Policy CS16 (Play Space) |
| | Policy CS17 (Sports and Recreation Provision) |
| Strategic Policies | Infrastructure and Implementation |
| Policy CS9 (Protecting and Enhancing Islington’s Built and Historic Environment) | 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

Shops, Culture and Services
DM4.12 Social and Strategic infrastructure and cultural facilities

Health and open space
DM6.3 Protecting open space
DM6.4 Sport and recreation

Infrastructure
DM9.1 Infrastructure
DM9.3 Implementation

Designations

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

Islington Local Plan

Core Strategy Key Area; Nags Head and Upper Holloway Road
Archaeological Priority Area - Moated Manor House for Barnsbury Manor (APA17)

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design
Urban Design Guide

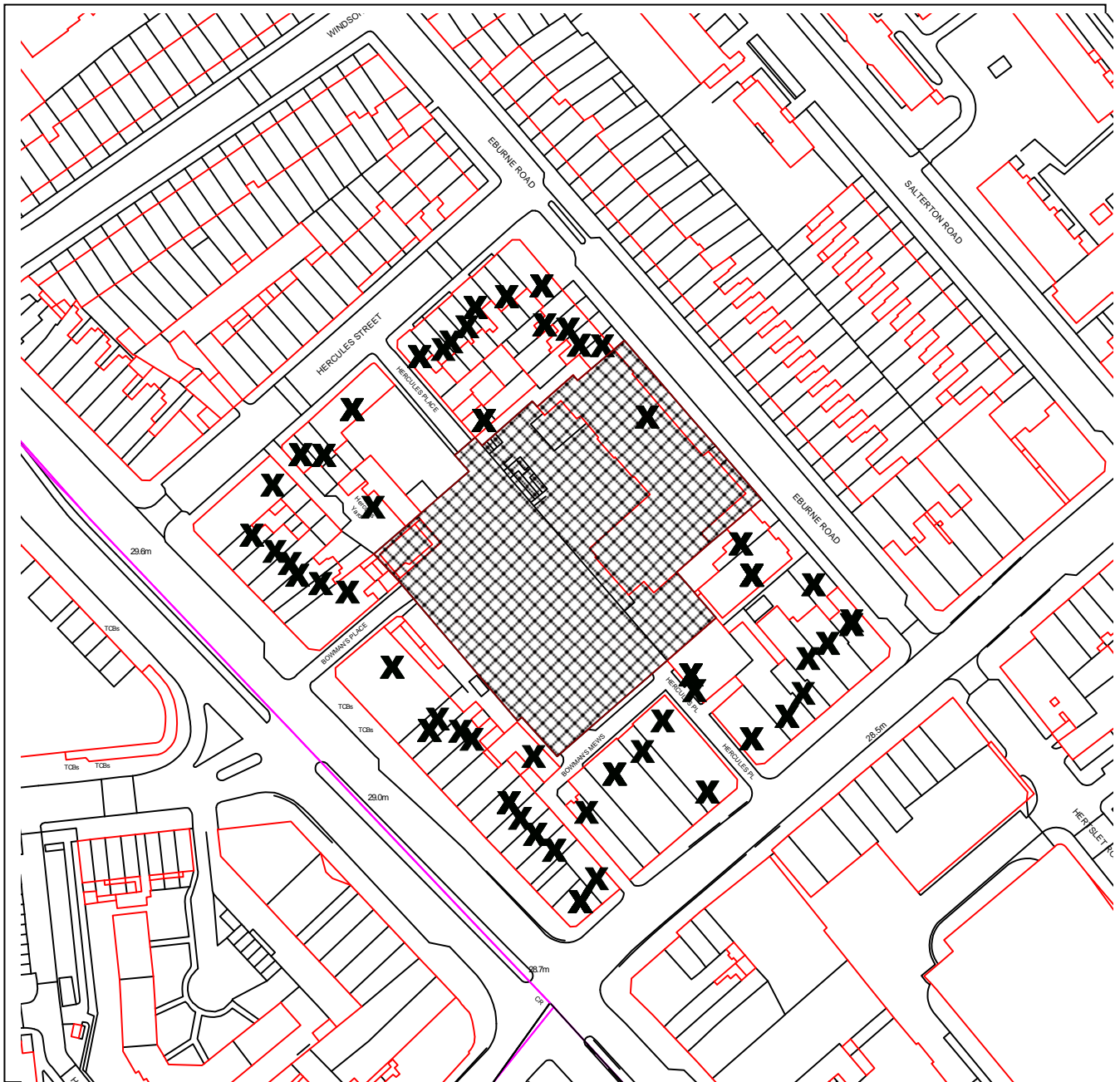
London Plan

Accessible London: Achieving and Inclusive Environment
Providing for Children and Young Peoples Play and Informal Recreation
Planning for Equality and Diversity in London

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1243/FUL

LOCATION: GRAFTON JUNIOR SCHOOL 9 EBURNE ROAD
LONDON N7 6AR

SCALE: 1:1600

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Islington Council, LA086452

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

PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:
Date:	15 TH July 2014	NON-EXEMPT

Application number	P2014/1591/FUL & P2014/1680/LBC
Application type	Full Planning Application
Ward	Finsbury Park
Listed building	Grade II
Conservation area	N/A
Development Plan Context	Grade II Listed Building Archaeological Priority Area APA4 (Tollington Settlement)
Licensing Implications	None
Site Address	Montem Primary School, Hornsey Road, London N7 7QT
Proposal	The removal of the existing single storey canopy to the rear of the playground and the construction of a single storey extension to provide a dedicated Two-Year-Old Facility for pre nursery infants.

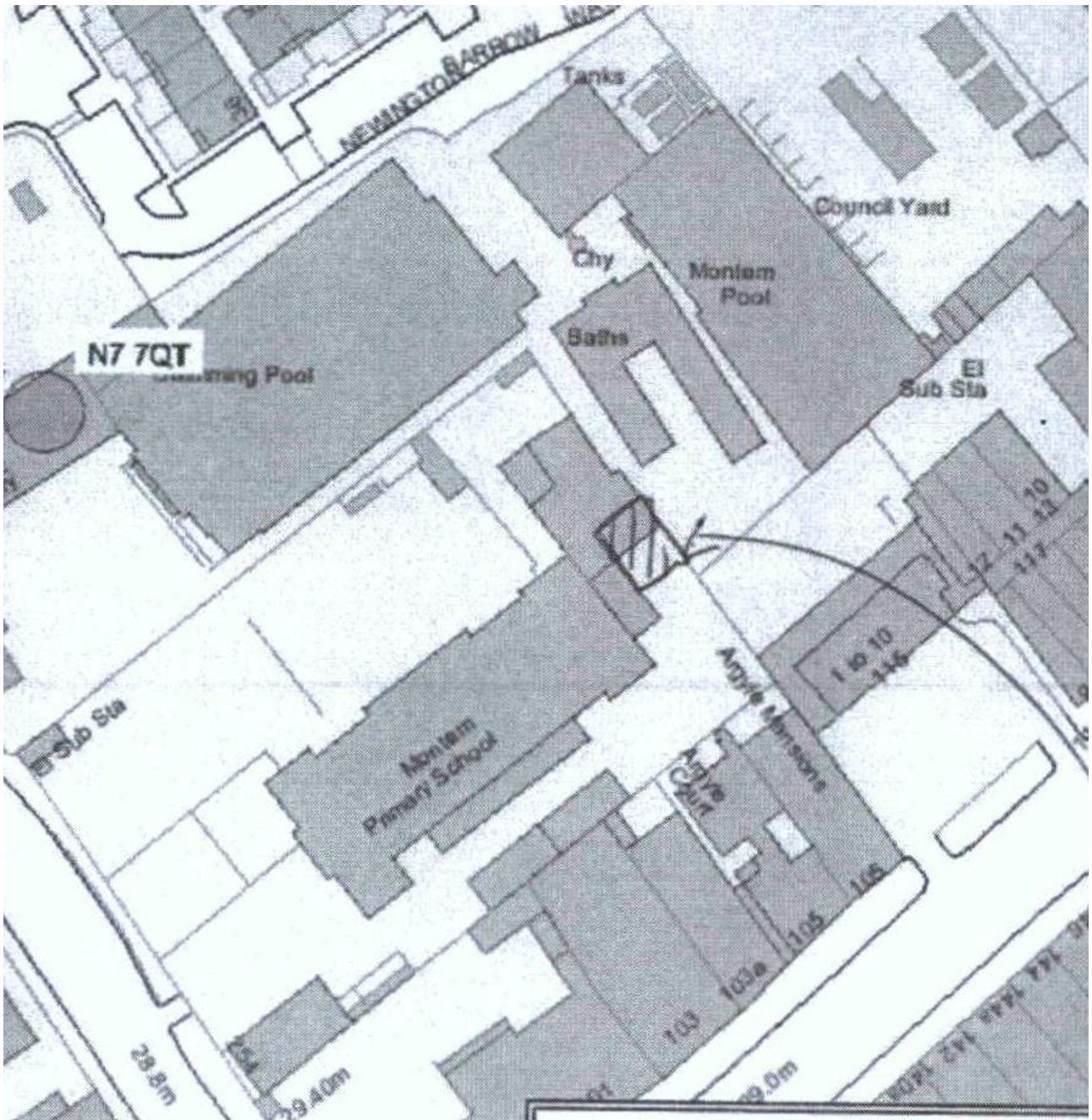
Case Officer	Ashley Niman
Applicant	Sachin Desai, LB Islington
Agent	John Keefe, Ream Partnership

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

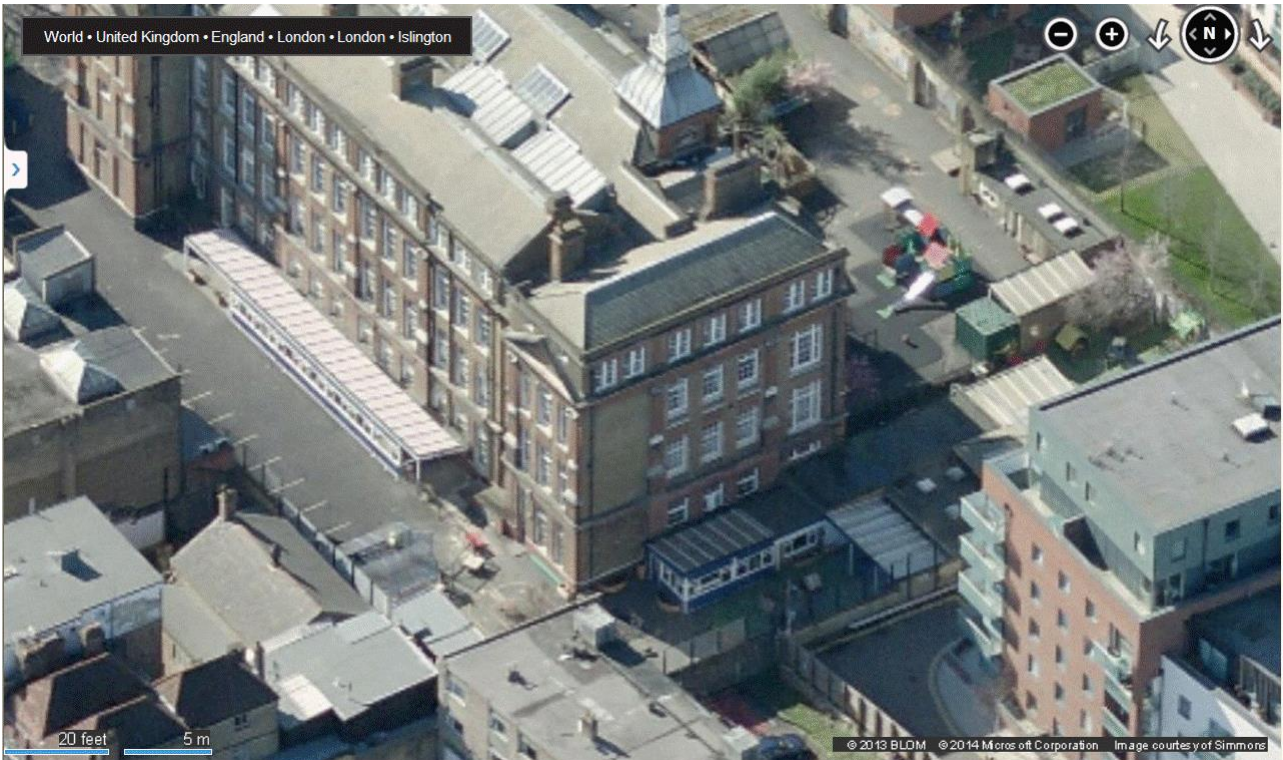


Image 1: The school and site, north east elevation



Image 2: Existing canopy

4.0 SUMMARY

- 4.1 Planning permission and Listed Building Consent are sought for the removal of the existing open canopy and enclosed space to the rear of the school playground adjacent to the existing nursery, and its replacement with a single storey building to provide a dedicated Two Year Old Facility.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The principal of the land use is acceptable since there is no overall loss of external playspace and there is a clear need for the Two-Year-Old Facility.
- 4.4 The new structure will not harm the appearance, character and setting of the Grade II Montem Primary School.
- 4.5 The new structure will not materially affect the amenity of adjacent residents.
- 4.6 It is therefore recommended that planning permission and listed building consent be granted subject to conditions.

5.0 SITE AND SURROUNDING

- 5.1 Montem School is a 1890s Victorian Board School of four storeys and of characteristic design, including distinctive red brick detailing and large areas of glazing. It is a Grade II listed building although not within a conservation area. The site is within an Archaeological Priority Area.
- 5.2 The school covers most of its own site, with play areas to the south and west of the main building. Access is from the main entrance on Hornsey Road. There is currently substantial car parking provision along the perimeter of the playground area. The existing enclosed space to the rear is presently used as nursery play area.
- 5.3 The surrounding area is in mixed use and following recent developments of the Hornsey Road Baths, and land to the rear on Heather Close, there is a substantial increase in the scale of building and residential population.

6.0 PROPOSAL (in Detail)

- 6.1 The removal of the existing single storey canopy and associated surfaces to the rear of the playground and for the construction of a single storey extension to provide a dedicated Two-Year-Old facility for pre nursery infants, with an approximate intake of 12 children, together with three/four carers. The floor area would be replacing a canopy of 16sqm, together with the removal of a planter and climbing frame within the existing play ground area, in total covering 80sqm.

7.0 RELEVANT HISTORY:

Planning applications

- 7.1 P111285/P111288 Refurbishment works; internal alterations and widening of a door opening. Approved 10/01/2012.
- 7.2 P112228/P112229 Installation of 3x AC Units and a new galvanised access ladder at roof level; Installation of replacement external lighting and flood lighting; including internal alterations. Approved 09/11/2012.
- 7.3 There are a large number of other older minor applications in regard to improvements to the school dating back to the 1980s. These include various internal alterations including installation of a lift and the creation of a third floor mezzanine level.

Pre-Application advice

- 7.4 A site visit was held on the 12th March 2014 with the applicant, agent and the Design and Conservation Officer. The advice was that the proposal was acceptable in principle subject to considerations of the play area to be lost and how this would be recovered elsewhere on site, and secondly, consideration of the importance of the listed building and how to preserve the special asset.

Enforcement

- 7.5 None

8.0 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 149 adjoining and nearby properties at Tiltman Place, Heather Close, Hornsey Road and Seven Sisters Road on 2nd May 2014. A site notice and press advert were displayed on 8th May 2014. The public consultation of the application therefore expired on 29th May 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision. One residential block was omitted from the first round of consultation and following consultation on the 11th June, the consultation period will expire on the 3rd July.
- 8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

External Consultees

- 8.3 **English Heritage (Greater London Archaeology Advisory Service):** No objections.

- 8.4 **Metropolitan Police (Crime Prevention):** No comments apart from a recommendation that the proposed sky lights and bi-fold doors are to the physical security standard of Secured by Design.
- 8.5 **London and Middlesex Archaeological Society:** Felt there could be a better design solution.
- 8.6 **Sport England:** No objections.

Internal Consultees

- 8.7 **Access Officer:** No objection to the proposal.
- 8.8 **Policy Officer:** Discusses the principal of loss of playground space but also the provision of additional space for pre-nursery
- 8.9 **Design and Conservation Officer:** No objection subject to conditions.

9.0 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, 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, Finsbury Local Plan 2013 and Site Allocations 2013:

Islington Local Plan
Grade II Listed Building
Archaeological Priority Area APA4
(Tollington Settlement)

London Plan
Mayors Protected Vista (Alexandra
Palace to St Paul's Cathedral)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

The main issues arising from this proposal relate to:

- Land Use and Need
- Design, Conservation and Heritage Considerations
- Neighbouring amenity
- Accessibility.
- Landscaping

Land-use and Need

- 10.1 Montem School is a two form entry primary school, with 14 classes of 30 children in addition to 52 full time places in the Nursery Class for 3-5 year olds. This school currently has a pupil capacity for 472 pupils.
- 10.2 On 1 September 2013, education became a statutory entitlement for around 130,000 two-year olds in England (some 20% of two year olds), with local authorities having a duty to secure provision. From 2014, this will extend to 40%. The programme will improve life chances for some of the most vulnerable children and allow parents to return to or extend their work or training.
- 10.3 In Islington, 781 children were eligible under September 2013 criteria, rising to 1117 in September 2014. There are currently 550 places available in Islington, rising to about 700 by September 2014. This sets the background for the application.
- 10.4 London Plan policy 3.19 states that “Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted.” Further guidance is set out in the National Planning Policy Framework (NPPF), which states that: “open space, sports and recreational buildings and land, including playing fields, should not be built on unless,
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 10.5 Policy DM6.3 of the Development Management policies seeks to protect existing play space across the borough by resisting their loss unless a replacement play space of equivalent size and functionality is provided to meet the needs of the local population. The current space designated for the two-year old facility is partially a hard surface area fronting a single storey office and covered with an open canopy, and partially an area occupied by a climbing frame. The area is currently used by

the nursery. The proposed extension would be built on an area equivalent to 80sqm. To balance this and to ensure no overall loss of playspace within the precinct of Montem School, 81sqm of existing car park and path area will be converted to playground space. This is secured by condition 4, as recommended.

- 10.6 The provision of the new facility can be classified as the provision of new social infrastructure. Development Management Policy DM4.12 therefore applies. The policy has particular relevance in regard to inclusive access, avoiding adverse impact on the amenity of surrounding uses, and seeking to ensure the safety and amenity of children. These matters are covered below under Accessibility and Neighbouring Amenity.
- 10.7 The London Plan supports new and expanded education facilities. Policy 3.18 states “Development proposals which enhance education and skills provision will be supported including new build, expansion of existing facilities or change of use to educational purposes. Those which address the current projected shortage of primary schools places will be particularly supported”. There is therefore in principle support for additional education facilities for primary schools.
- 10.8 The intake is expected to be around twelve children with three to four carers. Given that the children are very small, it is important that they have their own dedicated space close to the nursery area, but separated from it.

Design, Conservation and Heritage Considerations (including Archaeology)

- 10.9 The building is a former Board School, dating from 1897 and was designed by T.J.Bailey for the London School Board. The principal front elevation is to the north and ranges between 4 and 7 storeys. It broadly follows an H-shaped plan and is built of yellow stock brick with a wealth of red brick dressing. The building is Grade II listed.
- 10.10 There is no objection to the demolition of the existing canopy structure at the rear of the site.
- 10.11 The proposed extension has been designed to reflect the materials and detailing of the main school. Its scale and siting would not harm the special interest of the principal school building and whilst there would be a minor cumulative impact in terms of development within the playground this is outweighed significantly by the public benefits created by the classroom for pre-nursery infants for some of the more disadvantaged families in the area.
- 10.12 The proposed extension is located at the eastern end of the site, not visible from the public realm, and attached to an existing modern extension adjacent to an original toilet block. The proposed extension is not considered to detract from the character, appearance or setting of the listed building and is not considered to harm this heritage asset.
- 10.13 The proposed change of the existing car park area to playground, to replace that area lost as part of the extension, is not considered to have a harmful impact on the character, appearance or setting of the listed building and as such is not considered to cause any harm to the heritage asset.

- 10.14 The site is within an Archaeological Priority Area (Tollington Settlement APA4) and that a Desk Based Analysis would be required to assess the potential archaeological impacts and proposed mitigation measures. LAMAS made no comment on archaeological issues and English Heritage (GLAAS) have no objections.
- 10.15 The proposal is therefore considered to be in accordance with policies DM2.1 and DM2.3 of the Development Management Policies, and policy CS9 of the Core Strategy 2011.

Accessibility

- 10.16 The proposal has been reviewed by the Inclusive Design Officer and it is recognised that the proposal is relatively straightforward. The approach and all thresholds are level or flush. The WCs are infant-sized and designed for potty trained toddlers. Most children will probably arrive by buggy and an adjacent and existing large buggy/bicycle store can provide for them. There is no individual entrance to the facility from the street, but there is a dedicated route.

Landscaping and Trees

- 10.16 There are no trees that would be affected by the development. A small planter bed in front of the existing climbing frame would be removed. It is recommended that a landscape condition is attached to the decision which would seek to ensure that here is no overall loss of planted area.

Neighbouring Amenity

- 10.17 The Council seeks to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, sense of enclosure or noise. The proposed structure will be single storey and will be set behind and below a retained boundary school wall. Consequently there will be no material impact on the amenity of the adjacent residents, in particular the closest block at 7 Tiltman Place. The proposal is therefore considered not to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Development Management Policies.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the land use is acceptable since there is no overall loss of external playspace and there is a clear need for the Two-Year-Old Facility.
- 11.2 The new structure will not harm the appearance, character and setting of the Grade II listed Montem Primary School.

- 11.3 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission ref P2014/1591/FUL be subject to conditions:

List of Conditions:

1	Commencement
	<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	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan, K13148/01 RevD, K13148/02, Photographs x 4, Design and Access Statement (REAM Partnership February 2014).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Flat Roof Not Used As Amenity Space (Compliance)
	<p>CONDITION: The flat roof area of the new nursery shown on plan no. K13148/01D hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
4	Playspace Provision
	<p>CONDITION: The relocated children's playspace area shall be provided/installed prior to the first occupation of the Two-Year-Old Facility and shall be maintained as such thereafter.</p> <p>REASON: To secure the appropriate provision of children's playspace.</p>
5	Landscaping
	<p>Replacement landscaping is to be planted within twelve months of the removal of the existing planter bed. The position, size and species of the replacement planting are to be agreed in writing by the local planning authority prior to planting taking place.</p> <p>REASON: To ensure the continued amenity and environmental benefits provided by the planting of an appropriate species.</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</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>
2	Relocated bike / buggy store
	<p>Please be advised that the relocated bike and buggy store are located within the grounds of the listed building and as such separate consent is required. Please liaise with the Council's Design and Conservation Team with regards to applying for this consent.</p>
3	Play Equipment
	<p>Please be advised that any play equipment over 4m in height will require separate consent.</p>
4	Inclusive Design
	<p>Please be advised that the general needs WCs provided must incorporate a 450mm diameter activity zone, clear of any swing door.</p>

That the grant of listed building consent ref P2014/1680/LBC be subject to conditions:

List of Conditions:

1	Commencement
	<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	All External and Internal Works to Match (Compliance)
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of</p>

	the heritage asset.
3	Brickwork
	<p>CONDITION: Notwithstanding the plans hereby approved, all new facing brickwork shall match the original brickwork in respect of colour, texture, face bond and original pointing. The bricks shall be second-hand Imperial yellow stock bricks. No permission is granted for the use of brick slips. The pointing shall be carried out using a lime mortar with a ratio of 1:3 (lime:sand) and shall be flush/slightly recessed.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>

List of Informatives:

1	Relocated bike / buggy store
	Please be advised that the relocated bike and buggy store are located within the grounds of the listed building and as such separate consent is required. Please liaise with the Council's Design and Conservation Team with regards to applying for this consent.
2	Play Equipment
	Please be advised that any play equipment over 4m in height will require separate consent.

APPENDIX 2: RELEVANT POLICIES

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

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

3 London's people Policy 3.1 Ensuring equal life chances for all Policy 3.18 Education facilities	7 London's living places and spaces Policy 7.1 Building London's neighbourhoods and communities Policy 7.2 An inclusive environment Policy 7.3 Designing out crime Policy 7.4 Local character Policy 7.8 Heritage assets and archaeology Policy 7.18 Protecting local open space and addressing local deficiency
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B) Islington Core Strategy 2011

Spatial Strategy Policy CS8 (Enhancing Islington's Character)	Policy CS15 (Open Space and Green Infrastructure) Policy CS16 (Play Space) Policy CS17 (Sports and Recreation Provision)
Strategic Policies Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)	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	Energy and Environmental Standards DM7.4 Sustainable design standards
Health and open space	Infrastructure DM9.1 Infrastructure DM9.3 Implementation

DM6.3 Protecting open space
DM6.4 Sport and recreation

Designations

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

Islington Local Plan

Grade II Listed
APA4 Archaeological Priority Area
(Tollington Settlement)

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design
Conservation Area Design Guidelines
Urban Design Guide

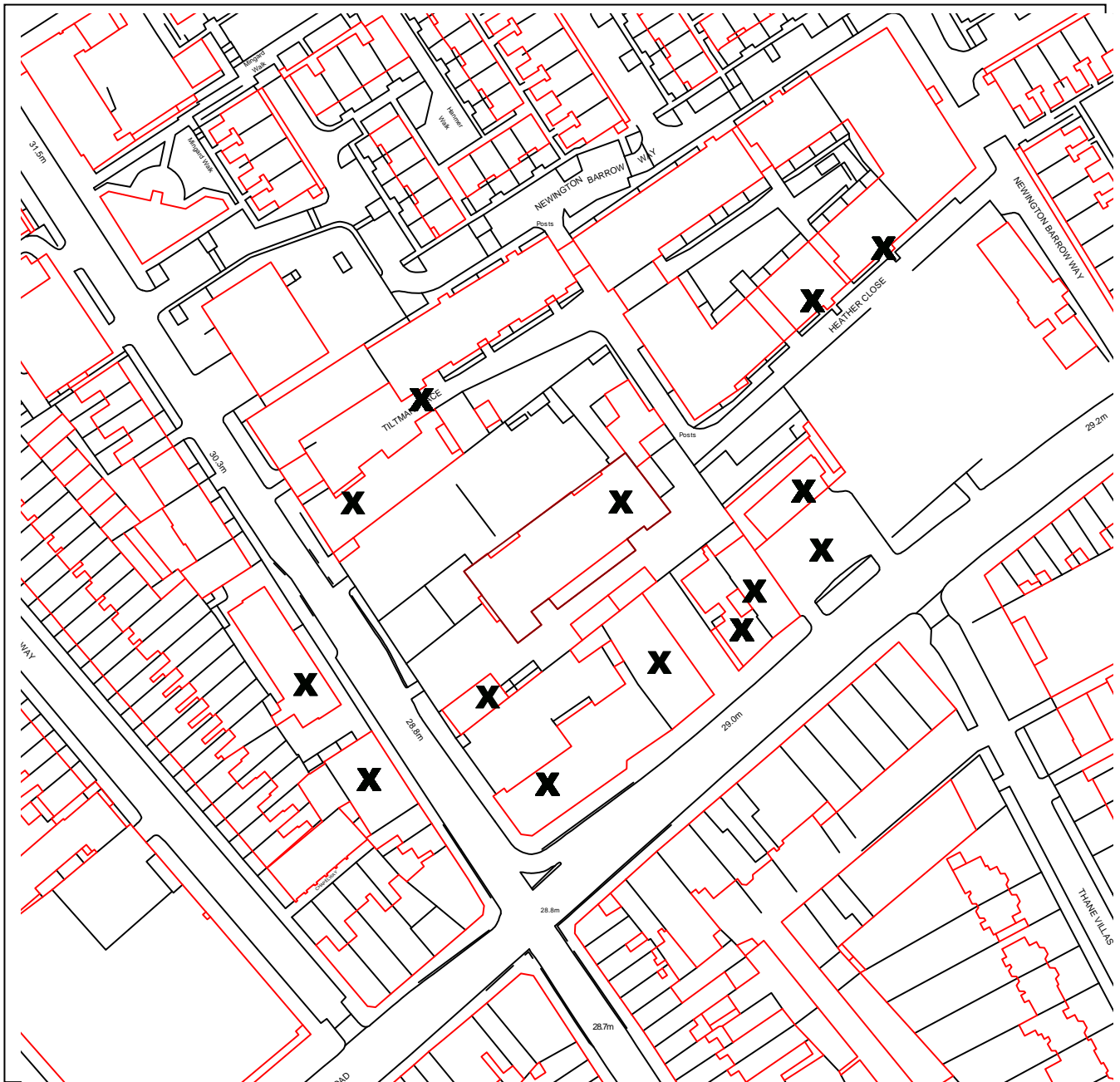
London Plan

Accessible London: Achieving and
Inclusive Environment
Providing for Children and Young
Peoples Play and Informal Recreation
Planning for Equality and Diversity in
London

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1591/FUL

LOCATION: MONTEM PRIMARY SCHOOL, HORNSEY ROAD,
LONDON N7

SCALE: 1:1600

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

PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:
Date:	15 th July 2014	NON-EXEMPT

Application number	P2014/1863/FUL
Application type	Full Planning Application
Ward	Finsbury Park
Listed building	N/A
Conservation area	N/A
Development Plan Context	Core Strategy Key Area; Nags Head and Upper Holloway Road
Licensing Implications	None
Site Address	Pakeman Primary School, Hornsey Road, London N7 6QN
Proposal	The removal of the existing single storey canopy, adjacent to the Hornsey Road frontage, and the construction of a single storey extension with roof lights to provide a dedicated Two-Year-Old Facility for pre nursery infants.

Case Officer	Ashley Niman
Applicant	Sachin Desai, LB Islington
Agent	Charles Barclay Architects

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: The school and site, north east elevation fronting Hornsey Road.

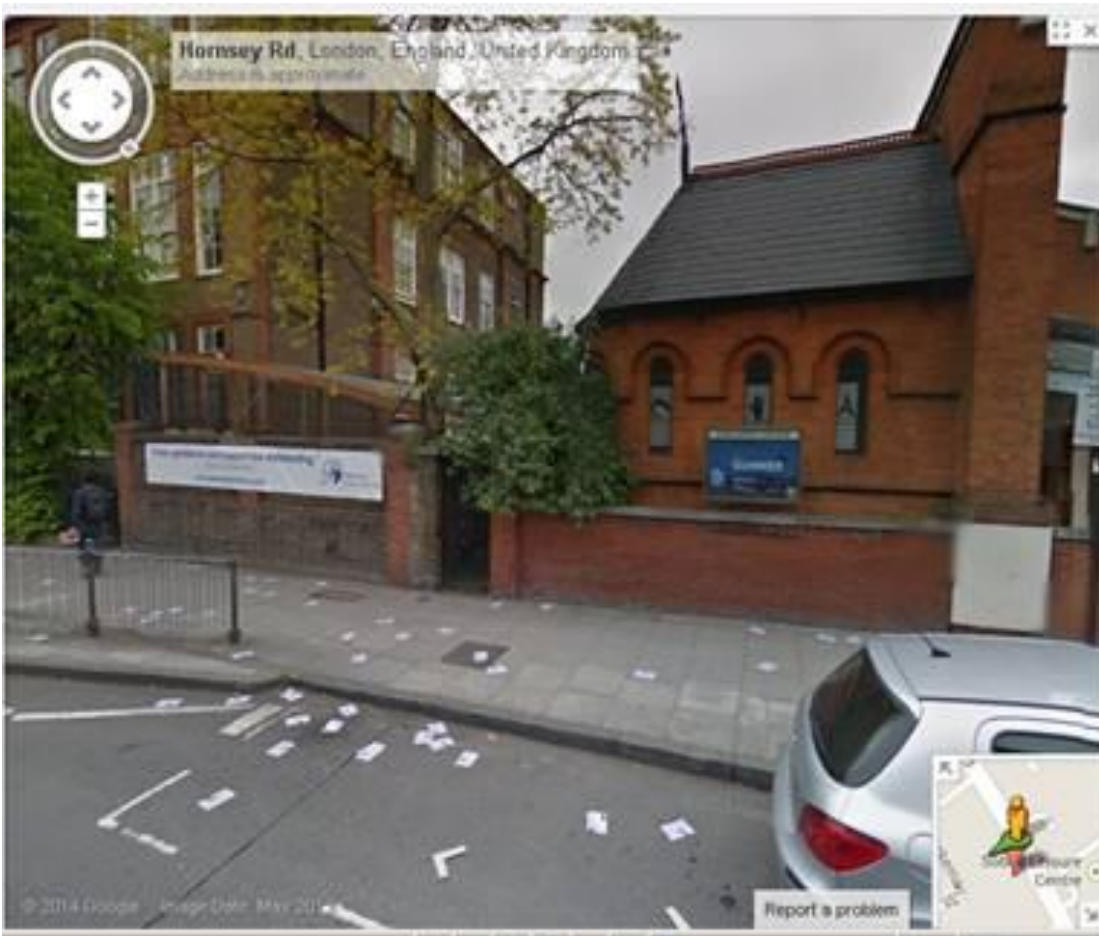


Image 2: The existing canopy (left) and the church (right), with the acacia at centre.

4.0 SUMMARY

- 4.1 Planning permission is sought for the removal of the existing open canopy, its replacement with a single storey mono-pitched structure and the relocation of the open canopy to its rear, to provide a dedicated Two Year Old Facility.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The principal of the land use is acceptable. Although there is a loss of external playspace of 52m², this is balanced against the clear need to provide for the Two-Year-Old Facility.
- 4.3 The new structure would sit well within the streetscene, being relatively modest. However, the Design & Conservation Officer has required a better quality roof material in order to relate satisfactorily to the neighbouring chapel.
- 4.4 The new structure will not materially affect the amenity of adjacent residents.
- 4.5 The Tree Officer objects to the loss of the acacia tree but if it is removed, a minimum of three trees would be required to replace it and this has been agreed.
- 4.6 It is therefore recommended that planning permission be granted subject to conditions.

5.0 SITE AND SURROUNDING

- 5.1 Pakeman School is a 1890s Victorian Board School of three storeys and of characteristic design, including large areas of glazing and a prominent roof form. The building is not listed nor in a conservation area.
- 5.2 The school buildings occupy about half of its own site, with play areas to the north, south and west of the main building. Access is from the main entrance on Hornsey Road, and there is another access to Pakeman Street.
- 5.3 The surrounding area is in mixed use, with residential use being the primary land use, some retail use to ground floor along Hornsey Road, and the Sobell Centre facing the site to the south east.

6.0 PROPOSAL (in Detail)

- 6.1 The removal of the existing open canopy, its replacement with a single storey mono-pitched structure and the relocation of the open canopy to its rear, to provide a dedicated Two Year Old Facility.

7.0 RELEVANT HISTORY:

Planning Applications:

- 7.1 P120236 Erection of a single storey building in playground next to 141 Hornsey Road and 65 Arthur Road. Approved 21/03/2012.
- 7.2 P080073 Erection of a bicycle shelter. Approved 08/04/2008
- 7.3 P060854 Adaptation of ground floor forming new structural opening. Relocation of toilet and main entrance. Approved 05/07/2006.
- 7.4 P042531 Addition of a first floor mansard roof extension to existing single storey play centre annexe. Refused 23/12/2004.
- 7.5 **Pre-application Advice:** A site visit was held on the 11th March 2014 with the applicant, agent and the Planning Officer and Conservation Officer and the Tree Officer. The advice was that the proposal was acceptable in principle subject to considerations of the play area to be lost and how this would be recovered elsewhere on site, and secondly, consideration of the materials of the new roof. The Tree Office objected to the loss of the acacia tree but if it was removed, at least three trees should be planted as replacements on the school site.

Enforcement:

- 7.6 None

8.0 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 116 adjoining and nearby properties at Pakeman Street, Hornsey Road, Arthur Road and Kinloch Street on 27th May 2014. A site notice was displayed on 5th June 2014. The public consultation of the application therefore expired on 26th June 2014; however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

External Consultees

- 8.3 None

Internal Consultees

- 8.4 **Access Officer:** No objection to the proposal subject to detail.
- 8.5 **Policy Officer:** Discusses the principal of loss of playground space but also the provision of additional space for pre-nursery.
- 8.6 **Conservation and Design Officer:** No objection subject to conditions.

- 8.7 **Tree Officer:** objects to loss of the acacia tree, and any potential root damage to the adjacent lime.
- 8.8 **Designing out Crime Office:** No comments regarding the design. Recommends Secured by Design standard
- 8.9 **Sport England.** Response received advising no objections or comments.

9.0 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, 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.
- 9.3

Designations

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

Islington Local Plan

Core Strategy Key Area; Nags Head and Upper Holloway Road

London Plan

Mayors Protected Vista (Alexandra Palace to St Paul's Cathedral)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

The main issues arising from this proposal relate to:

- Land Use and Need
- Design Considerations
- Neighbouring amenity
- Accessibility.

- Trees and Landscaping

Land-use and Need

- 10.1 Pakeman Primary School is a former Victorian Board School, now a primary school.
- 10.2 On 1 September 2013, education became a statutory entitlement for around 130,000 two-year olds in England (some 20% of two year olds), with local authorities having a duty to secure provision. From 2014, this will extend to 40%. The programme will improve life chances for some of the most vulnerable children and allow parents to parent to return to or extend their work or training.
- 10.3 In Islington, 781 children were eligible under September 2013 criteria, rising to 1117 in September 2014. There are currently 550 places available in Islington, rising to about 700 by September 2014. This sets the background for the application.
- 10.4 The loss of the playground space will require a balanced judgement against the need for greater educational provision and the levels of playground space and quality of provision that will continue to be provided. There is separate guidance issued by DoE about the loss of playing fields, with a loss requiring a separate Section 77 application. This has been applied for. Section 77 consent is considered outside the planning application process, however it is important as it will consider if the loss can be justified based on the submission of evidence.
- 10.5 London Plan policy 3.19 states that “Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted.” Further guidance is set out in the National Planning Policy Framework (NPPF), which states that: “open space, sports and recreational buildings and land, including playing fields, should not be built on unless,
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 10.6 Policy DM6.3 of the Development Management policies seeks to protect existing play space across the borough by resisting their loss unless a replacement play space of equivalent size and functionality is proved to meet the needs of the local population. The new extension to provide for 2 year olds will reduce the nursery playground from 274sqm to 199sqm. The part of the nursery playground that would be built over is in the north east corner and is in shadow at most times of day and is currently under used by the children. It is also a priority to keep the very young children in the Two Year Old Facility and the children in the Nursery grouped together in the north east corner of the school. This approach is less costly than a wholesale reorganisation of the main school layout. Furthermore, the existing play equipment in the Nursery playground will be rearranged and updated to make more efficient use of the space. Whilst there is a net loss of playground, this is balanced against the need to provide space for two year olds and assists the Council in

delivering an enhanced educational provision for residents in the Borough. The benefits to educational provision are offset against the loss of playground space and the improved facility albeit reduced playground area. In these circumstances, it is not considered that planning permission should be withheld. This is considered to comply with the provisions of the NPPF and the Council's policies in this regard.

- 10.7 Should the reduced Nursery play area prove problematic, the school has the option of moving the sports pitch from its current location to elsewhere in the main playground and enlarging the western part of the Nursery playground by moving the dividing fence towards the south.
- 10.8 The provision of the new facility can be classified as the provision of new social infrastructure. Development Management Policy DM4.12 therefore applies. The policy has particular relevance in regard to inclusive access, avoiding adverse impact on the amenity of surrounding uses, and seeking to ensure the safety and amenity of children. These matters are covered below under Access and Amenity.
- 10.9 The London Plan supports new and expanded education facilities. Policy 3.18 states "Development proposals which enhance education and skills provision will be supported including new build, expansion of existing facilities or change of use to educational purposes. Those which address the current projected shortage of primary schools places will be particularly supported". There is therefore in principle support for additional education facilities for primary schools.
- 10.10 The intake is expected to be around twelve children with three to four carers. Given that the children are very small, it is important that they have their own dedicated space close to the nursery area. It is also important for these infants and their parents to have their own entrance door from the street to avoid jostling from bigger children.

Design and Heritage Considerations

- 10.11 The building is a former Board School, dating from the late 1880s and was designed for the London School Board. The principal elevation is to the south east fronting Hornsey Road.
- 10.12 There is no objection to the removal of the existing canopy. Although it is a lightweight structure it protrudes considerably above the boundary wall and detracts from the appearance of both the school and the adjacent listed part of the church. The removal of chicken wire fencing on top of the canopy will be a further visual benefit.
- 10.13 The new single storey structure will rise as a monopitch extending rearwards to adjoin the re-sited existing canopy. From a streetscape point of view, this structure will be less dominant and provide a better setting for the school and the church. Internally, it will provide a lofty space and the various rooflights will ensure a well lit interior. The material for the roof will be conditioned but the colour will closely reflect the slate roof of the church. The visible vertical side panel to the roof will be constructed of timber, and again considered sympathetic to the setting of the church.

10.14 The proposal is therefore considered to be in accordance with policy DM2.1 of the Development Management Policies 2013, and policy CS9 of the Core Strategy 2011.

Accessibility

10.15 The proposal has been reviewed by the Inclusive Design Officer. The functioning of the space has been improved to ensure the ramps are useable and comply with Building Regulations, including gradient levels. The WC within the Two Year Old Facility is designed to accessible standard. The width of the general access door to the front is 1060mm clear. A historic gateway in the brick playground wall as the entrance to the new Two Year Old space will be opened up; this is a conscious design and conservation decision that has already been agreed with planning officers. The new door inside the opening in the brickwork will be detailed so that the 1060mm clear opening is maintained through the actual doorway, and so that the door can be opened well beyond 90 degrees. This should be sufficient for wheelchair access to the new space. The proposal is therefore considered to be in accordance with policy DM2.2 of the Development Management Policies 2013.

Landscaping and Trees

10.16 The treescape of the site is defined by three mature pollarded lime trees and one False Acacia. The acacia lies directly on the site proposed to be constructed on. It is of apparent good health, form and vitality and has no irredeemable defects. The trees are not currently protected by a tree protection order nor are they within a conservation area but are considered to have merit.

10.17 Policy DM6.5 seeks to ensure development has minimum impact on tree, shrubs and other significant vegetation. Any loss or damage, or adverse effect on their growing conditions, will only be permitted where there are over-riding planning benefits, and must be agreed with the Council and suitably provided elsewhere.

10.18 The proposal will lead to the loss of the acacia and potential damage to the root system of the one adjacent lime tree. The Tree Officer objects to the loss of the acacia and is concerned about the potential damage to the roots of the closest lime tree.

10.19 However, if the acacia is agreed to be removed, the Council would wish to see a minimum of three trees to be planted to replace the environmental and amenity loss. The location and species of tree would be agreed in consultation with the Tree Officer. The loss of the trees has to be balanced against the enhanced and improved education provision on the site. Whilst the losses are unfortunate, suitable replacement planting will help to ameliorate the loss of trees on this site. It is considered the scheme would accord with [policies](#): CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the Development Management [policies](#) 2013.

Neighbouring Amenity

10.20 The Council seeks to ensure that new development does not harm the amenity of adjacent residents or other occupiers, either from loss of daylight, sunlight, privacy

and overlooking, sense of enclosure or noise. The proposed structure will be single storey and will be set behind a retained boundary school wall to the Hornsey Road frontage. The only immediately adjacent property is the side (long elevation) of the Emanuel Church. There will be no material amenity impact to the church. The proposal is therefore considered not to prejudice the amenity of neighbouring properties in line with policy DM2.1 of the Development Management Policies.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the land use is acceptable. There is an overall loss of external playspace of 52m² but the report has given consideration to the particular character of the area of playspace affected the upgrading of playspace elsewhere and the balancing of this loss against the clear need for the Two-Year-Old Facility as an enhanced educational facility.
- 11.2 The new design would provide an improved setting for the adjacent listed church and the school by providing a more distinct gap between the properties.
- 11.3 It is accepted that the proposal would involve the loss of the acacia tree but this would be mitigated by the planting of three new trees within the school site.
- 11.3.1 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions.

Conclusion

It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to conditions:

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
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>(P)01 X, (P)02 X, (P)03 A, (P)04 X, (P)05 X, (P)06 X, (P)07 X, (P)08 X, (P)09 X, (P)10 X, (E)00 X, (E)01 X, (E)02 X, (E)03 X, (E)04 X, (E)05 X, (E)06 X, (E)07 X, (E)08 X, (E)09 X, Design and Access Statement (Charles Barclay Architects 12 May 2014), Arboricultural and Planning Integration Report (GHA Trees, 17 March 2014, Ref GHA/DS/1960:14).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and samples (details)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <p>a) Timber side elevation treatment;</p> <p>b) roofing material.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard..</p>
4	Trees (root protection)
	<p>CONDITION: An Arboricultural Method statement (AMS) shall be submitted prior to the commencement of work on site to determine the impact of the excavation and the methods proposed to minimise damage to the adjacent lime tree, and the works shall be carried out in accordance with the agreed methodology.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
5	Trees (replacement trees)
	<p>CONDITION: Three replacement trees are to be planted within the first planting season of removal of the existing tree (November to March).</p> <p>The position, size, species, soil preparation, tree pit detail (to include a minimum of one metre cubed rooting area per tree), staking and a three year scheme of maintenance/watering provision for the trees are to be agreed in writing by the local planning authority prior to planting taking place.</p> <p>In the event of the tree dying within 5 calendar years form the completion of works a tree of the same species and size or an</p>

	<p>approved alternative shall be planted to the satisfaction of the Local Planning Authority.</p> <p>REASON: To ensure the continued amenity and environmental benefits provided by the trees and the planting of appropriate species. In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
6	Playspace Provision
	<p>CONDITION: The relocated children’s playspace area shall be provided/installed prior to the first occupation of the Two-Year-Old Facility and shall be maintained as such thereafter.</p> <p>REASON: To secure the appropriate provision of children’s playspace.</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</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

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

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.

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 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

3 London's people Policy 3.1 Ensuring equal life chances for all Policy 3.18 Education facilities	7 London's living places and spaces Policy 7.1 Building London's neighbourhoods and communities Policy 7.2 An inclusive environment Policy 7.3 Designing out crime Policy 7.4 Local character Policy 7.8 Heritage assets and archaeology Policy 7.18 Protecting local open space and addressing local deficiency
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B) Islington Core Strategy 2011

Spatial Strategy Policy CS8 (Enhancing Islington's Character)	Policy CS15 (Open Space and Green Infrastructure) Policy CS16 (Play Space) Policy CS17 (Sports and Recreation Provision)
Strategic Policies Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)	Infrastructure and Implementation Policy CS18 (Delivery and Infrastructure) Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design DM2.1 Design DM2.2 Inclusive Design	Energy and Environmental Standards DM7.4 Sustainable design standards
Health and open space DM6.3 Protecting open space	Infrastructure DM9.1 Infrastructure DM9.3 Implementation

DM6.4 Sport and recreation
DM 6.5 Landscaping, trees and
biodiversity

DM 4.12 Social & strategic infrastructure
& cultural facilities.

Designations

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

Islington Local Plan

Core Strategy Key Area; Nags Head and
Upper Holloway Road

London Plan

Mayors Protected Vista (Alexandra
Palace to St Paul's Cathedral)

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Urban Design Guide
Accessibility SPD

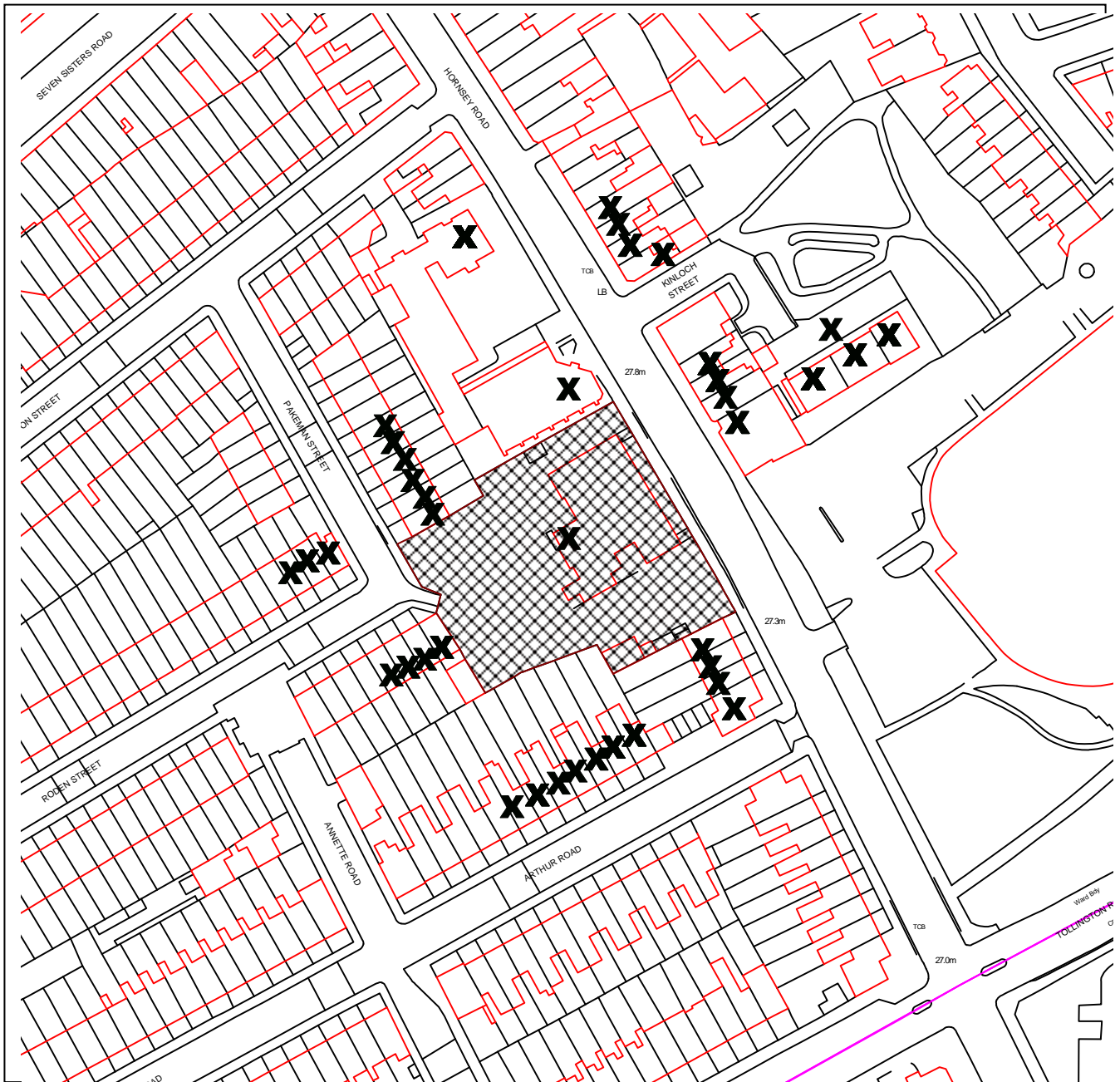
London Plan

Accessible London: Achieving and
Inclusive Environment
Providing for Children and Young
Peoples Play and Informal Recreation
Planning for Equality and Diversity in
London

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1863/FUL

LOCATION: PAKEMAN PRIMARY SCHOOL, HORNSEY ROAD,
LONDON N7 6QN

SCALE: 1:1500

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