



AGENDA FOR THE PLANNING SUB COMMITTEE A

Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on **18 July 2016 at 7.30 pm.**

John Lynch
Head of Democratic Services

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Despatched : 7 July 2016

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.**

Committee Membership


Councillor Klute (Chair)	- St Peter's;
Councillor Nicholls (Vice-Chair)	- Junction;
Councillor Convery	- Caledonian;
Councillor O'Halloran	- Caledonian;
Councillor Poyser	- Hillrise;

Wards

Substitute Members

Councillor Caluori	- Mildmay;
Councillor Chowdhury	- Barnsbury;
Councillor Donovan	- Clerkenwell;
Councillor Gantly	- Highbury East;
Councillor Fletcher	- St George's;
Councillor Khan	- Bunhill;
Councillor A Perry	- St Peter's;
Councillor Picknell	- St Mary's;
Councillor Ward	- St George's;
Councillor Wayne	- Canonbury;
Councillor Webbe	- Bunhill;

Quorum: 3 councillors



A. Formal Matters	Page
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	
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B. Consideration of Planning Applications	Page
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2.	(Land on West Side outside Finsbury Library) St John Street, London, EC1V 4NB	23 - 34
3.	45 Arlington Square, London, N1 7DT	35 - 52
4.	Barnard Park, Copenhagen Street, Islington, London, N1 0NL	53 - 80
5.	Clarendon Buildings, 25-27 Horsell Road and 11 Ronalds Road, London, N5 1XL	81 - 108
6.	Garages - Quemerford Road, London, N7 9SG	109 - 132
7.	Pavement on the east side of Essex Road (close to junction with New North Road), Essex Road, London, N1 3AP	133 - 144
8.	Railway Bridge East of 233 Seven Sisters Road, London, N4 2HY	145 - 160

C. Consideration of other planning matters

D. Urgent non-exempt items (if any)

Any non-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.

E. Exclusion of press and public

To consider whether, in view of the nature of the remaining item 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.

Date of Next Meeting: Planning Sub Committee A, 8 September 2016

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 Lewis/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.

London Borough of Islington

Planning Sub Committee A - 7 June 2016

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 7 June 2016 at 7.30 pm.

Present: **Councillors:** Tim Nicholls (Vice-Chair, in the Chair), Paul Convery,
Una O'Halloran, David Poyser and Kat Fletcher
(Substitute) (In place of Martin Klute)

Councillor Tim Nicholls in the Chair

178 **INTRODUCTIONS (Item A1)**

Councillor Nicholls welcomed everyone to the meeting. Member of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

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

Apologies were received from Councillor Klute.

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

Councillor Fletcher substituted for Councillor Klute.

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

There were no declarations of interest.

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

The order of business would be B3, B2, B4 and B1.

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

RESOLVED:

That the minutes of the meeting held on 12 April 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

184 **15 BLYTHWOOD ROAD, LONDON, N4 4EU (Item B1)**

Demolition of the existing building and erection of a building containing 9 apartments with associated access, refuse and cycle storage.

(Planning application number: P2015/2584/FUL)

In the discussion the following points were made:

- Concern was raised about the three different viability assessments. The planning officer advised that the applicant's initial assessment was incorrect so the council had undertaken a further assessment. Over a period of 3-4 months, more data had been inputted into the assessment and the third more accurate assessment was produced.
- The applicant had signed the statutory declaration.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer's report and subject to the completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer's report.

185 **4, UNION WHARF, ARLINGTON AVENUE, LONDON, N1 7BL (Item B2)**

Erection of roof level extension to replace existing roof level conservatory.

(Planning application number: P2016/0765/FUL)

In the discussion the following point was made:

- The proposal was policy compliant.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer's report.

186 **FORMER PUBLIC CONVENIENCE, CLERKENWELL GREEN, LONDON, EC1 (Item B3)**

Proposed change of use of former public toilets to an A3/D1 space (sui generis), plus external alterations to surface including structural glazing, new surfacing, new ventilation housing, removal of asphalt to steps, new entrance door.

(Planning application number: P2015/4907/FUL)

In the discussion the following points were made:

- Accessibility was discussed.
- The planning officer confirmed that the site was between two Employment Priority Areas.
- There had been three consultations. In the first consultation there had been a discrepancy with the site plan, in the second there had been an omission and the third met the full statutory obligations.
- In response to a query from a member about whether the council had looked at reopening the toilets, the planning officer advised that the committee had to decide

Planning Sub Committee A - 7 June 2016

on the application before them. However, this would not prevent alternative schemes being submitted.

- The planning officer advised that the land did not constitute open space as it was developed land and was subterranean.
- No concerns had been made by the Design and Conservation Officer.
- There would be limited change at ground level. It was considered that the addition of Luxcrete and new fixtures and fittings would be an enhancement.
- The building was not listed.
- In the proposal, seven of the existing urinals would remain.

RESOLVED:

That planning permission be granted subject to the conditions and informatives in the officer's report.

187 MORELAND STREET AND CENTRAL STREET (NORTH OF MACCLESFIELD ROAD), ADJACENT TO KESTREL HOUSE, ISLINGTON, LONDON, N1 (Item B4)

Stopping Up Order under Section 247 of the Planning Act 1990 to un-adopt part of the existing pavement on Moreland Street and Central Street.

(Planning application number: P2016/1703)

RESOLVED:

That the Stopping Up Order be approved, subject to the applicant first entering into an indemnity agreement to pay all the council's costs in respect of the stopping up.

The meeting ended at 8.35 pm

CHAIR

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COMMITTEE AGENDA

1 (Land located between St John St and Whiskin St) St John Street London EC1

2 (Land on West Side outside Finsbury Library) St John Street London EC1V 4NB

3 45 Arlington Square London N1 7DT

4 Barnard Park
Copenhagen Street
Islington
London
N1 0NL

5 Clarendon Buildings, 25 - 27 Horsell Road and 11 Ronalds Road London N5 1XL

6 Garage Quemerford Road London N7 9SG

7 Pavement on the east side of Essex Road (close to junction with New North Road)
Essex Road
London N1 3AP

8 Railway Bridge East of 233
Seven Sisters Road
London
N4 2HY

1 (Land located between St John St and Whiskin St) St John Street London EC1

Ward: Clerkenwell

Proposed Development: Single panel - 6 Sheet Advertisement Display Freestanding internally Illuminated Panel

Application Number: P2016/0448/ADV

Application Type: Advertisement Consent

Case Officer: Daniel Power

Name of Applicant: J Foster Architects - Mr Jeremy Foster

Recommendation:

2 (Land on West Side outside Finsbury Library) St John Street London EC1V 4NB

Ward: Clerkenwell

Proposed Development: Single panel - 6 Sheet Advertisement Display Freestanding internally Illuminated Panel

Application Number: P2016/0450/ADV

Application Type: Advertisement Consent

Case Officer: Daniel Power

Name of Applicant: J Foster Architects - Mr Jeremy Foster

Recommendation:

3 45 Arlington Square London N1 7DT

Ward: St. Peters

Proposed Development: The construction of a basement underneath the rear garden, together with an additional linking staircase from the lower ground to the new basement level. The conversion of existing vaults into a utility room and wc.Full application reference number P2015/3235/FUL also submitted.

Application Number: P2015/3383/LBC

Application Type: Listed Building

Case Officer: Pedro Rizo

Name of Applicant: Mr Julian Le Beron

Recommendation:

Ward: St. Peters

Proposed Development: The construction of a basement underneath the rear garden AS AMENDED, together with an additional linking staircase from the lower ground to the new basement level. The conversion of existing vaults into a utility room and wc.Listed Building application Reference number P2015/3383/LBC also submitted.

Application Number: P2015/3235/FUL

Application Type: Full Planning (Householder)

Case Officer: Pedro Rizo

Name of Applicant: Mr Julian Le Beron

Recommendation:

4 Barnard Park Copenhagen Street Islington London N1 0NL

Ward: Barnsbury

Proposed Development: Refurbishment of east side of Barnard Park including improvements to football pitch, planting, turfed areas and re-design and layout of pathways.

Application Number: P2016/1109/FUL

Application Type: Full Planning Application

Case Officer: Pedro Rizo

Name of Applicant: Ms Kate Lynch

Recommendation:

5 Clarendon Buildings, 25 - 27 Horsell Road and 11 Ronalds Road London N5 1XL

Ward: Highbury East

Proposed Development: Internal reconfiguration of the existing floorspace, and construction of rear extension at basement, ground and first floor levels to comprise office (B1 Use Class), conversion of second floor to residential and additional floor of residential within existing roof profile. The building will contain B1 office space at basement, ground and first floor levels, with 7 no. residential units (C3 Use Class) over upper floors. (Amended Plans and documents received dated 25/05/2016 online)

Application Number: P2015/1655/FUL

Application Type: Full Planning Application

Case Officer: Eoin Concannon

Name of Applicant: G&T The Bindery Ltd

Recommendation:

6 Garage Quemerford Road London N7 9SG

Ward: Holloway

Proposed Development: Demolition of three existing garages and excavation works for the construction of a ground floor over basement two-bedroom residential dwelling with green roof.

Application Number: P2016/0840/FUL

Application Type: Full Planning Application

Case Officer: Pedro Rizo

Name of Applicant: Mr John Rabbini

Recommendation:

7 Pavement on the east side of Essex Road (close to junction with New North Road) Essex Road London N1 3AP

Ward: Canonbury

Proposed Development: Installation of Free Standing internally illuminated advertisement display panel (6 sheet) on pavement on the east side of Essex Road close to the junction with New North Road

Application Number: P2015/4873/ADV

Application Type: Advertisement Consent

Case Officer: Daniel Power

Name of Applicant: J Foster Architects

Recommendation:

8 Railway Bridge East of 233 Seven Sisters Road London N4 2HY

Ward: Finsbury Park

Proposed Development: Public art work to the Railway Bridge.

Application Number: P2016/2040/ADV

Application Type: Advertisement Consent

Case Officer: Daniel Power

Name of Applicant: Sheena Etches

Recommendation:

Ward:

Proposed Development: Public art work to the Railway Bridge. Advertisement Consent Application (P2016/2040)

Application Number: P2016/2039/FUL

Application Type: Full Planning Application

Case Officer: Daniel Power

Name of Applicant: Sheena Etches

Recommendation:

PLANNING COMMITTEE REPORT

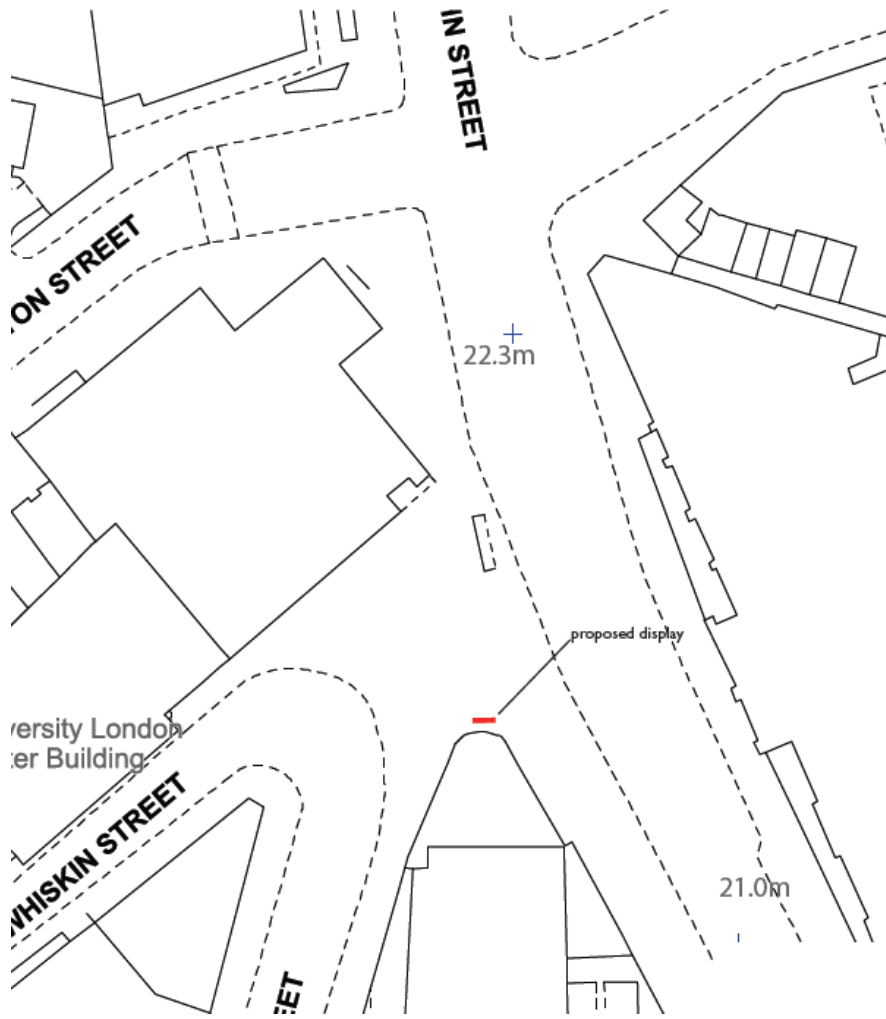
Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 3333
 222 Upper Street
 LONDON N1 1YA

PLANNING SUB-COMMITTEE A		
Date:	18 July 2016	NON-EXEMPT
Application number	P2016/0448/ADV	
Application type	Advertisement Consent	
Ward	Clerkenwell	
Listed building	None	
Conservation area	N/A	
Development Plan Context	<ul style="list-style-type: none"> - Core Strategy Key Areas- Bunhill & Clerkenwell - Central Activities Zone (CAZ) - Major Cycle Route - Finsbury Locla Plan Area- Bunhill & Clerkenwell - Mayors Protected Vistas- Alxenadra Palace viewig terrace to St Pauls Cathedral - Within 50 mertes of Conservation Area- New River - Within 50 metes of Conservation Area- Northampton Square 	
Licensing Implications	None	
Site Address	(Land located between St John St and Whiskin St) St John Street London EC1	
Proposal	Display of single panel - 6 Sheet Advertisement Display Freestanding internally Illuminated Panel	
Case Officer	Daniel Power	
Applicant	Islington Council	
Agent	Jeremy Foster	

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission: subject to the conditions set out in Appendix 1

2. SITE PLAN (SITE OUTLINED IN BLACK)



3. PHOTOS OF SITE/STREET



Image 1: View of proposed site location

4. SUMMARY

- 4.1 Advertisement consent is sought for the installation of a free standing internally-illuminated advertisement display panel (6 sheet) on the pavement located between St John Street and Whiskin Street.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The proposed advertisement display panel will neither harm the character or appearance of the adjacent buildings nor the wider street scene, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.
- 4.4 It is recommended that advertisement consent be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The proposed advert is to be sited on the pavement at the junction between St John Street and Whiskin Street. The immediate area is characterised by a residential tower block to the rear of the site and large office and commercial buildings and opposite the application site.
- 5.2 The building adjacent to the site is not listed however the site is not located in a conservation area, however a Grade II listed building is located opposite and the site is within 50 metres of the Conservation Areas of New River and Northampton Square.

6. PROPOSAL (IN DETAIL)

- 6.1 Advertisement consent is sought for the installation of a freestanding self-illuminated advertisement display panel (6 sheet) on the pavement at the corner of St John Street and Whiskin Street.
- 6.2 The proposed sign will measure a maximum of 2.6 metres in height, 1.3 metres in width and 0.2 metres in depth. The visible area of the digital screen display will measure 1.1 metres in width and 1.7 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 None

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

- 7.3 None

8. CONSULTATION

Public Consultation

8.1 Letters were sent to 19 occupants of adjoining and nearby properties at Meredith Street and St Johns Street on the 10/02/2016. Therefore the public consultation expired on 10/03/2016.

8.2 At the time of the writing of this report one (1) objection 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):

- Lack of prior consultation with the University over a very sensitive location right opposite our building entrance(s) (paragraph 10.10)

- Controls over inappropriate advertising content (paragraph 10.10)

Internal Consultees

8.3 **Design and Conservation Officer:** Objects to the proposal. The proposal is inappropriate, it adds visual clutter and would be rather unfortunate in the public realm and would compromise the quality of the streetscene.

8.5 **Highways:** No comments received

External Consultees

8.5 N/A

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 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

- Core Strategy Key Area- Bunhill & Clerkenwell
- Central Activities Zone (CAZ)
- Major System Route
- Finsbury Local Plan Area- Bunhill & Clerkenwell

- Mayors protected vistas- Alexandra Palace viewng terrace to St Pauls Cathardal
- Within 50 metres of New River Conservation Area
- Within 50 metres of Northampton Square 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. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Amenity
- Highways Safety

Amenity

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building,
- 10.3 The application site is not located in a conservation area, although it is located in close proximity to the New River and Northampton Square Conservation Areas. It is important to ensure that any new signage would not have a detrimental impact on amenity of the surrounding area.
- 10.4 The proposed advertisement sign will be positioned on junction between St John Street and Whiskin Street, close to a small wall between two trees. Whilst the sign will be located on the pavement, it will be seen against the backdrop of a nine storey tower block building to the rear, with a wide pavement.
- 10.5 The proposed sign will measure 2.6 metres in height and 1.3 metres in width and will be set on the existing pavement. It is considered that when viewed against the back drop of the large property to the rear the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. Immediately adjacent to the site is existing street signage. It is therefore considered that the proposal will not result in unnecessary and additional clutter to the detriment of the existing landscape. Furthermore, as the sign is not located immediately adjacent to any neighbouring residential windows, it is not considered that the signs, by reason of their illumination, would have a detrimental impact on residential amenity. Furthermore, given the size and siting of the sign immediately in front of an existing brick wall, it is not considered to have an impact on crime. The proposed sign will be located on an existing hard surfaced area and will therefore not impact on the health of any existing trees.
- 10.6 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

Highways Safety

- 10.8 It should be ensured that all new advertisement signs do not cause a hazard to pedestrians or road users, as a result of their visual dominance and method of illumination, in accordance with policy DM2.6 of the Islington Development Management Policies 2013.
- 10.9 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be set immediately adjacent to the pavement to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. The plans have been reviewed by both the Council's Highways team and Transport for London who, subject to attached conditions, raised no objections to the proposal in terms of its size, siting or method of illumination and did not consider the proposed sign would have a detrimental impact on highways safety. The proposal is therefore not considered to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

Other matters

- 10.10 Objections have been received in relation to the lack of consultation by the applicant with neighbouring university prior to the submission of the application and inappropriate advertising content. These are not material planning consideration, however the details of the proposed advertisement display have not been finalised but only adverts that are in accordance with Council values would be permitted.

11.0 SUMMARY AND CONCLUSION

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 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

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent be subject to conditions to secure the following:

List of Conditions

1	Standard advertisement conditions
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission.</p> <p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</p>
2	Luminance
	<p>CONDITION: The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 300 candelas per square metre during the hours of darkness consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: “The Brightness of Illuminated Advertisements” (PLG05, January 2015).</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
3	Display time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
4	Special effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
5	Display functions
	<p>CONDITION: The interval between successive displays shall be instantaneous</p>

	(0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction.
6	Installation and maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and SRN must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.</p> <p>REASON: In the interests of highway safety.</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>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 a timely manner 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.

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 2015, 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 2015 - Spatial Development Strategy for Greater London

3 London's people

7 London's living places and spaces

Policy 7.4 Local character

Policy 7.6 Architecture

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)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.6 Advertisements

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Employment Growth Area
- Site of Importance for Nature

Conservation

- Within 100m of a Strategic Road Network Road
- Within 50m of Hillmarton Conservation Area

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

The following SPGs and/or SPDs are relevant:

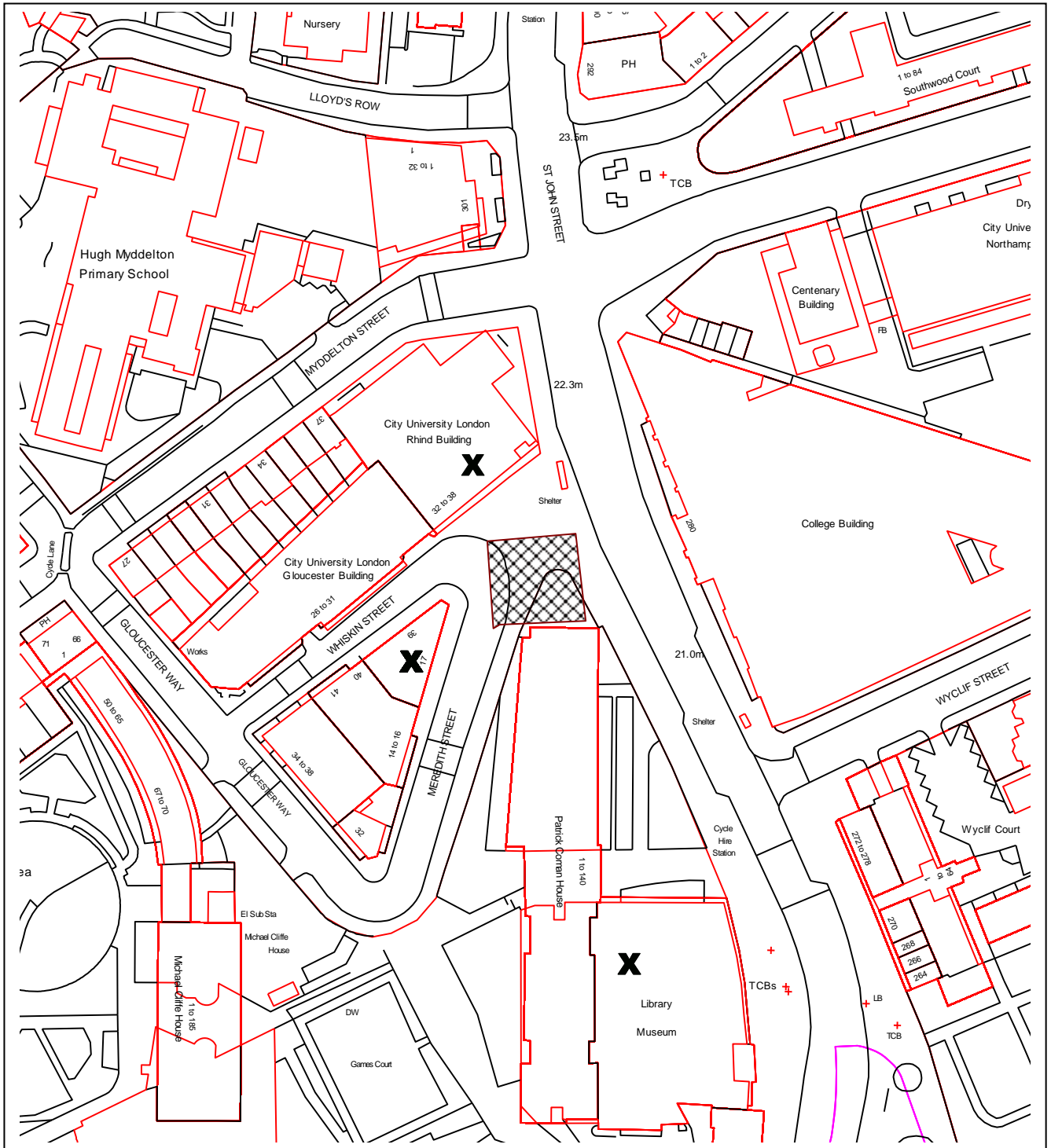
Islington Local Development Plan

London Plan

Urban Design Guide (2006)

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	18 July 2016	NON-EXEMPT

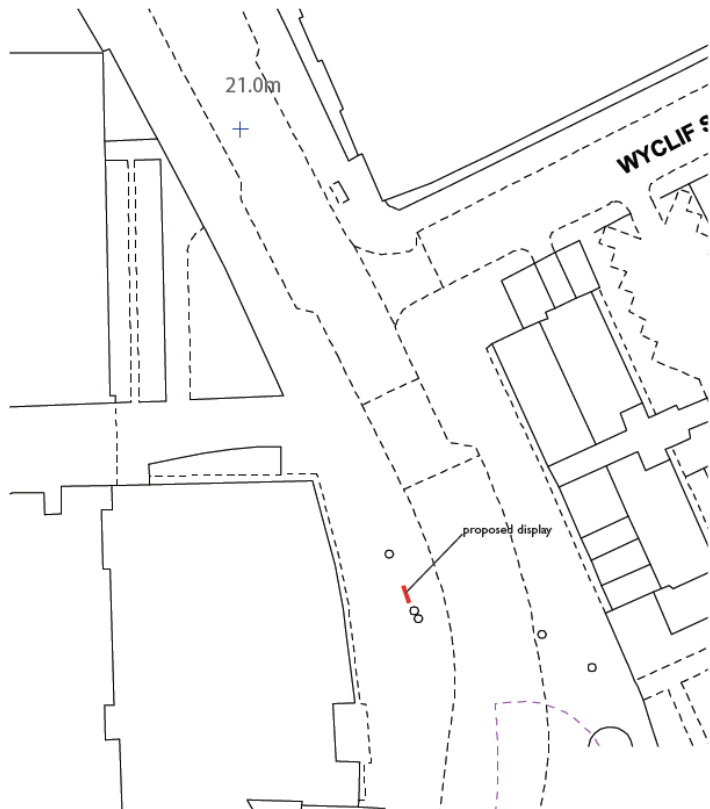
Application number	P2016/0450/ADV
Application type	Advertisement Consent
Ward	Clerkenwell
Listed building	None
Conservation area	N/A
Development Plan Context	<ul style="list-style-type: none"> - Finsbury Local Plan Area - Local ViewsL Local view from the Angel - Mayors Protected Vistas- Alexandra Palace viewing terrace to St Paul's Cathedral - Within 50 metres of Clerkenwell Green Conservation Area - Within 50 metres of Northampton Square Conservation Area
Licensing Implications	None
Site Address	(Land on West Side outside Finsbury Library) St John Street London EC1V 4NB
Proposal	Display of single panel - 6 Sheet Advertisement Display Freestanding internally Illuminated Panel

Case Officer	Daniel Power
Applicant	Islington Council
Agent	Jeremy Foster

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission: subject to the conditions set out in Appendix 1

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: View of application site.

4. SUMMARY

- 4.1 Advertisement consent is sought for the installation of a free standing self-illuminated advertisement display panel (6 sheet) on the west side of St John Street outside Finsbury Library.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The proposed advertisement display panel will neither harm the character or appearance of the adjacent buildings nor the wider street scene, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.
- 4.4 It is recommended that advertisement consent be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The proposed advert is to be sited on the pavement on the west side of St John Street outside Finsbury Library. The immediate area is characterised by two storey library buildings on the same side as the application site with a large residential block of flats located behind a single storey shop front on the eastern side of St John Street.
- 5.2 The surrounding buildings adjacent to the site are not listed and the site is not located within a Conservation Area, but within 50 metres of the Clerkenwell Green and Northampton Square Conservation Area.

6. PROPOSAL (IN DETAIL)

- 6.1 Advertisement consent is sought for the installation of a freestanding self-illuminated advertisement display panel (6 sheet) on the west side of St John Street outside Finsbury Library.
- 6.2 The proposed sign will measure a maximum of 2.6 metres in height, 1.3 metres in width and 0.2 metres in depth. The visible area of the digital screen display will measure 1.1 metres in width and 1.7 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 None

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

- 7.3 None

8. CONSULTATION

Public Consultation

8.1 Letters were sent to 6 occupants of adjoining and nearby properties at St John Street on the 15/02/2016. Therefore the public consultation expired on 30/03/2016. At the time of the writing of this report no letters had been received from the public with regard to the application.

Internal Consultees

8.2 **Design and Conservation Officer:** Object to this proposal. It would add visual clutter, it would be a barrier for pedestrians.

8.3 **Highways:** No comments received

External Consultees

8.5 N/A

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 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

- Finsbury Local Plan Area
- Local ViewsL Local view from the Angel
- Mayors Protected Vistas- Alexandra Palace viewing terrace to St Paul's Cathedral
- Within 50 metres of Clerkenwell Green Conservation Area
- Within 50 metres of Northampton Square 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. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Amenity
- Highways Safety

Amenity

10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building,

10.3 The application site is not located in a conservation area, although it is located in close proximity to the Clerkenwell Green and Northampton Square Conservation Area. It is important to ensure that any new signage would not have a detrimental impact on amenity of the surrounding area.

10.4 The proposed advertisement sign will be positioned on a wide pavement between two telephones boxes. The pavement also has a line of trees and an information board. Whilst the sign will be located on the pavement, it will be seen against the backdrop of a two storey buildings to the rear and on the other side of the road is a will be located adjacent to existing street signage.

10.5 The proposed sign will measure 2.65 metres in height and 1.3 metres in width and will be set on the existing pavement. It is considered that when viewed against the back drop of the large property to the rear the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. Immediately adjacent to the site existing street signage exists and other street clutter in the way of telephone boxes. It is therefore considered that the proposal will not result in unnecessary and additional clutter to the detriment of the existing landscape. Furthermore, as the sign is not located immediately adjacent to any neighbouring residential windows, it is not considered that the signs, by reason of their illumination, would have a detrimental impact on residential amenity. Furthermore, given the size and siting of the sign immediately in front of an existing brick wall, it is not considered to have an impact on crime. The proposed sign will be located on an existing hard surfaced area and will therefore not impact on the health of any existing trees.

10.6 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

Highways Safety

10.8 It should be ensured that all new advertisement signs do not cause a hazard to pedestrians or road users, as a result of their visual dominance and method of illumination, in accordance with policy DM2.6 of the Islington Development Management Policies 2013.

10.9 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be set immediately adjacent to the pavement to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. It is therefore considered that the proposed sign would have a detrimental impact on highways safety, as such the proposal is therefore not considered to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.

11.2 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

11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent be subject to conditions to secure the following:

List of Conditions

1	Standard advertisement conditions
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission.</p> <p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military)</p>
2	Luminance
	<p>CONDITION: The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 300 candelas per square metre during the hours of darkness consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015).</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
3	Display time
	<p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
4	Special effects
	<p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
5	Display functions
	<p>CONDITION: The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects</p>

	(including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction.
6	Installation and maintenance
	<p>CONDITION: The footway and carriageway on the TLRN and SRN must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic.</p> <p>REASON: In the interests of highway safety.</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>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 a timely manner 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.

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 2015, 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 2015 - Spatial Development Strategy for Greater London

3 London's people

7 London's living places and spaces

Policy 7.4 Local character

Policy 7.6 Architecture

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)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.6 Advertisements

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Employment Growth Area
- Site of Importance for Nature

Conservation

- Within 100m of a Strategic Road Network Road
- Within 50m of Hillmarton Conservation Area

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

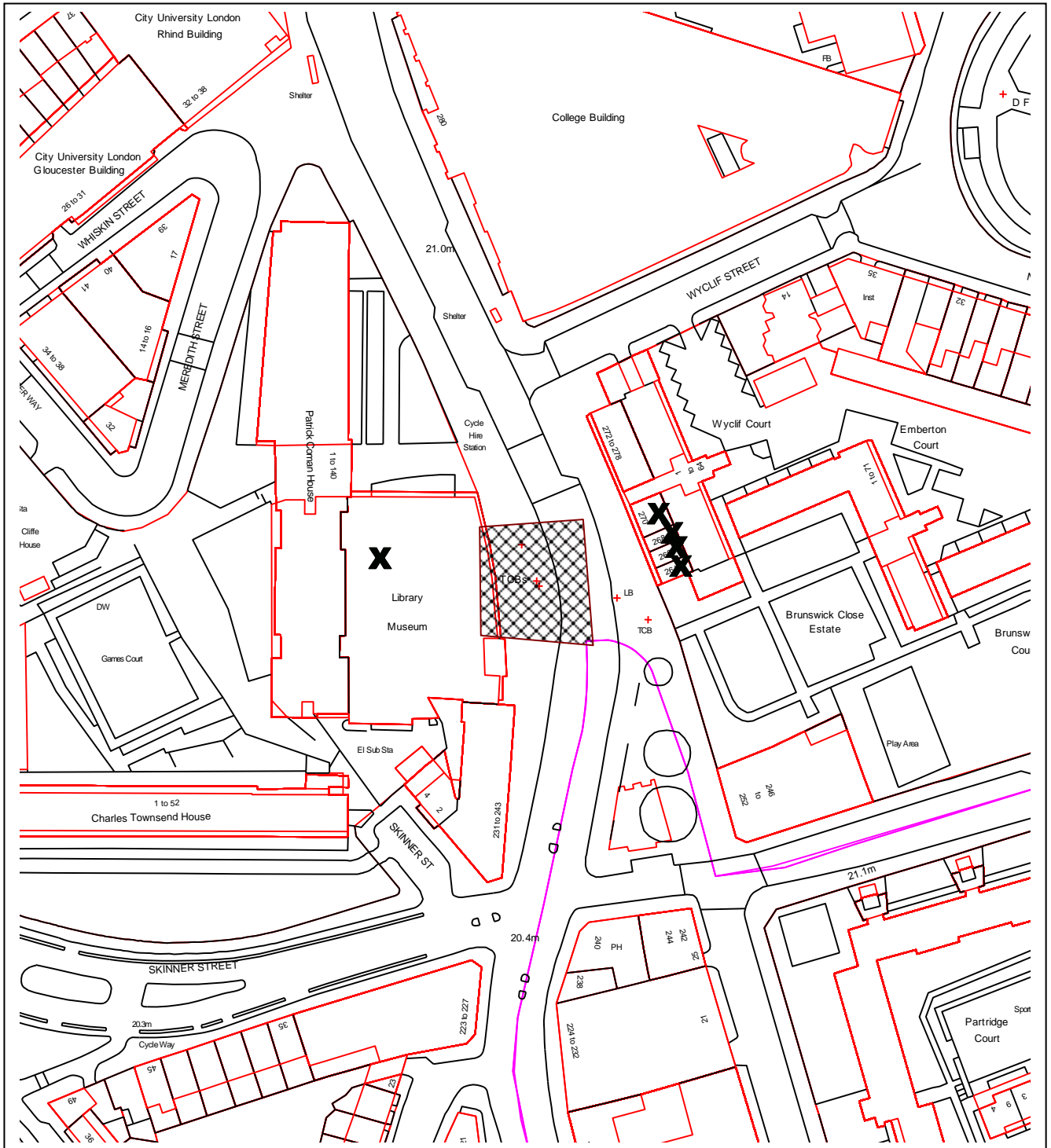
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

London Plan

Urban Design Guide (2006)

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	18 July 2016	NON-EXEMPT

Application number	P2015/3235/FUL + P2015/3383/LBC
Application type	Full Planning (Householder) + Listed Building Consent
Ward	St. Peters
Listed building	Grade II Listed
Conservation area	Arlington Square
Development Plan Context	No other constraints
Licensing Implications	None
Site Address	45 Arlington Square London N1 7DT
Proposal	<p>Application for planning permission for the construction of a basement underneath the rear garden, together with an additional linking staircase from the lower ground to the new basement level along with associated works and alterations including mechanical ventilation. The conversion of existing vaults into a utility room and WC.</p> <p>Application for Listed Building Consent for the construction of a basement underneath the rear garden, together with an additional linking staircase from the lower ground to the new basement level and internal alterations. The conversion of existing vaults into a utility room and WC.</p>

Case Officer	Pedro Rizo
Applicant	Mr Julian Le Beron
Agent	Mr David Appleton

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission and listed building consent subject to the conditions set out in Appendix 1.

3. PHOTOS OF SITE/STREET



Image 1: View of rear elevation of the property



Image 2: View of front elevation of the terraced property

4. SUMMARY:

- 4.1 The application seeks permission for the construction of a basement underneath the rear garden. The development involves the conversion of the existing vaults at the front of the property into a utility room with a WC. The works are being assessed under a full planning application (Ref. P2015/3235) and application for Listed Building Consent (Ref. P2015/3383). This report covers both applications.
- 4.2 Drawings were initially amended on the 22nd March 2016, in that the proposed basement has been set away from the original rear elevation of the terrace building and from both boundary walls shared with adjoining terrace houses (No. 44 and No. 46 Arlington Square). Drawings were then further amended on the 27th June 2016:
- The originally proposed roof lights at the rear were replaced with a single and smaller roof light
 - mechanical ventilation is now proposed under the proposed stairs, in order to address concerns over ventilation.
- 4.3 The main considerations are the impact of the development on the fabric of the Grade II Listed Terrace Building and the impact on the character and appearance of the Arlington Square Conservation Area, as well as the impact on the residential amenity of neighbouring occupiers and the quality of additional residential accommodation that would be provided at lower ground floor level.
- 4.3 The subsequent sections of the report assess the impact that the development would have on the fabric of the listed building, the effects on the character of the conservation area and on the amenities of neighbouring residents. In addition, the proposed basement extension is assessed in terms of sustainability and its impact of loss of open space and existing trees.
- 4.4 The report concludes that the development would have no significant harm on the character of the host building and its surrounding conservation area and that the development would have no harmful impact on the residential amenities of neighbouring residents in terms of loss of light, outlook or privacy.
- 4.4 The proposal is thus considered acceptable and broadly in accordance with the Development Plan policies.

5. SITE AND SURROUNDINGS:

- 5.1 The application property is a three-storey over basement terrace house, located on the northwestern side of Arlington Square.
- 5.2 The building forms part of a uniform stretch of seven terrace houses and contains a full-width lower ground floor and half-width upper ground floor extension and an associated roof terrace above the upper ground floor element.
- 5.3 The rear garden of the property abuts the rear garden of No. 1 Arlington Square. The terrace houses are not uniform when viewed from the rear, as these have been extended with ground floor rear extensions and two-storey rear extensions with varying design, height and depth.
- 5.4 The surrounding area is residential in character and formed by similar rows of mid-19th Century terrace houses that retain their original features when viewed from the front. The property is Grade II Listed and positioned within the Arlington Square Conservation Area.

6. PROPOSAL (IN DETAIL):

- 6.1 The application involves the construction of a basement extension that would have a maximum depth of 3.50 metres and would have a 1.20 metres soil depth element on the rear section. The drawings have been amended in that the proposed basement would be set away from the original rear façade of the terrace building by 50 centimetres metres and from the boundaries shared with both adjoining terrace houses No. 44 and No. 46 Arlington Square by 40 centimetres.
- 6.2 The proposed basement would have a maximum length of 5.70 metres and would therefore project further to the rear from the existing lower ground floor rear extension's rear elevation by 3.60 metres. The internal floor to ceiling height would measure 2.34 metres and the proposal includes the creation of a terrace with a walk in roof light, which would be positioned at a distance of 30 centimetres when measured from the existing ground floor rear extension's rear elevation.
- 6.3 The works include internal works to the Grade II listed terrace, consisting on the alterations to the stairs at lower ground floor level and the installation of an ensuite pod to the rear room.
- 6.4 In addition, the proposed development would consist on the conversion of the front vaults of the building, which would be used as a utility room and WC. The internal conversion of the vault would not result in an external alteration to the property when viewed from the Arlington Square's street scene.
- 6.5 The plans were amended on the 22nd March 2016, in that the proposed basement would be set away from the original rear façade of the terrace building by 50 centimetres metres and from the boundaries shared with both adjoining terrace houses No. 44 and No. 46 Arlington Square by 40 centimetres. Due to these changes, the applications were re-consulted on the 4th April 2016.
- 6.6 The mechanical ventilation provided to the basement was reviewed and the drawings were then modified on the 27th June 2016 for providing the installation of a mechanical ventilation unit underneath the proposed stairs and the reduction of the rear roof light.

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 A full planning application (Council Ref. P2015/3213) and Listed Building Consent application (Council Ref. P2015/3387) for the "*The construction of a basement underneath the rear garden, together with an additional linking staircase from the lower ground to the new basement level*" were withdrawn on the 01st October 2015.
- 7.2 Planning permission (Council Ref. P2014/5107/FUL) and Listed Building Consent application (Council Ref. P2015/0074) for the "*Construction of a full length rear garden basement to provide an additional bedroom, bathroom and corridor link*" were refused on the 10th February 2015.
- 7.3 Planning permission (Council Ref. P110866) and Listed Building Consent application (Council Ref. P110704) for a "*full width lower ground floor rear extension with upper ground floor half-width rear extension and new metal staircase to front lightwell*" were approved on the 15th June 2011.

Enforcement:

- 7.2 None.

Pre-Application Advice:

- 7.3 None

8. CONSULTATION

Public Consultation:

- 8.1 Letters were sent to occupants of 4 adjoining and nearby properties at Arlington Square and Coleman Fields on the 20th August 2015. Site and press notices were also displayed. The public consultation of the application therefore expired on the 10th September 2015.
- 8.2 A total of 17 letters of objection were received in response to the initial consultation. Given the concerns raised over the initial submission, the proposed scheme was amended in that the proposed basement has been set away from the original rear elevation of the Grade II Listed terrace building and from both boundary walls shared with adjoining terrace houses. Letters of re-consultation were therefore sent on the 4th April 2016 and four responses were received, confirming that the previous concerns that were stated on the initial consultation still stand. The following issues were raised (the paragraph numbers responding to the issues are shown in brackets).
- The proposed basement would alter the natural ground conditions of the rear of the property [paragraph 10.12 - 10.13].
 - The proposed basement would increase surface water run-off [paragraphs 10.12 and 10.13].
 - Proposed development would reduce existing green infrastructure and represent the loss of a garden [paragraph 10.5]
 - Proposed basement would affect the structural stability of the building [paragraph 10.14].
 - Proposed basement would fail to preserve or enhance the character of the conservation area [paragraphs 10.5 - 10.7]
 - Proposed pavement lights would be alien in this setting and increase light pollution [10.9]
 - Proposed development would be out of scale and would be disproportionate to the limited floor space that it would create [paragraph 10.10].
 - Proposed internal living environment would be substandard [paragraph 10.10 – 10.11].
 - Proposed development would create a precedent within the Conservation Area [paragraph 10.5 – 10.6 and 10.19].

Internal Consultees:

- 8.3 Design and Conservation Officer: No objections. The following comments provided:

The demolition of the existing full-width lower ground floor extension and replacement with a full-width lower ground and half-width upper ground floor extension is acceptable. The design of the half width closet wing uses the vocabulary of the host building which is welcomed. The use of lime render and lime-wash as a finish at lower ground floor is also very welcomed as this will achieve a finish that respects the patina of age the host building has achieved, is a sustainable material and achieves a beautiful finish.

The detailed design of the extension is acceptable and again respects the character of the host building and Arlington Square Conservation Area. An opening onto the terrace from the extension is acceptable given the overdeveloped nature of the surrounding buildings.

The introduction of a low iron roof light to the roof terrace is acceptable as this will provide a quiet and unobtrusive finish.

The plan form has been considerably altered in the past and the alterations to the stairs and associated works will not further harm the heritage interest of the building. The staircase proposed is of traditional design and materials.

The insertion of an ensuite pod to the rear room is acceptable as the pod does not reach the ceiling and the original room configuration is easily legible and the heritage interest of the plan form has not been compromised.

The alterations to the vaults are acceptable as the vaults are already altered and there are no

proposed alterations in the floor to ceiling height.

The proposed freestanding and easily reversible joinery at this secondary floor level is acceptable.

8.4 Tree Officer: No objections. The following comments provided:

The proposed works would be acceptable subject to a condition requiring an arboricultural method statement, in order to ensure the safe and healthy retention of existing trees. Planning permission is therefore recommended for approval subject to Condition 5, which requires details of tree protection.

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 2015, Islington Core Strategy 2011, Development Management Policies 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 relevant SPGs and/or SPDs are listed in Appendix 2.

10. ASSESSMENT:

10.1 The main issues arising from the proposal relate to:

- Design and Impact on the Fabric of the Grade II Listed Building
- Amenity
- Quality of Residential Accommodation
- Sustainable Design
- Trees

Design and Appearance

10.2 Islington's Planning Policies and Guidance encourage high quality design that respects and responds positively to existing buildings, heritage assets and locally distinctive patterns of development. This consideration comes particular into force in this instance, by reason that the building is Grade II Listed and positioned within the Arlington Square Conservation Area. Special regard is therefore given to policies DM2.1 and DM2.3 of the Islington's Development Management Policies (2013) and the Arlington Square Conservation Area Design Guidance.

10.3 The proposed basement's length of 5.70 metres is acceptable and would cover less than 50% of the depth of the original garden of the property (12.50 metres) and it is considered to remain subordinate to the host building. As noted, the proposed basement would not exceed the 7.40 metres depth of the original terrace building.

- 10.4 The drawings have been amended (22nd March 2016), in that the proposed basement would have a separation from the original rear wall of the Grade II terrace, in order to respect the historic layout and circulation patterns of the original building and achieve an acceptable relationship between the proposed underground structure and the original building. As also noted, the amendments include a small separation of 40 centimetres from the boundary walls shared with both adjoining terrace buildings. The proposed basement would therefore be well integrated to the host building and would have not affect the footings and boundary walls of the application building or neighbouring buildings.
- 10.5 In terms of particular design features, the proposed basement would provide a drainage layer of 1.20 metres and the perceived garden space of the property would not be compromised. Whilst the scheme includes the installation of a pavement roof light, it is noted that this feature would have a very limited separation from the existing lower ground floor extension's rear elevation and would not be seen as obtrusive or prominent features when viewed from the rear. The initially proposed roof lights have been replaced for a single roof light that would measure 60 cms in width x 4.40 metres in length. This minor alteration, which consisted in reducing the size of the roof lights, is shown in final drawings that follow a second amendment to the scheme (27th June 2016). Due to its position behind the existing extension, the roof light would not compromise the setting of the Grade II Listed Building and would be acceptable under visual terms.
- 10.6 In light of the above considerations, the proposed basement would be in compliance with the guidelines of the Basement Development SPD (adopted January 2016), in that the basement would not be positioned underneath the listed building but would have an acceptable separation from the original rear elevation. The proposal would therefore respect the special architectural and historic interest of the building and would have no impact on the plan form. The proposed basement, by virtue of its acceptable length, depth, width and position, would establish a subservient relationship to the original listed building and would not harm the original architectural integrity of the terrace or its setting.
- 10.7 The proposed internal alterations to the building, consisting of the alterations to the stairs, the insertion of an ensuite pod to the rear room, the installation of a freestanding joinery at second floor level and the insertion of steps for lowering the vaults are considered minor and acceptable. As advised by the Design and Conservation Officer, these minor alterations would not harm the heritage significance of the Grade II Listed Building. Given that the vaults have already been altered and there is no alteration to the ceiling height, these would be consistent with policies DM2.1 and DM2.3 of the Islington's DMP (2013).

Amenity

- 10.8 The proposed basement extension would be underground and would have a small separation from both boundary walls shared with adjoining terraces. Given the acceptable dimensions of the proposal and the position at basement level, the proposed development raises no concerns in terms of harm on residential amenity. The proposed basement extension would not affect the sunlight/daylight, outlook or privacy of neighbouring properties.
- 10.9 Whilst the proposed basement would introduce pavement lights at the rear, these features would be positioned at a very limited distance of 30 centimetres from the existing lower ground floor extension's rear elevation and would have an acceptable setback of 1.00 metre from the boundary shared with neighbouring terrace houses. The pavement lights would therefore not cause any unacceptable light pollution and would not interrupt the prevailing garden pattern of the listed terraces.

Quality of Residential Accommodation:

- 10.10 Although concerns are raised over the standard of the proposed living environment, it is noted that the bedroom would have a 2.34 metres in height ceiling height and would have an open plan layout (14 square metres in floor area) that exceeds the minimum requirement of 12.00 square metres for a double bedroom under policy DM3.5 of the Islington's DMP (2013).. Whilst the bedroom would fail to have the minimum floor to ceiling height of 2.60 metres and it is acknowledged that it would have limited storage, the development is seen as an additional

bedroom at basement level on a single family house that contains main bedrooms and habitable spaces on upper floors. The proposed bedroom would be illuminated by one roof light (0.60 cms in width x 4.40 metres in length) and would have 2.64 square metres of glazing. The development would therefore provide adequate levels of daylight/sunlight for a modest bedroom/playroom and would be BRE compliant, as confirmed in writing by the applicant (7th June 2016).

- 10.11 In this instance, poor outlook should not be considered as a reason to warrant a refusal, considering the nature of the proposed underground development. On balance, the proposed space would provide acceptable living accommodation and would not conflict with Policy DM2.1 of the Islington's Development Management Policies (2013).

Sustainable Design and Structural Method Statement:

- 10.12 The site is not within a Local Flood Risk Zone and the proposed basement extension would have a 1.20 metres soil depth element on its rear section, which would provide a drainage layer and would not result in a significant loss of the property's open space/open aspect. Under these terms, the proposal meets the requirements of the Islington's Basement Development SPD (adopted January 2016), in that it would occupy less than 50% of the original garden/unbuilt upon area of the property, would be subordinate to the above host building and would have an acceptable floor to ceiling height of 2.30 metres.
- 10.13 Due to the scale and the site conditions of the terrace building, the proposed basement would not harm the existing landscaping and biodiversity value of the property and its surrounding conservation setting.
- 10.14 The application was submitted on the 07th August 2015, prior to the adoption of the Basement Development SPD (January 2016). Whilst the requirements of the SPD are a material consideration when reviewing the acceptability of a basement extension on the property, the submission of a Construction Method Statement was not a validation requirement. The proposal has been examined by the Council's Building Control Team. As advised, the section of the garden wall above the proposed basement has been underpinned during previous building works for constructing the existing extension. The additional projection would have a small setback from the boundary line and therefore any risk of structural damage would be limited.
- 10.15 In terms of natural ventilation and provision of natural sunlight/daylight, the scheme has been reviewed by the Building Control Section and the Design and Conservation Officer. The proposed roof light is considered acceptable and any artificial lighting would be acceptable under building regulations. Additionally, the drawings have been amended and these now include the installation of a mechanical ventilation unit with heat recovery under the stairs. Due to the introduction of the mechanical ventilation equipment and the modest floor area of the proposed bedroom/ playroom at basement level, the proposed bedroom/playroom would have acceptable standard of accommodation. In addition, mechanical ventilation and an extraction system would require a separate application for Building Regulations approval.
- 10.16 In light of the above and in the absence of a Construction Method Statement, planning permission is recommended subject to a condition requiring a Construction Method Statement and a Sustainable Design and Construction Statement.

Trees:

- 10.17 The scheme has been reviewed by the Council's Tree Officer, who advised that the existing tree is positioned sufficiently far enough from the proposal and would remain largely unaffected.
- 10.18 However, in the absence of a complete Arboricultural Method Statement (AMS), the Tree Officer has requested a condition requiring methods and tree protection measures, in order to ensure that the existing tree is retained healthy during and after the construction phase.

Other Matters:

10.19 Concerns were raised over how the basement extension would create a precedent within the conservation area. However, the basement is considered acceptable in terms of design, scale and siting. Any basement extension proposed on other sites within the immediate conservation setting would be assessed on its own merits.

11. SUMMARY AND CONCLUSION

Summary

11.1 The applications seek permission for the construction of a basement extension and minor internal alterations to the Grade II Listed Terrace.

11.2 The impact on the historic and architectural interest of the Grade II Listed Building and the effects over the character of the Arlington Square Conservation Area has been reviewed. It is not considered that the development would have a harmful effect on the fabric of the Grade II Listed Terrace or on the character and appearance of the Conservation Area.

11.3 The proposed basement extension would meet the guidelines under the Supplementary Planning Document SPD for basement extensions (adopted January 2016), in that the basement would not alter the perceived garden area of the property and would be well integrated to the host Grade II Listed Building. The proposed development would not affect the amenities of neighbouring residents and would have no impact on the existing tree within the site, which is positioned on the far rear section of the garden.

11.4 The proposal is considered to be acceptable and to be broadly in accordance with the Development Plan Policies.

Conclusion

12. IT IS RECOMMENDED THAT PLANNING PERMISSION BE GRANTED SUBJECT TO CONDITIONS AS SET OUT IN APPENDIX 1 –RECOMMENDATION:

APPENDIX 1 – RECOMMENDATIONS RECOMMENDATION A:

Grant of planning permission subject to **conditions** to secure the following:

List of Conditions (Full Planning Permission):

1	<p>Commencement (Compliance)</p> <p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved Plans List: (Compliance)</p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried</p> <p>AJU100, AJU101, AJU102, AJU103, AJU200 (Rev I), AJU201 (Rev I), AJU202 (Rev M) and AJU203 (Rev L).</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	All external and internal works to match (Compliance)
	<p>All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	Sustainable Design and Construction (Details)
	<p>A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the development hereby permitted achieves best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>
5	Tree Protection (Details)
	<p>No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods and tree protection (the arboricultural method statement, AMS) in accordance with British Standard BS 5837 2012 -Trees in Relation to Design, Demolition and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS3, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
6	Construction Method Statement (Details)
	<p>No development 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> <ol 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. measures to control the emission of dust and dirt during construction v. 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 from 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.</p>

Grant Listed Building Consent subject to **conditions** to secure the following:

1	Commencement (Compliance)
	<p>3 YEAR CONSENT PERIOD FOR LBC and CAC: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) 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>All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
3	Sustainable Design and Construction (Details)
	<p>A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the development hereby permitted achieves best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>
4	Tree Protection (Details)
	<p>No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods and tree protection (the arboricultural method statement, AMS) in accordance with British Standard BS 5837 2012 –Trees in Relation to Design, Demolition and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2015, policies: CS3, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013.</p>

INFORMATIVES:

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.

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.

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.

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, 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 2015 - Spatial Development Strategy for Greater London

- Policy 5.3 Sustainable design and
- Policy 5.10 Urban greening
- Policy 5.12 Flood risk management
- Policy 5.18 Construction, excavation and demolition waste
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands

London

B) Islington Core Strategy 2011

- Policy CS7 (Bunhill and Clerkenwell)
- Policy CS8 (Enhancing Islington's Character)
- Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
- Policy CS10 (Sustainable Design)
- Policy CS15 (Open Space and Green Infrastructure)

C) Development Management Policies June 2013

- DM2.1 Design
- DM2.3 Heritage
- DM3.3 Residential conversions and e
- DM3.5 Private outdoor space
- DM6.5 Landscaping Trees and biodiv
- DM7.1 Sustainable design and constr
- DM7.4 Sustainable design standards

5. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013: Arlington Square Conservation Area and Grade II Listed Building.

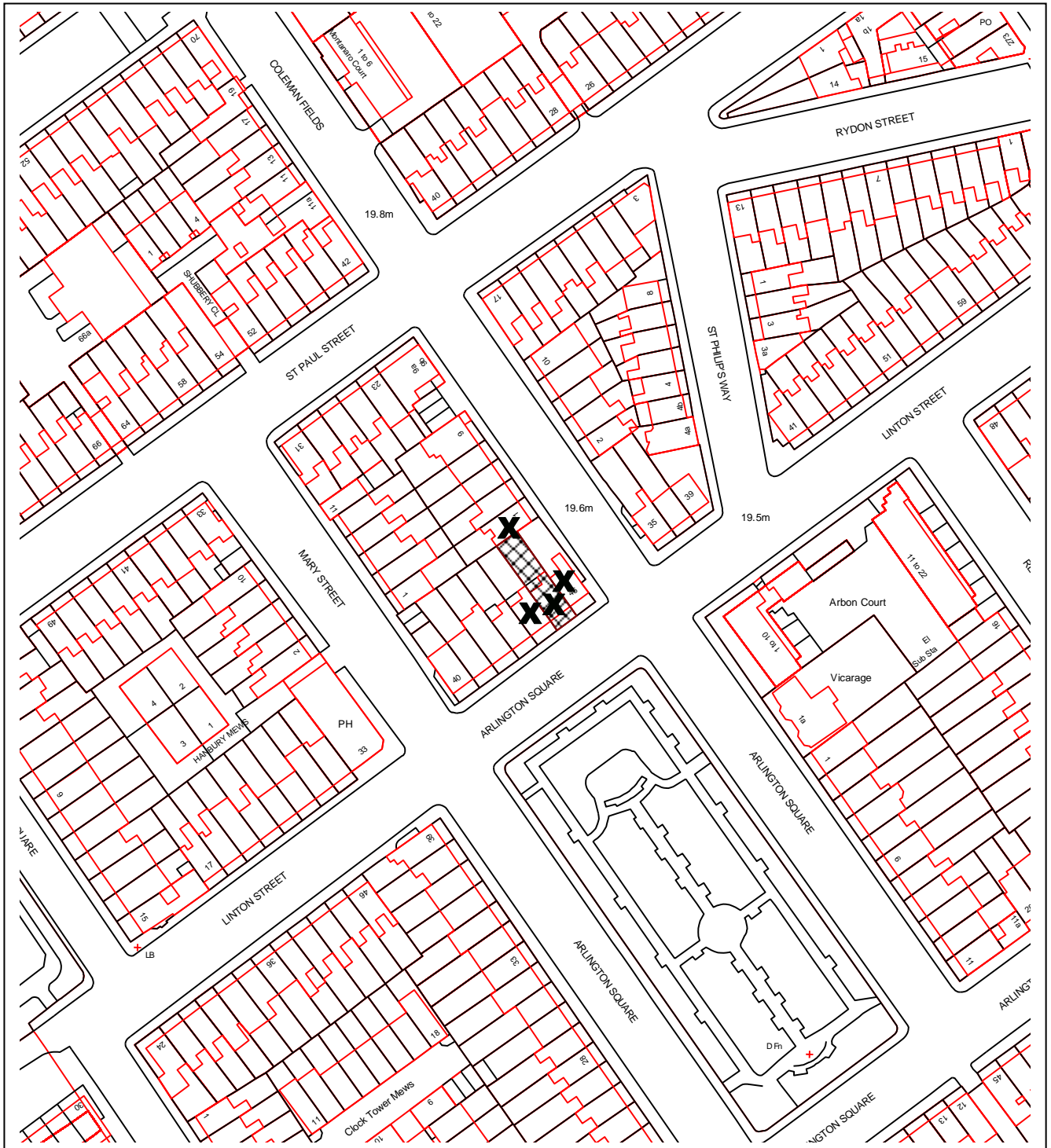
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Conservation Area Design Guidelines: Arlington Square
- Inclusive Landscape Design
- Urban Design Guide
- Sustainable Design & Construction
- Basement Development

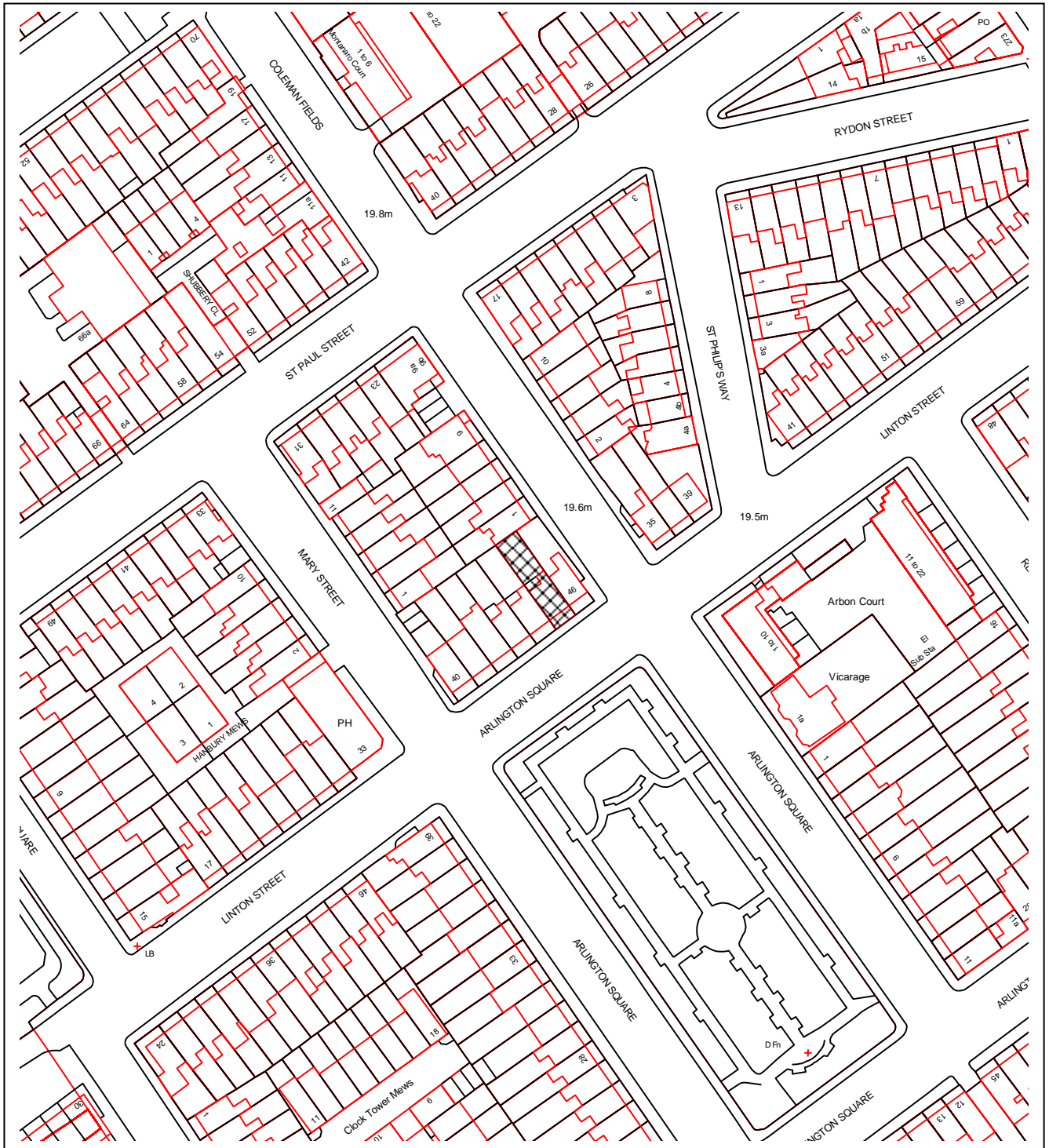
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PLANNING COMMITTEE REPORT

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

PLANNING SUB COMMITTEE A		NON-EXEMPT
Date:	18 July 2016	

Application number	P2016/1109/FUL
Application type	Full Planning Application (Council Own)
Ward	Barnsbury
Listed building	Unlisted
Conservation area	Barnsbury
Development Plan Context	Open Space, Site of Importance for Nature Conservation (SINC)
Licensing Implications	None
Site Address	Barnard Park, Copenhagen Street, Islington, London, N1 0NL
Proposal	Refurbishment of east side of Barnard Park involving replacement of existing sports pitch (8,990 square metres) with a new sports pitch (2,763 square metres) that would be repositioned and re-oriented in the centre of the park. The creation of a large 'Village Green' grass area and other works including planting and landscaping, construction of turfed areas and re-design of pathways.

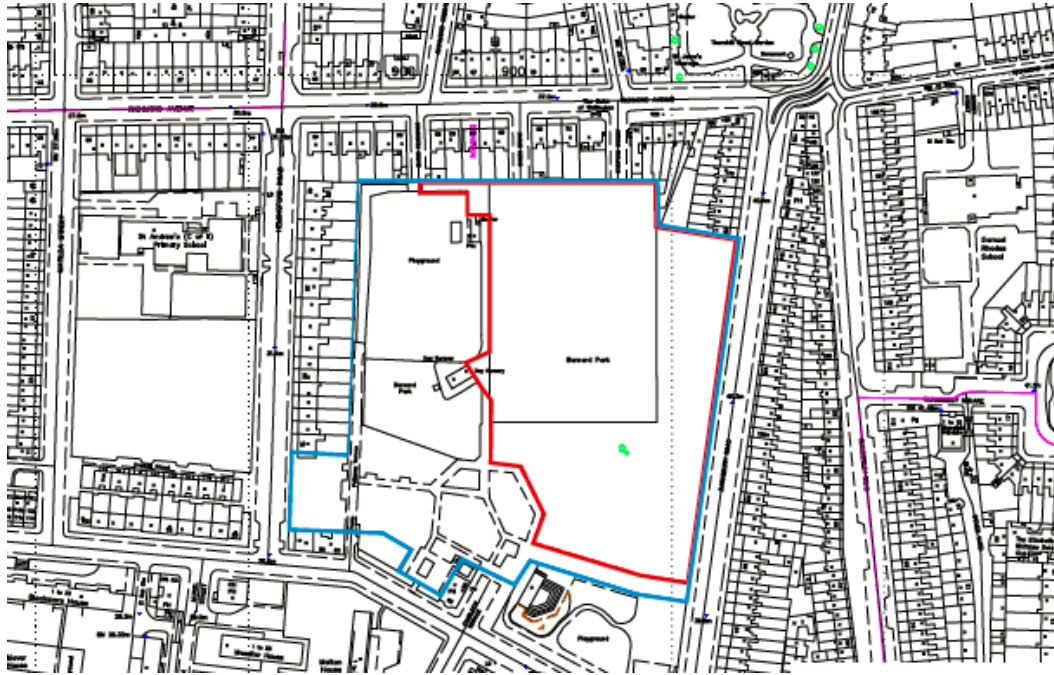
Case Officer	Pedro Rizo
Applicant	London Borough of Islington - Kate Lynch
Agent	None

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT planning permission and referral to Secretary of State:**

1. Subject to the conditions set out in Appendix 1;
2. And conditional upon the completion of a Director's Service Legal Agreement securing the heads of terms set out in Appendix 1.

2. Site Plan (Site outlined in BLACK)



3. PHOTOS OF SITE/STREET



Image 1: Aerial photograph showing the existing sports pitch



Image 2: Masterplan of Proposed Development (phase one outlined)



Image 2: View of the park and existing footpaths (access from Barnsbury Road)



Image 4 - View of the east side of the existing sports pitch.

4. SUMMARY:

- 4.1 Planning permission is sought for the re-development of Barnard Park. The proposed development aims to upgrade the existing park's facilities and include the replacement of the existing sports pitch, the creation of a village green area, the construction of a new path network and landscaping works.
- 4.2 The proposed development would be phased and the application refers to Phase 1, which involves works to the east side of the park, as outlined in Phase 1, where the existing sports pitch is positioned.
- 4.3 Although the improvement works in the masterplan show other forms of development for additional phases, the proposed works are shown within a red line that outlines the east side of the park (as shown in drawing number IA-365-LMP-P01).
- 4.4 As background information, the scheme has been subject to extensive consultation with reference to the proposed preferences for the park. In 2005, the Council interviewed stakeholders and a group was formed to discuss the requirements of the individual stakeholder groups for amenity provision within the park. A formal consultation was carried out by the Council's Greenspace Department between the 14th September 2014 and the 30th November 2014. Following this consultation, the proposed master plan, which will be phased in stages, was produced. The plan involves the re-positioning and reduction of the sports pitch, which is the main point of contention on the application.
- 4.5 The application site is allocated under policy DM6.3 of the Islington's Development Management Policies (2013) as public open space where development is not normally permitted and the proposed works include the replacement of the existing sports pitch

with a smaller facility along with other landscaping and creation of a “village green”. It is considered that this loss of sports facility is outweighed by the increased functionality that would result from the creation of a new pitch, path network and large village green area, which would provide space for both formal and informal recreation. Following the consultation that was carried out between the 14th September 2014 and 30th November 2014, it was concluded that there is strong demand for a replacement of the existing provision with an upgraded facility, which would be in keeping with modern requirements of a sports pitch in order to increase the functionality of the sports facility. On balance, the benefits that the proposed works would bring to the park outweigh the harm caused by the reduction of the size of the existing sports pitch facility.

- 4.6 Given that the proposed sports pitch would have a greater separation from neighbouring properties and the imposition of conditions restricting hours of operation for the sports pitch, the proposed replacement sports pitch would have no significant detrimental impact on the amenities of neighbouring properties.
- 4.7 The application is brought to Committee because of the number of objections received and the application has been submitted by the Council. It is recommended that planning permission is granted subject to conditions.

5. SITE AND SURROUNDINGS:

- 5.1 Barnard Park is designated as public open space and located on the southern fringe of Islington. The park is the largest open space in the southern side of Islington and has an area of approximately 4 hectares. The main park is bordered by Copenhagen Street, Barnsbury Road, Richmond Avenue and Hemingford Road, with an annex park which is separated from the main park by Hemingford Road. The annex and western side of the park are not part of the application.
- 5.2 The main entrance to the park is via Copenhagen Street along Charlotte Terrace, which is a small cul de sac used for occasional parking and maintenance of vehicles. However, the park contains secondary entrances at Barnsbury Road, Hemingford Road and Boxworth Grove. The park abuts the rear gardens of terraces along Hemingford Road and residential properties at Richmond Avenue.
- 5.3 There park contains three buildings on its western side, which are known as the Park Keeper’s Building, the One O’Clock Club Building and the Adventure Playground Building. In addition, the park contains various facilities, consisting of the main sports pitch, paths, fencing and playing area.
- 5.4 The park’s history dates back to the 1960’s and 1970’s and was originally formed by a large amount of land that suffered from damage in the war. The park was therefore created as a response to the need for outdoor recreational and green space in the south side of Islington.
- 5.5 The park is located within the Barnsbury Conservation Area and the site is designated as Open Public Space and as a Site of Importance of Nature Conservation (SINC).

6. PROPOSAL (IN DETAIL):

- 6.1 Full planning permission is sought for a phased development to the park. The proposed development would be positioned on the western side of the park, as outlined in red on the proposed masterplan. This planning application deals with Phase 1 of the proposed masterplan.

Sports pitch:

- 6.2 The application seeks to replace the existing sports pitch (8,990 square metres) with a new sports pitch (2,763 square metres) and a village green area (2,986 square metres). The sports pitch would be re-positioned in the centre of the park in order to provide a greater separation from adjacent neighbouring residential properties along Barnsbury Road. The proposed sports pitch would measure 65 metres x 42 metres and would have a modern artificial 3G surface that would be 210mm in depth. The proposed sports pitch would have new retaining walls and fencing that would measure 4.5 metres in height. The development also proposes flood lighting for the new 3G sports pitch.

New path networks:

- 6.3 The proposed development includes the construction of a new path network in order to enhance connectivity across the park. The design includes the construction of a large circular footpath that would surround the village green, which would be used as an informal exercise track. The existing entrance from Barnsbury Road would be connected to the new network and the existing slope entrance at Boxworth Grove (north entrance) would be regraded from a 1:11 to a 1:17 slope. These works would involve substantial tree works, surface treatments and lighting design.

6.4 'Village Green' Grass Area:

The circular 'Village Green' area would be positioned on the northern side of the proposed sports pitch and would constitute a new park hub space with gym equipment, picnic tables and table tennis tables that would provide informal sports activities.

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 **860200** – (Barnard Park Play Building). The addition of a second storey to provide additional recreation space with ancillary office and store. Approved on the 30/05/1986.
- 7.2 **881112** – (Barnard Park Extension). Installation of railings on Matilda Street and Hemingford Road frontages and at the rear of 84 – 110 Copenhagen Street. Approved on the 22/03/1989.
- 7.3 **880784** - (Barnard Park). Enclosure of existing covered seating to provide staff room and toilets. Approved on the 12/09/1988.

Enforcement:

- 7.4 None.

Pre-Application Advice:

- 7.5 **Q2015/4613/MIN:** Pre-application advice was sought for a phased re-development of Barnard Park. The scheme involved the two following phases:

Phase 1:

Re-location of the existing full size sport pitch and re-designing the layout and path circulation within the park. These works included tree works, surface treatment and lighting design.

Phase 2:

Re-designing the main entrance to the park (via Charlotte Terrace) and erecting a new park building facility with toilets.

8. CONSULTATION

Public Consultation:

8.1 Letters were sent to 482 occupants of adjoining and nearby properties at Everilda Street, Islington Place, Leirum Street, Copenhagen Street, Charlotte Terrace, Barnsbury Road, Cloudesley Road, Richmond Avenue and Hemingford Road. On the 21st April 2016 a site notice was placed outside the main entrance via Charlotte Terrace and the application was advertised in the Islington Gazette on the 14th April 2016. In addition, five additional site notices were displayed on the 10th May 2016 on five entrances to the park, as requested by residents. Although the public consultation expired on the 12th May 2016, 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, 14 letters of objection and 70 letters of support had been received from the public with regard to the application. In addition, 2 additional letters, which provided comments and did not raise an objection against the application, were received. A total of 86 letters of representation were therefore received and the issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

8.3 Objections:

- The reduction of the size of the sports pitch would have a detrimental impact on Barnard Park (paragraphs 12.1, 12.2, 12.3, 12.4 and 12.5).
- The existing sports pitch should be upgraded and not built over (paragraph 12.5)
- The proposed open grass area would be underused and would not be suitable for sports (paragraphs 11.2, 11.3 and 11.4).
- The proposed development would change the nature and character of the park (paragraphs 14.2, 14.3 and 14.4).

8.4 Support:

- The proposed design provides a feature for everybody in the community. It addresses the needs of young, old, families and disabled residents.
- The proposed facilities would be family friendly.
- The proposed features would enhance the appearance of the park.
- The proposed hub would provide informal sports facilities, which are required within the park.
- The proposed high quality playing area would result in more sporting usage.
- The proposed external path would benefit people of all ages.
- A reduced sports pitch would be an improvement as it would provide more flat grass, enhancing the visual appearance of the park and it would have more intensive use than the existing sports pitch.

8.5 Other Comments:

- Dog only playground would be welcomed (paragraph 19.2).

- Cycle paths should be reviewed by reason of safety to pedestrians (paragraph 19.1).
- Wild life proof containers should be provided (paragraph 19.1).
- Opening hours should be restricted (paragraph 15.3).
- Lightning columns should be reviewed (paragraph 15.3).

Internal Consultees:

- 8.6 **Conservation & Design Officer:** No objections.
- 8.7 **Acoustic Officer:** No objections subject to conditions restricting operating hours of new sports pitch, submission of details of rebound fencing on the sports pitch and submission of a report detailing the lighting scheme and predicted light levels.
- 8.8 **Policy Officer:** No objections. The key issue is the reduction in the size of the sports pitch, given that policies seek to maintain quantity of provision. The justification is important in order to determine if on balance, the proposal is acceptable. The following information should be reviewed:
- Can the existing 11-a-side pitch be refurbished to increase its use?
 - How sports and recreation provision will be affected within the site and local area?
 - How the local population is provided for in terms of pitch provision. Have there been/will there be any other improvements to the provision of sports pitches in the wider area?
 - How will increase/improvements to open space cater for sport and recreation? Can this be quantified? How would the proposed new village green accommodate opportunities for sport to help mitigate the reduction in pitch size?
 - How the new proposal compares to what is there currently and in what ways it might help to enhance use, access and/or capacity?

Further information was submitted by Greenspace to address these points and to justify the reduction of the size of the sports pitch. It is now considered that the concerns of the Policy Officer have been addressed by the additional information that has been submitted, which is included in section 12 of this report.

- 8.9 **Tree Officer:** No objections subject to condition requiring submission of an arboricultural method statement.
- 8.10 **Crime Prevention Officer:** No objections. The overall design and layout appears to be good from a crime prevention perspective. However, it is recommended that the planting is maintained at scrubs and foliage to a height of 1.5 metres and the tree canopies to be above 2 metres to allow significant sight lines across the development.

External Consultees:

- 8.11 **Sport England:** Objects to the proposal, by reason of the proposed reduction of the existing sports pitch, which provides an important sports facility to the Borough. There is clear evidence available that there is existing demand for extra full-sized floodlit AGP provision in Islington. The proposal does not meet the exceptions set out in Sport England's Playing Fields Policy.

Barnard Park has a full sized, fenced, redgra pitch with floodlights. Whilst the pitch is in poor condition and the floodlights no longer work, it continues to be informally used by the local community for sport, which in itself is evidence of demand.

One small-sided for 7-a-side, officers little capacity for a range of sporting activities to be delivered. Providing a full size floodlit artificial pitch within the park would enable a broad range of partners to provide sporting opportunities for a wide section of the community. This would have various social, health and sporting benefits for residents.

The London Borough of Islington currently has 4 full size artificial grass pitches across three sites. The average number of a full sized floodlit football AGPs in a London borough is five and so Islington is below this. There is a shortage of circa 3.8 full sized floodlit football AGPs in the Borough and there is significant unmet demand for floodlit artificial grass pitches in Islington and surrounding boroughs.

The benefits of reinvestment in a full size floodlit artificial grass pitch would include youth engagement programs, local health provision, school's football, training and employment and community and club football.

Reducing the facility in size will result in a loss of an area that has the potential to provide increased opportunities for sport in the local area. Should the local planning authority be minded to grant planning permission for the proposal, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

- 8.12 **Environment Agency:** No comments received at time of writing this report.
- 8.13 **Metropolitan Public Gardens Association:** The overall design and layout would be acceptable under a crime prevention perspective. However, it is advised that foliage is kept to a maximum height of 1.5 metres and the tree canopies to be above 2.0 metres in order to allow sightlines across the development.
- 8.14 **Friends of Barnard Park:** Support the application. The phase one scheme addresses the need of a wide variety of user groups, including children, families, team sport players, runners, dog walkers and the elderly. The proposed pitch would provide a better quality of use for sports players. The new village green would create an informal sport and play area for children and family and the seating area would be an important central hub in the park.

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 (NPPF) 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013.
- Site of Importance for Nature Conservation SINC
 - Major Cycle Route
 - Local Cycle Route
 - Local View from Archway Road
 - Local View from Archway Bridge

10. ASSESSMENT:

- 10.1 The main issues arising from the proposal relate to:
- Land Use
 - Sports Facilities
 - Open Space
 - Biodiversity, Landscaping and Trees
 - Design and Visual Impact
 - Amenity
 - Highways
 - Transport
 - Inclusive Design and Accessibility

11. LAND USE:

- 11.1 The application site, Barnard Park, is allocated as Open Space under Policy DM6.3 of the Islington's adopted Development Management Policies (2013), which states that development is not permitted on any public open space. Barnard Park consists of approximately 4 hectares of total open space and the Phase 1 re-development under this application has a total area of approximately 2 hectares. This space includes the existing sports pitch, which has 8,990 square metres. The site is designated site as importance nature conservation area (SINC).
- 11.2 The proposed development would involve works on public open space therefore the weighting of the potential benefits in promoting the use of the open space should be reviewed. The proposal involves replacing the existing sports pitch with a smaller facility, which would comprise a 36% reduction in overall sports pitch provision in the park. However, the improvement to the ~~existing~~ path network and the creation of a village

green area (2,986 square metres) along with the provision of an improved, albeit smaller pitch, should be considered against the reduction of the size of the existing sports pitch. On balance, it is considered that the provision of a new village green area and associated facilities along with the provision of a new sports pitch with floodlights will enhance the park and the functionality of the public open space. As such, it is considered that the exceptional circumstances of this case would justify the reduction of the existing sports pitch facility, which is in poor condition.

- 11.3 The proposed new circular village green grass area, which would provide space for informal sport and general recreational activities, would constitute a new hub space and become the central focus of the park. This village green area would have new picnic tables and table tennis tables that would provide informal sports activities within the park and would be used by different groups within the community.
- 11.4 The existing green space within the park contains 8,280 square metres in area, which would be increased by 1,645 square metres. The proposed plan aims to enhance the existing path network within the park by increasing the surfaced footpaths by 840 square metres and connect existing entrances to the new network. For example, the entrance from Barnsbury Road would be connected to the new internal network and would allow a direct access to the main amenities of the park. Additionally, the existing entrance from Boxworth Grove would be regraded from a 1:11 existing slope to a 1:17 slope.
- 11.5 Given the provision of additional open space, increase of planting area/tree cover and recreational facilities with an enhanced connectivity, the proposed development would not conflict with policy DM6.3 of the Islington's Development Management Policies (2013), which requires any form of development to open spaces to provide benefits that outweigh the principle that development is not permitted on any public open space.

12. **SPORTS FACILITIES:**

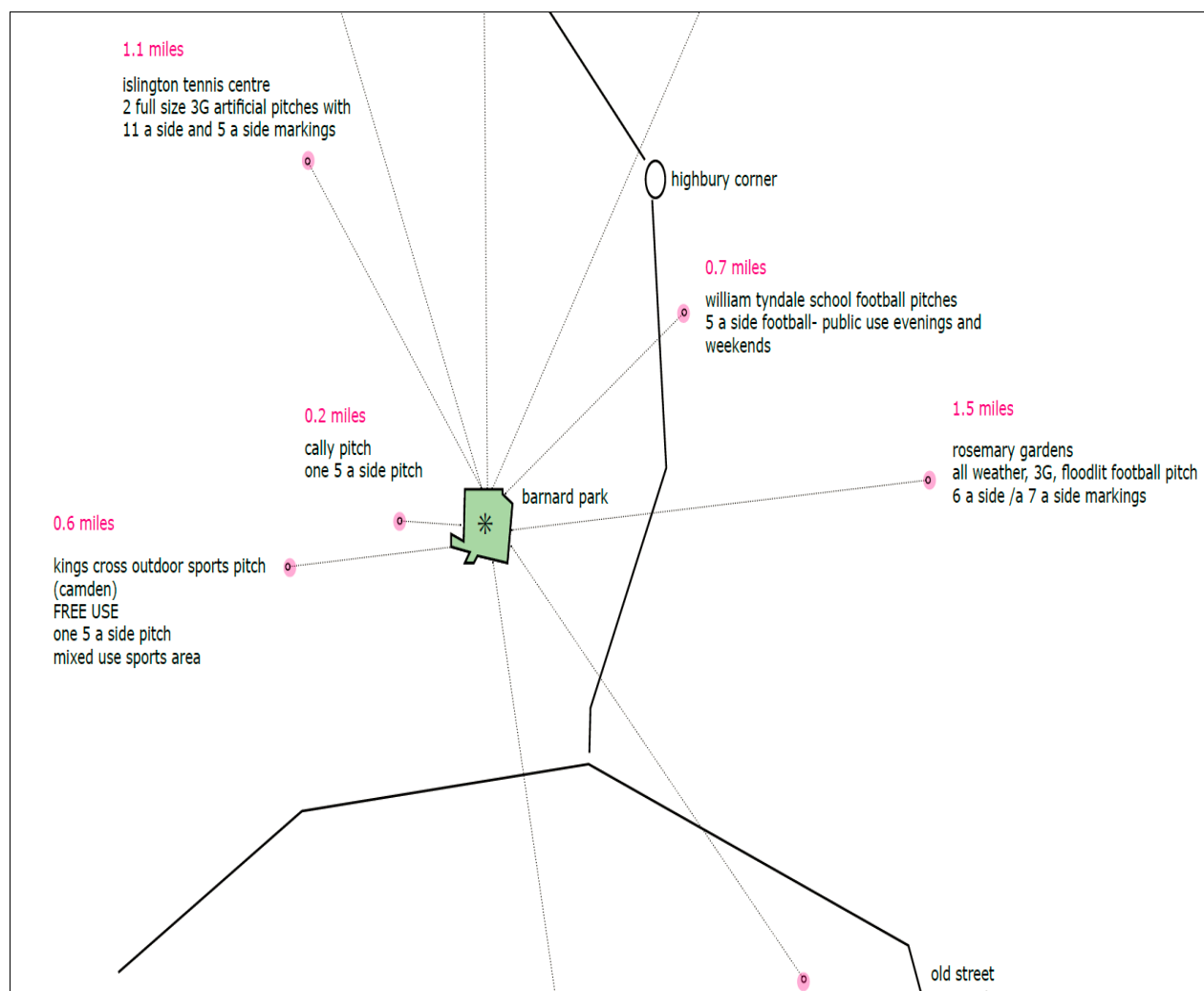
- 12.1 The proposed development involves the reduction in the area of the existing sports pitch, by removing the existing sports pitch facility(8,990.00 square metres) and replacing this facility with a new sports pitch (2,763.00 square metres). The proposed development involves a 36% reduction in overall sports provision in the park. The new sports pitch would be re-located to the central area of the park and would abut the south side of the proposed village green grass area. The proposed sports pitch would be controlled and managed by the London Borough of Islington.
- 12.2 The proposed sports pitch would have eight floodlights that would measure 15 metres in height. A condition has been recommended in order to assess further details of the proposed lighting scheme and predicted light levels on neighbouring properties.
- 12.3 The proposed 3G sports pitch would comprise a 210 mm in depth rubber infilled carpet that would sit over a compacted stone base. The sports pitch would be enclosed with a 4.5 metres in height black plastic coated wire fence. A condition has been recommended in order to assess details of the proposed fencing, in order to ensure that noise from footballs hitting the fencing is mitigated by appropriate rubber fixings to reduce resonance.
- 12.4 Core Strategy Policy CS17 safeguards existing formal sport and recreation facilities and seeks to improve their quality, accessibility and capacity. In addition, London Plan Policy 3.19 resists the net loss of sports and recreation facilities. Policy DM6.4 of the Islington's Development Management Policies (2013) provides further detail for proposals that involve the loss of existing sport/recreation and advises that the loss of play spaces would be resisted unless a replacement space of equivalent size and functionality is

provided to meet the needs of the local population. Policy DM6.4 of the Islington's Development Management Policies (2013) mentions that the loss of play spaces would be resisted unless *"a replacement play space of equivalent size and functionality is provided to meet the needs of the local population. Where this is not possible development will only be permitted in exceptional circumstances where there are over-riding planning merits to the proposal and the capacity of other local play spaces shall be increased"*.

- 12.5 In light of the policy guidance, which in principle resists the reduction of formal sports facilities, the application provides justification to address the concerns over the reduction of the sports pitch. This justification has been reviewed by the Council's Public Realm Officer, who has provided the following comments in order to address the considerations that were outlined by the Council's Policy Officers and the points of objection raised by Sport England:
- 12.6 The existing 11 a side pitch is in poor condition and would require a total refurbishment and re-build to reinstate the pitch as a working facility. An extensive consultation was conducted with local residents and park users including the assessment of several design options, combined with advice from landscape architects. The Greenspace Service is of the view that the retention of the full sized pitch would be a detriment to the success of the overall park and not constitute an improvement to the Greenspace as a whole.
- 12.7 The main concerns expressed in the public consultation and ongoing discussions with stakeholders is the dominance of the 11 a side pitch within the park, as this:
- Reduces the available space for other park uses, such as informal recreation and events.
 - Creates a barrier across the park, forcing users to walk the 'long way round' to get from one side of the park to the other.
 - Noise caused to local residents, caused by the proximity to the northern boundary.
 - Light pollution to local residents, caused by the proximity to the northern boundary.
 - The reduction of sightlines across the park, making it feel smaller and reducing the perception of safety.
 - The existing hard surface Redgra pitch and surrounding fencing, do not present a welcoming feel to the park, but present an obstructed view that cuts across the middle of the park.
- 12.8 A large majority of those who participated in the consultation did not want the 11 a side pitch to remain and were happy to see a reduced size pitch re-located within the park.
- 12.9 Currently, there is no substantial contiguous area of amenity grass for informal amenity, events and sports use. Many responses to the consultation highlighted the lack of a flat, expansive area of amenity grass that fulfills this role. The proposed design gives a stronger, more legible design for the park, which will provide a wider range of informal use and therefore a wider range of park users in the future.
- 12.10 For the above reasons, the Council believes that the proposed design achieves a balanced design providing high quality sports provision as well as space for a range of park activities and users.

Sports and recreation provision

- 12.11 Currently there is little open and sunny area which park users can access, given the size of Barnard Park in the context of the generally small sizes of green space in Islington. There is some informal recreation that occurs in the 11 a-side pitch (other than ball games or organized sport) but this is very low given the footprint and dominance of the facility.
- 12.12 The proposed scheme provides a significant increase in available amenity space for recreation such as walking, picnics, sunbathing, socialising and informal ball sports and activities.
- 12.13 The 11 a side pitch is a large space that can be used for some events. Whilst it is larger than the proposed village green, the increased size comes at the expense of the wider park as the fences prevent easy access around the site.
- 12.14 The Council is confident that all events currently held on the 11 a side pitch could in future be accommodated in the Village Green. This will be a grassed area, which is easily accessible from across the park and will be able to hold different sized events and still leave space for general park use.
- 12.15 Currently the 11 a side pitch is used for jogging and informal training. Because of its size, users tend to stay within the fenced area as there is not easy running access to other areas in the park.
- 12.16 The proposed scheme incorporates measured tracks around the perimeter of the park, allowing joggers to gauge and plan their runs. Gym equipment has also been provided in key locations to provide additional fitness facilities, such as table tennis.
- 12.17 The current provision is for 11 a-side matches on an old Redgra pitch with degraded surface. This is used by several local clubs and organisations, both for football and other organised training, as well as on an informal basis for ball games.
- 12.18 The proposed scheme allows for a high quality 3G surface, with one 7 a-side pitch that can also accommodate two 5 a-side pitches. This would have a varied management plan to allow public and private access at different times (i.e. formal and informal).
- 12.19 Islington has the second lowest amount of open space of any London borough, with only 201 hectares of open space. Because of the lack of available green space, Islington's parks and open spaces have many competing pressures on green space.
- 12.20 There are several locations within walking distance of Barnard Park for organized football. There are two 11 a-side pitches within a one mile from Barnard Park located at the Market Road Pitches, near to the Islington Tennis Centre, off Caledonian Road. Walking further north at Whittington Park there is also one 11 a-side football pitch. The majority of the pitches available for public use are run by the Council's leisure team and can be booked via the GLL website.
- 12.21 Other than proposals at Barnard Park, there is no proposed improvement to sport pitches planned for the wider area in the immediate future. However, the past two years have seen significant investment in Market Road Pitches and the Sobell Centre pitches (two 5 –a side pitches) which have been upgraded and refurbished.
- 12.22 The following map shows the location of football pitches relative to Barnard Park:



12.23 However, for reference, the size of the proposed village green is 2,986 square metres and the new sports pitch will be 2,763 square metres. Both spaces will support sports activities. Additionally, the village green will provide a more flexible open space to encourage other types of sport (cricket, rounders etc) alongside the football provision.

12.24 It is considered that the proposed scheme provides a diverse and multi functioning park than is currently allowed, whilst still providing a high quality sport provision that can be used by all groups, ages and backgrounds. The existing 11 a-side pitch sport facility is replaced with a 7 a-side sport facility. It is considered that on balance, the proposed scheme would enhance the use and sports capacity of the park when considering the benefits that the proposed design allows for, such as improvements to access, quality of surfacing, legibility of the space, modern floodlighting, perceived safety, a more welcome environment, a high quality formal sport provision, good levels of informal sport provision, more diverse planting, a more flexible and accessible events space and more socially welcome and accessible park.

13. **OPEN SPACE:**

13.1 The proposed open space involves the creation of a village green area that would accommodate opportunities for sports, which should mitigate the impact that would result from reducing the sports pitch. The village green would contain a circular footpath route, which would be an informal exercise track and new table tennis tables.

- 13.2 The proposal includes the provision of two outdoor table tennis tables within the circular village green area. The tables would be installed over a reinforced grass surface to reduce surface wear. The plans include additional running routes through the park and the proposed play areas aim to create additional facilities for informal sports.
- 13.3 Although the provision of additional recreation areas (consisting of two outdoor table tennis tables and an outdoor gym equipment area) within the circular village hub constitutes permitted development under Schedule 2, Part 12, Class A (Development by Local Planning Authorities) of the General Permitted Development Order 2015, these works are not considered in isolation from the proposed scheme and form part of a holistic approach for assessing the application, particularly as the scheme involves the reduction of the existing sports pitch, which requires robust justification.
- 13.4 It is considered that on balance, the proposed scheme would enhance the use and sports capacity of the park and that there are sufficient considerations that mitigate the reduction of the size of the sports pitch. The proposed development would enable members of the community to use the park, as the proposed village green area and its facilities would be family friendly. In the absence of existing informal sports facilities and appropriate connectivity within the park, the proposed development would be seen as an improvement to the park and would provide significant public benefits that would enhance the overall functionality of Barnard Park.
- 13.5 Due to these considerations, the proposal would provide sufficient justification that outweigh the reduction of the sports pitch facility and would meet the requirements of policies DM6.3 and DM6.4 of the Islington's Development Management Policies (2013) and Core Strategy Policy CS17. On balance, the scheme provides over-riding merits that would address the needs raised during the consultation process for the development.

14. **BIODIVERSITY, LANDSCAPING AND TREES:**

- 14.1 Barnard Park is within a Site of Importance of Nature Conservation (SINC) and the site falls within an area that has been identified as being deficient in access to nature. Core Strategy Policy CS15 (2011) highlights that access to nature will be increased by improving the biodiversity value of parks and gardens. In addition, policy DM6.2 of the Islington's DMP (2013) states that SINC's will be strongly protected and those public open spaces shall incorporate areas of biodiversity habitat that complement surrounding habitats.
- 14.2 The application includes a Preliminary Ecological Appraisal for the park (dated December 2015), which advises that the majority of the vegetation within the park consists of uniform amenity grass, with parcels of formal planting and vegetation. There are also a number of mature trees across the site, which provide value for nesting. The proposed plans propose an increase in the number of trees in the park, in order to increase the wildlife value for birds. Furthermore, the proposal includes the provision of a native hedgerow planting area (wildlife area) that includes a wildlife pond on the north side, which would provide further cover and nesting opportunities for birds and food growing space.
- 14.3 The Arboricultural Report (dated 14th March 2016) has been reviewed by the Council's Tree Officer, which raised no arboricultural objections against the proposal, subject to a condition requiring a scheme for protecting retained trees. The tree survey indicates that there are 200 trees and 2 tree groups within the entire park and that these are one of the main assets of the site. The works involve the removal of six trees and the planting of thirty five trees. Furthermore, new footpaths would have surface falls to areas of landscaping and the scheme would provide adequate permeable surfaces. Due to the

above, the proposed development is considered consistent with Core Strategy Policy CS15 (2011) and policy DM6.2 of the Islington's DMP (2013).

14.4 In terms of landscaping, policy DM6.5 of the Islington's DMP (2013) mentions how development must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the site. The proposed development aims to maximise the provision of soft landscaping, which results from the repositioning and construction of the sports pitch and it is therefore in accordance to policy DM6.5 of the Islington's DMP (2013).

15. **DESIGN AND VISUAL IMPACT:**

15.1 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. Given that the park is situated within the Barnsbury Conservation Area, any visual impact should be carefully considered, in order to ensure that the development is acceptable under visual terms and provides a positive contribution to the local character and distinctiveness of the conservation area.

15.2 The proposed development is also assessed against the Islington's Urban Design Guide, which mentions how any re-development should recognise the recreational, amenity and ecological value of the open space and identify how the works can be best fit within the wider area. The Urban Design Guide adds how *"Open spaces should normally be coherently designed and well overlooked by surrounding development that fronts on to them and defines their edge. The shape and form of the open space should be positively determined and should influence the layout of the surrounding development as much as the development shapes of the space"*. Furthermore, the guide mentions how *"public space should be designed with a purpose in mind. Space left over after development, without a function, is a wasted resource and will detract from a place's sense of identity"*.

15.3 The proposed works seek to enhance and maximise the potential for the park, by the provision of the village green area and enhanced connectivity, with new footpaths and improved facilities that would result in new attractions for the park.

15.4 In terms of particular design guidelines, the Barnsbury Conservation Area Design Guidelines mention how *"the existing character and appearance of the area is created by the survival of 18th and 19th century buildings and that it is important that new buildings blend in with and reinforce this character. The guide mentions how modern materials (glass, steel and concrete) may be acceptable as long as the design of the new building acknowledges the scale and character of the area"*.

15.5 The application involves development for phase 1 of the masterplan and therefore no buildings that would affect the character and appearance of the park and the Barnsbury Conservation Area are being proposed. The Design and Conservation Officer therefore raised no objections against the visual impact that would result from the replacement of the existing sports pitch with a smaller facility and the creation of a village green grass area.

16. **AMENITY:**

16.1 The proposed works raise no concerns with reference to impact on the amenities of neighbouring properties. The position of the proposed sport pitch would have a distance of approximately 45 metres from the closest residential properties at Barnsbury Road and the letters of objection do not raise concerns over impact on neighbouring amenity in terms of loss of daylight/sunlight, privacy, safety, noise and general disturbance.

- 16.2 The development has been reviewed by the Council's Public Protection Officer, who advised that the proposed pitch is arranged at a 45 degree angle away from residential properties at Barnsbury Road, which are the nearest receptors. The proposed arrangement is considered more appropriate to the existing arrangement, by reason of the greater separation from the residential properties at Barnsbury Road, which should reduce levels of noise and disturbance.
- 16.3 As advised by the Public Protection Officer, the proposed development would be acceptable, subject to conditions restricting the operating hours.
- 16.4 Bearing in mind the open nature of the proposed fencing and its overall height of 4.50 metres, it is not considered that the development would give rise to any material adverse impacts on adjoining resident's amenity levels in terms of loss of daylight/sunlight, increased enclosure or privacy.
- 16.5 In addition, a condition has been recommended in order to control the noise that can be generated from footballs hitting the fencing, by ensuring that the proposed fencing provides adequate vibration and resonance levels.
- 16.6 The proposed lighting scheme involves the installation of eight columns that would measure 15 metres in height. A condition has been recommended requiring a full report detailing the lighting scheme and predicted light levels at neighbouring properties in order to ensure that the residential amenities of neighbouring residents is protected.
- 16.7 In light of the above and the a recommended condition restricting operating hours of the sports pitch (09:00 – 21:00 weekdays and 09:00 – 20:00 weekends) the proposed development would not conflict with policy DM2.1 of the Islington's DMP (2013).

17. **HIGHWAYS**

- 17.1 The park would continue to be serviced from the same access points on Charlotte Terrace. Whilst the scheme involves upgrading the existing north entrance at Boxworth Grove by regrading the existing 1:11 slope with a new 1:17 slope , there would be no impact on the access for vehicles at entrance points. In the absence of any impact, there are no concerns under a highway point of view.

18. **TRANSPORT**

- 18.1 No objections have been received in relation to level of parking required and no on-site parking for visitors or staff is proposed. Given the close proximity of the park to the Angel Tube Station and numerous bus stops, the site is considered to be well located to access by sustainable means.
- 18.2 Although the Design and Access Statement mentions that five cycle hoops would be installed within the park, no details for the provision of cycle parking are shown in the drawings. Policy DM8.4 of the Islington's DMP (2013) mentions how "*it must be demonstrated that there are no road safety conflicts between pedestrians, cyclists and vehicles entering, parking and servicing a development. Cyclist entrances must be safe and convenient and separate cycle lanes should be demarcated*".
- 18.3 In light of the above requirements, it is recommended to attach a condition, requiring details of cycle parking and routes within the park that takes into consideration connectivity, public routes and a proposed cycle network within the park.

19. **INCLUSIVE DESIGN AND ACCESSIBILITY:**

19.1 Although the proposed scheme would provide new routes to enhance the connectivity within the park, the pedestrian and step free entrances would be retained. The existing entrance from Boxworth Grove would be regraded in order to reduce the slope. The development would therefore not conflict with policy DM2.1 of the Islington's Development Management Policies (2013) and the Council's Access Officer has raised no objections against the proposal with regards to access. The park would continue to provide ease of use and deliver spaces that are convenient and enjoyable to everyone.

20. **OTHER MATTERS:**

20.1 Letters of representation have advised that cycle paths should be reviewed for the safety of pedestrians and opening hours should be controlled, in order to safeguard amenity. These points of concern are addressed and conditions restricting hours of operation of the proposed sports pitch and details of lighting are recommended. In addition, details of proposed cycle facilities are also requested by a separate condition.

20.2 Although a letter of representation advised that a 'dog only' playground and the installation of wild life proof containers would be welcomed, these are not facilities being proposed under Phase 1 for the re-development of the park. However, the proposed scheme provides a wildlife pond on the north side, which would provide further cover and nesting opportunities for birds and food growing space. The Preliminary Ecological Appraisal for the park (dated December 2015) is considered complete and provides an increase in wildlife value within the park.

21. **Directors' Level Service Agreement:**

21.1 The proposed development would be subject to a Community Use and Management Agreement to ensure that the space is suitably managed and public access is guaranteed. This safeguard would also secure the appropriate management and long term use and intensity of use of the sports space. It is considered that this agreement to provide these details coupled with controls on light levels and hours of operation would ensure that the amenity of neighbouring residential properties is safeguarded. This is secured through a Directors' Level Service Agreement which operates in a similar manner to a S106 Agreement.

22. **SUMMARY AND CONCLUSION**

Summary

22.1 Full planning permission is sought for the re-development of the east side of Barnard Park (phase 1 of the proposed masterplan). The proposed works seek to upgrade the existing facilities of the park and include the replacement of the existing sports pitch with a smaller sports pitch, which would result in a 36% reduction in overall sports provision in the park in terms of the physical area for sports.

22.2 The application follows extensive consultation exercises by the Council, which conclude that a reduced sports pitch would be acceptable if this new facility would provide a higher quality surface that could be used for both public and private hire. Given that the scheme provides new facilities, which include new pathways, additional open/recreational spaces and a new park hub that would enable other informal sports and activities within the park, it is considered that the scheme provides a robust justification for replacing the existing sports pitch facility, in accordance to the requirements of policies DM6.3 and DM6.4 of the Islington's Development Management Policies (2013).

- 22.3 It is considered that the redevelopment of the park would not raise concerns over design and impact on the character and appearance of the Barnsbury Conservation Area. In addition, the impact of the proposal on the amenity of neighbouring properties has been carefully considered. It is recommended that a condition is imposed restricting the times of operation of the new sports pitch facility. As such, the proposal would not have a significant detriment impact on the amenity of neighbouring residents.
- 22.4 The proposed development includes the provision of further planting and landscaping on the south side of the park. A condition is recommended, which requires the submission of an arboricultural method statement, in order to ensure that biodiversity, sustainability and visual amenity is enhanced as part of the scheme.
- 22.5 The proposal is therefore considered to be acceptable and to be broadly in accordance with the Development Plan Policies.

Conclusion

- 23 It is recommended that planning permission be granted (and referral to Secretary of State) subject to conditions as set out in APPENDIX 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS:

RECOMMENDATION A:

That planning permission be granted and referral to Secretary of State subject to the prior completion of a Directors’ Service Agreement 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 Community Use and Management Agreement to ensure suitable management and community use.

RECOMMENDATION B:

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

Grant of planning permission subject to **conditions** to secure the following:

List of Conditions:

1	<p>Commencement (Compliance)</p> <p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved Plans List: (Compliance)</p> <p>The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Arboricultural Report dated 14/03/2016, Primary Ecological Appraisal dated December 2015, Tree Constraints Report, Design and Access Statement, Site Plan, Drawings titled "Arboricultural Impact Assessment" and "Tree Constraints Plan" and Drawing Numbers IA-365-LS-P-02 (Rev. B), IA-365-LS-P-03 (Rev. B), IA-365-LS-P-04 (Rev. B), IA-365-LGA-P-01 (Rev. B), IA-365-LS-P-02 (Rev. A), IA-365-LS-P-03 (rev. A), IA-365-LS-P-04 (Rev. A), IA-365-LS-P-01 (Rev. A), IA-365-SP-P01 (Rev. A), IA-365-LMP-P01 (Rev. B) and IA-365-LMP-P02 (Rev. B).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Hours of Operation (Sports Pitch and Lighting) (Compliance)</p> <p>CONDITION: The proposed all weather football pitch shall operate only between the hours of: 09:00 and 21:00 Monday - Friday and 09:00 and 20:00 Saturdays, Sundays and Bank Holidays.</p> <p>The football pitch flood lighting shall operate during the hours of: 09:00 and 21:00 Monday - Friday and 09.00 20:00 Saturdays, Sundays and Bank Holidays Usage of the football pitch flood lighting within these hours shall be controlled by a photocell detector and timer switch.</p>

	REASON: In order to safeguard the residential amenities of neighbouring residents.
4	Fencing (Details)
	<p>CONDITION: Details of the football pitch rebound fencing shall be submitted to and approved in writing by the Local Planning Authority prior to development works commencing on site. The fencing shall be installed strictly in accordance with the details so approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior consent of the Local Planning Authority.</p> <p>Reason: In order to protect the residential amenities of neighbouring residents.</p>
5	Method Statement (Details)
	<p>No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods: the arboricultural method statement, AMS in accordance with British Standard BS 5837 2012 -Trees in Relation to Demolition, Design and Construction and construction method statement have been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
6	Lighting (Details)
	<p>CONDITION: No development shall take place until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority.</p> <p>Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E3 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.</p> <p>Reason: In order to protect the residential amenities of neighbouring residents.</p>
7	Drainage Strategy (Details)
	<p>Details of drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The drainage strategy shall include the following details:</p> <p>A drainage plan detailing the proposed method for disposing of surface water by means of appropriate sustainable drainage systems. 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 runoff from the site post-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: In the interest of sustainability</p>

8	<p>Landscaping (Details)</p> <p>A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any 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 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> <p>REASON: In the interest of securing a sustainable development.</p>
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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. 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>
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2	Surface Water Drainage
	<p>It is the responsibility of the developer to make proper provision for drainage to ground, water course 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 separated and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.</p>
3	Service Level Agreement
	<p>Your attention is drawn to the fact that this grant of permission is subject to a Service Level Agreement.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, 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 2015 - Spatial Development Strategy for Greater London

- Policy 3.16 Protection and Enhancement of Social Infrastructure
- Policy 3.19 Sports Facilities
- Policy 7.4 Local Character

B) Islington Core Strategy 2011

- Policy CS8 (Enhancing Islington's Character)
- Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
- Policy CS15 (Open Space and Green Infrastructure)
- Policy CS16 (Play Space)
- Policy CS17 (Sports and Recreation Facilities)

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.7 – Telecommunications and Utilities
- Policy DM6.2 -- New and Improved Public Open Spaces
- Policy DM6.3 – Protecting Open Space
- Policy DM6.4 – Sports and Recreation
- Policy DM6.5 – Landscaping, Trees and Biodiversity
- Policy DM3.4 - Housing standards
- Policy DM6.5 – Landscaping, Trees and Biodiversity
- Policy DM8.4 – Walking and Cycling
- Policy DM9.1 – Infrastructure

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Public Open Space
- Site of Importance for Nature Conservation (SIN) – Local Importance

- Barnsbury Conservation Area

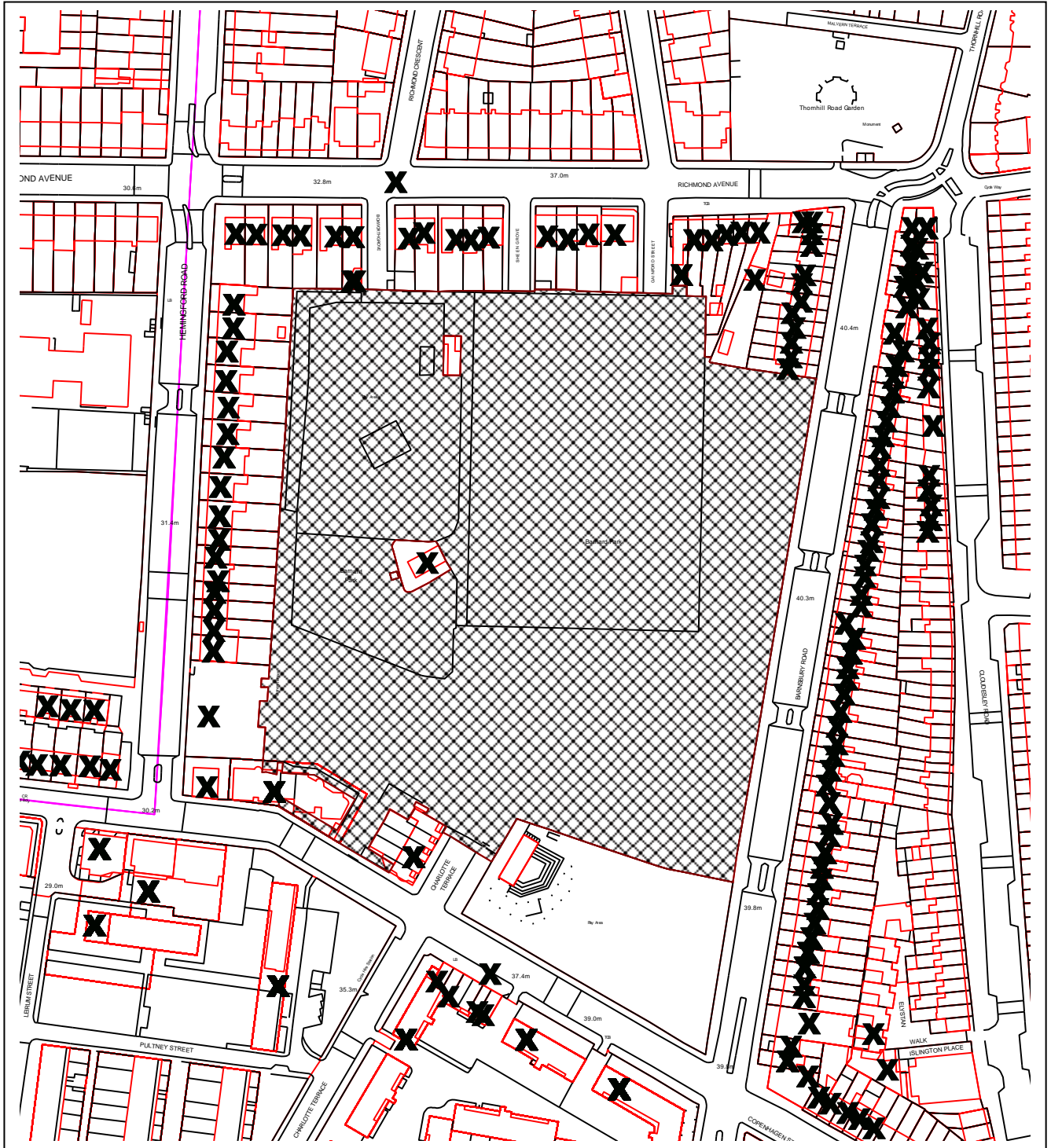
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

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| Islington Local Development Plan: | London Plan: |
| - Conservation Area Design Guidelines | - Sustainable Design & Construction |
| - Urban Design Guide | |

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Islington SE GIS Print Template



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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 A		
Date:	18 th July 2016	NON-EXEMPT

Application number	P2015/1655/FUL
Application type	Full Planning Application
Ward	Highbury East
Listed building	No
Conservation area	No
Development Plan Context	Within 50m of Conservation Area (St Mary Magdale)
Licensing Implications	None
Site Address	Clarendon Buildings, 25 - 27 Horsell Road and 11 Ronalds Road London N5 1XL
Proposal	Internal reconfiguration of the existing floorspace, and construction of a three storey rear extension at basement, ground and first floor levels to comprise office (B1 Use Class), conversion of second floor to residential and additional floor of residential within existing roof profile including the insertion of roof lights. The building will contain B1 office space at basement, ground and first floor levels, with 7 no. residential units (C3 Use Class) occupying second and third floors (2 x 1bed/2 person, 3 x 2bed/4 person, 2 x 3bed/5 person).

Case Officer	Eoin Concannon
Applicant	G&T The Bindery Ltd
Agent	Savills

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.

1. SITE PLAN (site outlined in black)



2. PHOTOS OF SITE/STREET



Image 1: Aerial photograph showing the north easterly facing elevation of 25-27 Horsell Road and surrounding buildings.



Image 2: Photograph of the application building taken from Ronalds Road looking west.



Image 3: Rear elevation of the site viewed across petrol station forecourt from Holloway Road.

4. Summary

- 4.1 Planning permission is sought for internal reconfiguration of the existing business floor space and construction of a three storey rear extension at basement, ground and first floor levels to comprise office (B1 Use Class), conversion of second floor to residential and third floor of residential within existing roof profile including the insertion of roof lights to serve upper floor. The building will contain B1 office space at basement, ground and first floor levels, with 7 no. residential units (C3 Use Class) occupying second and third floors (2 x 1bed/2 person, 3 x 2bed/4 person, 2 x 3bed/5 person). There will be a slight decrease in existing B1 office floorspace (31 sq.m) however this

decreased is balanced out by the improved facilities and general layout which is more suited to the modern working environment.

- 4.3 Amendments have been made to the scheme which includes the omission of a roof extension which was deemed unacceptable by virtue of its design, scale, bulk and visibility. All proposed residential units are now contained within the existing building structure / roof pitch with rooflights proposed to provide light and outlook to roof floor. The removal of the roof extension has resulted in a reduction in overall new residential units being provided at the site from eight to seven. The amendments received also set the first floor rear addition in from the site boundary with No.29 Horsell Road to reduce its impact.
- 4.4 The proposal leads to a small loss of 31 sq.m office floor space from its current level (existing office space 1,884) partly due to the reduction in the overall size of the proposed three storey rear extension and partly due to the segregation of C3 and B1 Offices entrances. This reduction in the size of the three storey extension protects the amenity of the recently approved dwelling at 29 Horsell Road P2014/5002/FUL. The office floorspace would equate to a total of 1,853 sq.metres office floorspace located over basement, ground and first floors. Overall the office space will be arranged in a more efficient layout than the existing facility which is a mismatch of small cabin spaces that are generally not fit for modern working environments with little adaptability. The renovated facilities would be suitable for both small and medium sized businesses as well as being adaptable for future demand. Whilst a small reduction in existing floorspace occurs, given the general layout in comparison with existing arrangement, it would provide more flexible and efficient B1 floorspace, in accordance with policy DM5.1 of Islington's Development Management Policies June 2013. Combined with the creation of 7 new residential units, the small loss of office is acceptable in this instance.
- 4.5 The proposal includes a total of seven self-contained residential units, 2 x 1 bedroom units, 3 x 2 bedroom units and 2 x 3 bedroom units occupying the existing second floor and by creating an additional floor within the existing roof pitch. The 2 x 1 bedroom units are located over second floor only, whilst the larger 2 bed and 3 bed units are duplex units located over two floors. This is an acceptable mix with regard to DMP policy DM3.1. All proposed residential units exceed the minimum space standards. It is considered that the proposed residential units would provide an acceptable living environment for future occupiers.
- 4.6 The proposed external alterations to make good the existing brickwork and replace the existing uPVC windows with timber framed windows are a welcome enhancement to the host building and streetscene. The proposed zinc clad contemporary roof extension has been omitted from the scheme following officer comments. The proposed brick rear extension is considered acceptable in accordance with policies CS8 and CS9 of Islington's Core Strategy 2011, policies DM2.1 (Design) and DM2.3 (Heritage) of Islington's Development Management Policies Document June 2013.
- 4.7 The proposal is considered not to prejudice the residential amenity of neighbouring properties insofar as loss of light, outlook, sense of enclosure and disturbance in line with policy DM2.1 of the Islington Development Management Policies June 2013.

- 4.8 The applicant has agreed to pay the full affordable housing and small sites contribution of £350,000 (£50,000 per new unit). The applicant also wishes to contribute towards improving the public realm around the building. It is considered that this matter should be pursued independently of this application with the Council's Highways/public realm team. An informative to this effect is recommended.
- 4.9 It is recommended that planning permission be granted subject to conditions and legal agreement.

5. SITE AND SURROUNDING

- 5.1 The site comprises a three storey over basement building located on the western side of Horsell Road. The building is partially in B1 use class over basement, ground and first floors, with the second floor currently vacant.
- 5.2 The building is not listed, nor is it located within a Conservation Area, but it does adjoin the St Mary Magdalene Conservation Area which is located to the immediate west of the site.
- 5.3 Directly to the south-west of the building lies the Shell petrol station, with Nos.1-9 Ronalds Road adjacent the application site to the south. Within these buildings is Citadel Court, a residential development. No. 9 Ronalds Road is a locally listed building.
- 5.4 To the west of the site lies a vacant piece of land that has recently secured planning permission (ref: P2014/5002 decision date 16/05/2016) for the erection of a new four storey terraced dwelling. The current entrance points include two directly opposite terraced properties at Nos 32 & 34 Horsell Road. These properties form part of a wider terrace at Nos.22-36 Horsell Road which face the building on the opposite side of Horsell Road. Two further entrances into the building are situated along Ronalds Road.
- 5.5 Generally the area is mixed use with residential above existing commercial units to the north and east along Witherington Road and Ronalds Road. Holloway Road runs from the north-west to the south of the site with both Highbury & Islington and Holloway Road tube stations within walking distance.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for internal reconfiguration of the existing business floor space to provide better quality and more efficient B1 floorspace, a three storey rear office space extension at basement, ground and first floor levels, conversion of the second floor to residential and additional residential accommodation within the existing roof pitch including the installation of rooflights. The building will contain B1 office space at basement, ground and first floor levels, with 7 no. residential units located at second and third floors.
- 6.2 Amendments have been made to the scheme which includes the omission of a roof extension which was deemed unacceptable by virtue of its design, scale, bulk and visibility. It is now proposed to insert rooflights in the existing roof front and rear to serve the top floor. All proposed residential units are now contained within the existing building structure / roof pitch. The removal of the roof extension has resulted in a reduction in overall new residential units being provided at the site from eight to seven.

- 6.3 There will be a small reduction in B1 office floorspace (31sqm) and the creation of seven self-contained residential units comprising 2 x 1 bedroom/2 person units, 3 x 2 bedroom/4 person units and 2 x 3 bedroom/5 person units located over second and third floors. The 2 x 1 bedroom units are located over second floor only, whilst the larger 2 bed and 3 bed units are duplex units located over two floors.
- 6.4 The proposal also includes external alterations to make good the existing brickwork and replace the existing uPVC windows with timber framed windows and the installation of rooflights to the existing front and rear roof pitch.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P2015/0307/COLP** - Certificate of Lawfulness (proposed) for change of use from B1a Office to C3 residential, to create 19 new dwellings. Refused 25/03/2015. Appeal lodged.

REASON: In accordance with The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 and specifically the provisions of (amended) Paragraph N (2A), the Local Planning Authority refuses this application for residential use at the site, as in its opinion, the applicant does not have deemed consent for application reference P2014/2617/PRA. The LPA did not fail to make a decision on the application within the statutory 56 day period as required, and the refusal to grant prior approval for P2014/2617/PRA due to insufficient information on the lawful use of the site as B1(a) office is still valid.

REASON: The application site is located on Article 1(6A) land and is therefore contrary to Class J.1(a), Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment)(England) Order 2013.

REASON: In accordance with The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 and specifically the provisions of (amended) Paragraph N (2A), the Local Planning Authority refuses this application as in its opinion, the applicant has provided insufficient precise and unambiguous information to enable the LPA to confirm that the proposed development complies with restriction J.1.(b) which requires that the use of the building subject to this application was as B1(a) offices on or before 30 May 2013. Based on the information provided the LPA considers that on the balance of probabilities the lawful use of the application property on or before 30 May 2013 was not as a B1(a) office in its entirety.

P2015/0305/COLP - Certificate of Lawfulness for proposed change of use from B1a Office to C3 residential to create 18 dwellings. Refused 25/03/2015. Appeal dismissed on the 16/03/2016

The Appeal Decision concluded that there was insufficient evidence that all the individual units within the building were within the B1a use class to be considered a lawful change of use.

“Overall, as a matter of fact I consider that some of the units should be treated as individual planning units. The appellant has acknowledged that two of the units, one at Ground Floor, 25 Horsell Road and the other Cabin P, were not in a use classed as B1(a). It therefore follows that conversion of these would not comply with the permitted development limitation” (Paras.20 & 21 APP/V5570/X/15/3119177 & APP/V5570/X/15/319180 Decision Date 16th March 2016)

P2014/3686/PRA - Application for prior approval for the change of use from B1a office floorspace to C3 residential, to create 18 new dwellings. (6 X 1 bed, 12 x 2 beds). Prior approval required. Refused: 05/11/2014.

P2014/2617/PRA - Application for prior approval for the change of use from B1a office floorspace to C3 residential, to create 19 new dwellings.(4 X 1 bed, 12 x 2 beds & 3 x 3 beds). Prior approval required, refused: 05/11/2014.

850467- Grant of permission for the Change of use of one basement room from storage to music rehearsal room and of the majority of the second floor from light industry to office as shown on the approved drawings.

Adjoining site at 29 Horsell Road: P2014/5002/FUL Approval with conditions and legal agreement for the *Erection of a new four storey terrace 3 bedroom dwelling house to match the existing terrace with new front and rear boundary treatment and associated alterations.* Dated 16/05/2016.



Diagram 1 showing extant permission on the adjoining site at 29 Horsell Road. (Front and rear elevations)

ENFORCEMENT:

7.10 None.

PRE-APPLICATION ADVICE:

7.11 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 98 adjoining and nearby properties located at Ronalds Road, Horsell Road and Holloway Road. A site notice and press advert was also displayed. Consultation expired on the 11th May 2015.
- 8.2 Following the receipt of amended drawings on the 26th August 2015 a second round of consultation was undertaken and a further site and press advert was displayed. Consultation expired on the 21st October 2015. A further period of consultation was undertaken on the 3rd June 2016 following further amendments (reduction in size of rear extension). However it is the Council's practice to continue to consider representations made up until the date of a decision. Any further representations received will be reported to Committee.
- 8.3 At the time of writing this report 10 individual objections have been received from adjoining and nearby residents. The following concerns have been raised:
- Overlooking and loss of privacy to residential properties on Horsell Road opposite the site (see paragraphs 10.20 – 10.22)
 - Parking concerns (see paragraphs 10.36)
 - Additional noise (see paragraphs 10.28)
 - Increased footfall in the area (see paragraph 10.27)
 - Design and appearance of rooftop extension and visibility from surrounding streets (see paragraphs 10.12-10.14)
 - People gathering and smoking on the street (see paragraph 10.27)
 - Disruption and noise during development works (see paragraph 10.28).

Internal Consultees

- 8.4 **Design and Conservation** – No objection to revised scheme.
- 8.5 **Access & Inclusive Design** – No comment received.
- 8.6 **Planning Policy** – No comments received to revised scheme.

External Consultees

- 8.7 None.

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.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.4 The site has no designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.5 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:

- Land Use;
- Affordable workspace provision
- Design, appearance and impacts on the surrounding streetscene;
- Impact on the amenity of neighbouring residents;
- Standard of Accommodation; and
- Highways and transportation
- Affordable Housing.
- Sustainability
- Accessibility
- Refuse facilities

Land Use

- 10.2 The application property comprises a three storey building with additional basement level. The second floor is currently vacant whilst basement, ground and first floors are in partial use as offices.
- 10.3 There is a strong policy basis for the protection of existing office floorspace. Core strategy policy CS13 safeguards existing business floorspace, protecting it from change of use. Policy DM5.2, part A (Loss of Employment Space) states that proposals that would result in the loss or reduction of business

floorspace will be refused unless the applicant can demonstrate through the submission of evidence that there is no demand for the floorspace.

- 10.4 Policy DM5.1 (New Business Floorspace) notes that outside Employment Growth Areas, Town Centres and the Vale Royal/Brewery Road Locally Significant Industrial Site, business floorspace may be provided within mixed use developments where this would enhance the character and vitality of the local area, would not detrimentally impact on residential amenity, and would not compromise residential growth.
- 10.5 New business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business accommodation, particularly for small businesses, and provide full separation of business and residential floorspace, where forming part of a mixed use residential development.

Loss of business floor space

- 10.6 The submitted Planning Statement notes that the existing office space measures 1,884sqm. The amended plans have reduced the proposed business floor space by 31 sq. m to 1853 sq.m. Normally such reduction in floorspace would be resisted however in the context of the existing office space, it represents 1.64% loss. It is considered that the refurbishment and overall layout of the proposed office space outweighs this small loss of business space. The small loss of office space is also as a direct result to the decrease in massing of the proposed rear first floor extension to lessen its impact on the amenity levels of the recently approved residential scheme adjoining the site at 29 Horsell Road. Part of the loss of floorspace is also to facilitate the access arrangements to the proposed residential use at second and third floor. There would be separate entrances for both the C3 residential units and the commercial space which takes from the current designated B1 space. Separate entrances are necessary and will allow for both uses to operate with limited impact on each other.
- 10.7 Furthermore, the current floorspace is a mismatch of smaller B1 units with little flow or organisation to allow for flexibility and more suited to industries of previous era. The reconfiguration of the floorspace together with the extension will be arranged in a more efficient manner with facilitates suiting both small and medium sized businesses as well as having adaptability for future demand. The proposed retention of B1 office floorspace is supported, as is the provision of more flexible and efficient B1 floorspace, in accordance with policy DM5.1 of Islington's Development Management Policies June 2013.
- 10.8 The proposal comprises the creation of 7 no. residential units over the existing second floor and through the creation of an additional floor within the existing roof pitch. The surrounding area is mixed in use with both residential and commercial uses. Horsell Road and Ronalds Road are predominantly residential and the addition of a number of residential units at the application site is considered acceptable.

Affordable workspace provision

- 10.9 The current proposal seeks to reconfigure and create similar sized B1 floorspace amounts to what exists on site. DM policy 5.4 seeks that within Employment Growth areas and Town Centres, major developments proposals

for employment workspace must incorporate an appropriate amount of affordable workspace. In this case the application is not a major application and is not located within a Town Centre or Employment Growth Area therefore this policy is not considered to apply in this case.

Design and Appearance and impacts on the surrounding streetscene

- 10.10 The site is an attractive three storey over basement Victorian building located on the western side of Horsell Road. There are public views of the rear elevation from Holloway Road across the Petrol Station site and it should not be assumed that this will be built on being the last such facility on Holloway Road.
- 10.10 The building is not statutorily listed, nor is it located within a Conservation Area. However, it does adjoin the St Mary Magdalene Conservation Area which is located to the immediate west of the site. No. 9 Ronalds Road, located to the south west of the site, is locally listed. The surrounding area is mixed in character and appearance.
- 10.11 The application building has been subject to various alterations including unsympathetic uPVC glazed windows and metal roller shutters over the basement windows. The proposal seeks to make good the existing brickwork and replace the existing uPVC windows with timber framed windows. These works are a welcome enhancement to the host building subject to appropriate detailing which should be conditioned accordingly.
- 10.12 The proposal to remove the existing pitched roof and replace it with a new roof clad in dark zinc has been omitted from the application following officer comments. The proposed roof was deemed unacceptable by virtue of its design, scale, bulk and visibility from Holloway Road and the surrounding Conservation Area. It is now proposed to work within the existing roof pitch which is set behind an existing parapet wall. Eight rooflights are proposed to the front roof pitch and 15 rooflights are proposed to the rear roof pitch with 2 on the side slope to provide light to the proposed residential units.
- 10.13 A three storey rear extension finished in London stock brick is proposed to the basement, ground and first floor office space. This extension would infill an existing courtyard/void which currently comprises a garage/storage space, extending across half the existing building. It measures a depth of 2 metres along the southern flank which increases to 5.5m along its boundary with No.29 Horsell Road. The first floor section of this extension is set in 2.5m from the boundary with 29 Horsell Road which reduces the impact on this future residential property. Whilst the first floor element would be visible through the Shell garage along Holloway Road, it would retain a subordinate appearance in the context of the building. It would be set in from the side and set down a sufficient distance from the eaves, The use of matching brickwork would allow it to blend in with the main bulk of the building with limited impact from public view points. This extension is considered acceptable in the context of the building. A condition is recommended to ensure details of all external materials are submitted to and approved by the Local Authority prior to works commencing on site.

Basement Development

- 10.14 The proposal would be situated predominately under the footprint of the main building where there is already an existing basement in operation. However some excavation works would be required to provide the office space. In January 2016 the Council adopted its Basement development supplementary planning document (SPD). The document seeks that all basement development potential impact in terms of structural impact is appropriately assessed and is appropriate to its location. The basement SPD states that for all development involving the provision of a basement that a Structural Method Statement must be submitted with the application. The application was submitted prior to the adaptation of the SPD, therefore it is recommended a condition is attached to any permission require a Structural Method Statement be submitted prior to commencement of works on site.
- 10.15 The SPD states on mixed use redevelopment schemes, the extent of the basement development should be commensurate to the site context and the building design. Any basement component of the scheme should be designed to avoid adverse impacts to sensitive sites, building, trees and other structures that may be affected by the construction of the proposed development. The proposed excavation works would not impact on any sensitive sites, trees or other such areas. It would largely be situated in existing hard surfaced area and in would not impact on both the character and appearance of the building. Notwithstanding the above, both a Structural Method Statement and Construction Method Statement would be necessary to safeguard the integrity of the adjoining properties. Both these are suggested conditions for approval so officers can be sure that the development can be adequately planned and mitigation measures taken to adequately safeguard the amenity levels of adjoining occupiers.

Conclusion (Design and Appearance)

- 10.16 It is considered that the proposed extension and alterations to the existing building offers a high quality design that is sympathetic to its context in terms of its scale, massing and materials. It is also important to note the limited views from the wider public of the application site and it is not considered that the development would become a dominant or incongruous feature when seen within the local context surrounding the site. It is therefore considered that the proposal is 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

Impact on the amenity of neighbouring residents

- 10.17 The Council's planning policies seek to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise. There have been a total of nine objections raised to the proposal from members of the public following two rounds of consultation. These objections are from residents of residential properties on the opposite side of Horsell Road and the site adjoining Clarendon Buildings.
- 10.18 Consideration must be given to surrounding uses, in particular in this instance, the very close proximity of residential units to the rear of the site (No's 1-9 Ronalds Road) and the potential dwelling to the north-west if planning

permission P2014/5002 is implemented. In regard to No's 1-9 Ronalds Road, there is a requirement to safeguard existing residential amenity of the occupiers of these residential units and ensure there is no unacceptable overlooking. It is crucial that careful consideration is given to ensure that there is no loss of privacy to the existing occupiers of adjoining units, and also that the occupiers of the proposed residential units have sufficient privacy.

- 10.19 The proposed residential units will be located over second and third floors. The existing windows at second floor will be utilised and rooflights are proposed to the front and rear of the existing roof pitch.

Overlooking Concerns

- 10.20 Policy DM2.1 notes that to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.
- 10.21 To the front elevation the host building and residential properties on the opposite side of Horsell Road are separated by a public road. Whilst the residents along the opposite side of Horsell Road have raised objections in relation to overlooking, given a public highway separates these buildings, it is generally considered acceptable. This arrangement is a common feature in residential streets and similar to the prevailing character in the immediate area where windows/bay windows face directly opposite each other (further up Horsell Road and Ronalds Road). Notwithstanding this fact, there is approximately 17.5m distance from the first floor windows opposite the application site and the second floor windows serving the new residential units. This is considered acceptable distance to the front of the property. The roof windows (third floor level) to the front would also be partially screened by the existing parapet wall with remaining facing upwards. As such, there is no unacceptable overlooking or loss of privacy to the residents on the opposite side of Horsell Road to warrant the refusal of this scheme.
- 10.22 A majority of the rear of the site is adjoined by the petrol station site and subsequently there is no concern insofar as overlooking/loss of privacy to this element. The southern section of the site is in close proximity to the residential units at 1-9 Ronalds Road, a two storey plus roof addition residential block. There are windows at second floor facing towards 1-9 Ronalds Road, however these windows are located at a higher level than the existing windows on the side elevation at 1-9 Ronalds Road and therefore there will be no direct overlooking or loss of privacy. In addition, the proposed third floor rooflights face upwards and will not result in any unacceptable overlooking to surrounding residential properties.

Daylight/Sunlight Analysis

- 10.23 The applicant has also provided a daylight sunlight analysis in support of the scheme including appendices highlighting the windows assessed. It examines the impact of the proposal on the adjoining properties windows including the proposed new dwelling that adjoins the site to the north-west that has yet to be built (29 Horsell Road discussed below). It concludes that all habitable windows pass the daylight and sunlight analysis tests. Both the Vertical Sky Component test and Daylight Distribution Test satisfied the BRE daylight

requirements. All windows which face 90 degree of due south have been tested for direct sunlight. Each of these windows pass both the total annual sunlight hours test and the winter sunlight hours test and therefore also pass the BRE direct sunlight to windows requirements. Overshadowing tests on gardens also confirm that after the development is built there will be no less than 0.8 times the former value which the BRE guidance allows (minimum requirement permits a reduction of sunlight to be reduced by up to 0.8 its former value). As such there would be no impact on daylight sunlight to any of the neighbouring properties.

Impact on approved dwelling at No 29 Horsell Road

- 10.24 As noted, planning permission was granted for a new dwelling directly against the north wall of the building. The dwelling has been illustrated on the amended plans received and diagram 1 of this report. Considerations have been given to the impact on its amenity in the Daylight/Sunlight analysis based on the BRE Daylight Sunlight analysis. Para 2.27 of the BRE Daylight Sunlight guide states "*if the VSC is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight.*"
- 10.25 The Vertical Sky Component analysis confirms that the majority of windows on this proposed dwelling are greater than the recommended 27% of the available sky which meets the criteria set out in the BRE Daylight Sunlight analysis. Only windows Nos 285, 292 and 293 identified in Appendix 2 of the Daylight Sunlight report are below 27% criteria however none of these 3 windows lead to less than 0.8 times its former value. In this instance, the proposal would not lead to a less than 0.8 reduction of former daylight. Therefore, they would not lead to an unacceptable reduction in light.
- 10.26 The proposed first floor extension is set in 2.8m from the boundary with 29 Horsell Road. This set in along the boundary protects the future neighbouring occupants from any impact on their outlook. The main outlook of the rear windows would be unaffected. Officers consider the set in along the boundary sufficient to overcome any overbearing impact on this future neighbouring property

Other amenity concerns

- 10.27 Other concerns raised by residents include parking issues and increased footfall in the area. There are no proposed changes to parking within the area. The residential units are conditioned to be car-free in accordance with policy. Whilst there is likely to be an increase in footfall as a result of the addition of residential units, this is not considered to result in any adverse impact on residential amenity. Objection has also been raised to the potential of people loitering and smoking outside the application building. The planning department has no control over the potential that people will gather and smoke in the surrounding streets.
- 10.28 Concern has been raised about additional noise as a result of the proposed development. There is expected to be a level of noise and disruption with any building work and this proposal is not considered to represent any additional harm to neighbouring occupiers than other householder works. The Council has powers under the Control of Pollution Act to restrict the hours of noisy working.

- 10.29 Consideration has been given to matters such as outlook, light provision, loss of privacy, overlooking, noise and enclosure in accordance with policy DM2.1 of Islington's Development Management Policies document June 2013.

Standard of Accommodation

- 10.27 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 recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.
- 10.28 The applicant is proposing 2 x 1 bedroom/2 person units, 3 x 2 bedroom/4 person units and 2 x 3 bedroom/5 person units occupying second and third floors. The 2 x 1 bedroom units are located over second floor only, whilst the larger 2 bed and 3 bed units are duplex units located over two floors.
- 10.29 This is an acceptable mix with regard to DMP policy DM3.1. Development Management Policy DM3.4 sets out the various housing standards which residential development is required to meet. Policy DM3.4 part B and table 3.2 sets out minimum space standards for residential units. All proposed residential units exceed the minimum space standards. Whilst it is noted that some units exceed the minimum space standards and may be viewed to trigger threshold abuse, given the proposal is a conversion and the requirement to work within the parameters of the existing access and internal layout, the unit mix, size and arrangement is considered acceptable. Attempting to provide additional units at the building is likely to result in narrow units of poor internal quality which would be unacceptable.

Unit	Number of Bedrooms and Occupants	Size Required Policy DM 3.4	Actual Size
1	3b5p	86	105
2	2b4p	70	83
3	2b4p	70	83
4	1b2p	50	57
5	1b2p	50	57
6	2b4p	70	100
7	3b5p	86	115

- 10.30 The proposed plans demonstrate that only two units are able to provide dual aspect due to the site constraints (conversion). Whilst this is not ideal given the overall size of each unit and the high floor to ceiling living area arrangements (minimum 2.7m up to 4 m in rear flats), Officer' s consider that the flats would results in a bright and airy interior. This would also apply with regard private amenity space. Given that the flat sizes are on average 15 square metres above the minimum space standards, the proximity of the flat to public open space (Highbury Fields) the lack of private amenity space is acceptable in this instance.
- 10.31 There would be level access from the street to the internal stairwell and lift which serves the second floor entrances to each of the residential units. The

lift within the residential development meets the provisions set out in the Approved Document M, which is welcome.

- 10.32 The proposal includes the use of the courtyard to the rear as a secure residential entrance. This is currently used for parking of vehicles and loading/unloading goods, which is unsuitable due to the close relationship with the adjoining residential building. The improvement of this area also includes the removal of the existing extension which creates a dominant sense of enclosure to the windows at the adjoining property.
- 10.33 There is cycle storage for residential units in a safe and secure storage area, while refuse and recycling facilities are provided.
- 10.35 Policies CS9 and CS12 of the Core Strategy, and policy DM3.4 of Islington's Development Management Policies Document state that new development should provide accommodation of an acceptable standard with satisfactory aspect, daylight and sunlight. On the basis of the above, it is considered that the proposal would provide a good dwelling mix and that the residential units would have good layouts, access to light, outlook and ventilation and would therefore provide an acceptable living environment for future occupiers.

Highways and Transportation

- 10.36. There is no proposed car parking on the site. The residential units are conditioned to be car-free in accordance with policy. The proposal provides a secure internal, cycle space dedicated to the proposed residential units and office space with the residential storage located at ground floor rear. The number of bicycles and location of storage space is considered acceptable and can be secured by condition.
- 10.37 It is noted that the applicant is willing to contribute towards improving the public realm around the building. The pavement surrounding the building is in extremely poor condition and is unsafe in parts. The applicant has suggested that this contribution be secured by condition or by legal agreement. It is considered that this matter should be pursued independently of this application with the Council's Highways/public realm team. An informative to this effect is recommended.

Affordable Housing

- 10.38 The proposal is a minor application for seven 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 affordable housing and small sites contribution of £350,000 (£50,000 per new unit).
- 10.39 The proposed development would also be liable for the Mayor's and Islington CIL.

Sustainability

- 10.40 The Code for Sustainable Homes: technical guidance was withdrawn in April 2015. The Council therefore can no longer insist that developers meet the requirements of Code for Sustainable Homes. The initial planning submission included a Sustainable Design and Construction Statement detailing how the

development may proceed in compliance with local and national policies in regard to carbon emissions, energy consumption and the use of renewable energy. The plans however have been amended during the processing of the application and it is considered that a condition should be attached requiring the submission of a Sustainable Design and Construction Statement detailing how the proposal would achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the residential units achieve a 19% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2015, and not exceed water use targets of 110L/person/day.

Accessibility

- 10.41 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
 - Deregulation Bill received Royal Assent 26th March 2015
- 10.42 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.
- 10.43 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.
- 10.44 Planners are only permitted to require (by Condition) that housing be built to Category 2 or 3 if they can evidence a local need for such housing i.e. housing that is accessible and adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London.
- 10.45 Level access would be provided to serve the residential entrance with an accessible lift providing access to the second floor units. The hallways and overall size of each of these units would be compliant with space standards and adaptable to the future needs of its occupants. Consequently, it is considered that the scheme is acceptable and strikes an appropriate balance between inclusive design and heritage conservation requirements, in accordance with policy DM 2.2 and DM 2.3.

Refuse facilities

- 10.46 In regards waste management, the proposal shows separate facilities for both the C3 residential uses and B1 Office space. The residential units would be

served by secure bin store at rear ground floor which is screened by planting from the entrance. A further bin storage space is provided for B1 Office space at basement level with separate access arrangement via a front light well onto street level. Both waste storage spaces are considered acceptable and can be secured by condition.

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 a legal agreement as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior complete of a unilateral undertaking of a unilateral undertaking in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Direction, Planning and Development/Head of Service-Development Management or in their absence the deputy head of Service:

1. Provision of a contribution of £300,000 toward affordable housing within the borough.

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>Location Plan 794_001; 799_110 Rev P2; 799_111 Rev P3; 799_112 Rev P2; 799_113 Rev P2; 799_114 P2; 799_130 Rev P2; 799_140 Rev P3; 799_141 Rev P2; 794_214 Rev P4, 799_210 Rev P3; 799_211 Rev P6; 799_212 Rev P4; 799_213 Rev P4; 799_214 Rev P4; 799_215 Rev P4; 799_230 Rev P4; 799_240 Rev P5; 799_241 Rev P4; Design & Access Statement prepared by Coffey Architects dated May 2016; Planning Statement prepared by Savills dated April 2015; Daylight and Sunlight Study prepared by Right of Light Consulting Chartered Surveyors dated 23 May 2016; Sustainable Design & Construction Statement prepared by WSP dated March 2015.</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	Car Free
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>(1) In the case of disabled persons;</p> <p>(2) In the case of units designated in this planning permission as 'non car free';</p> <p>or</p> <p>(3) In the case of the resident who is an existing holder of a residents' parking</p>

	<p>permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: In the interests of sustainability and in accordance with the Council's policy of car free housing.</p>
4	Bicycle Storage
	<p>CONDITION: The bicycle storage area(s) shown on drawing No. 799_210 Rev P3 and 799_211 Rev P6 hereby approved, 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>
5	Materials and Samples
	<p>MATERIALS (DETAILS): 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> <ol style="list-style-type: none"> solid brickwork (including brick panels and mortar courses) window treatment (including sections and reveals); any other materials to be used. <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>
6	Waste Management
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing No. 799_210 Rev P3 and 799_211 Rev P6 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	Sound Insulation and Noise control measures
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be implemented prior to the first occupation to ensure the following internal noise targets (in line with BS 8233:1999):</p> <ul style="list-style-type: none"> - Bedrooms (23.00-07.00 hrs) 30 dB L_{Aeq}, and 45 dB L_{max} (fast) - Living Rooms (07.00-23.00 hrs) 35 dB L_{Aeq}, - Kitchens, bathrooms, WC compartments and utility rooms (07.00 –23.00 hrs) 45 dB L_{Aeq} <p>The sound insulation and noise control measures shall be implemented prior to the first occupation of the development hereby 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>

	REASON: To secure an appropriate internal residential environment.
8	Sound Insulation
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed office and residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</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 therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
9	Lift Installation
	<p>LIFTS: The lift hereby approved shall be installed and operational prior to the first occupation of the residential dwellings hereby approved.</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 adequate access is provided to the residential units at all floors.</p>
10	Lift Shaft Insulation
	<p>LIFT SHAFT INSULATION (COMPLIANCE): Prior to the first occupation of the residential accommodation hereby approved sound insulation shall be installed to the lift shaft sufficient to ensure that the noise level within the dwellings does not exceed NR25(L_{eq}) 23:00 - 07:00 (bedrooms) and NR30 (L_{eq}, 1hr) 07:00 - 23:00 (living rooms) and a level of +5NR on those levels for the hours of 07:00 - 23:00.</p> <p>REASON: To secure an appropriate future residential environment.</p>
11	Structural Method Statement
	<p>CONDITION: No development shall be commenced on site unless and until an updated structural engineers report and excavation strategy including methodology for excavation and its effect on all neighbouring boundaries and neighbouring listed buildings has been submitted to and agreed in writing by the Local Planning Authority.</p> <p>This strategy shall be fully implemented in accordance with the approved details.</p> <p>REASON: to ensure that the proposed development would have no undue impact on the structural integrity of the neighbouring properties.</p>
12	Construction Method Statement
	<p>CONDITION: Construction Method Statement (Details): No development 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>

	<p>i. the parking of vehicles of site operatives and visitors</p> <p>ii. loading and unloading of plant and materials</p> <p>iii. storage of plant and materials used in constructing the development</p> <p>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</p> <p>v. wheel washing facilities</p> <p>vi. measures to control the emission of dust and dirt during construction</p> <p>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</p> <p>viii mitigation measures of controlling noise from construction machinery during business hours</p> <p>xi. site access plan - detailing which roads will be used to access the site.</p> <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>
13	Sustainable Design and Construction Statement
	<p>CONDITION: A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the proposal hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwellings will achieve a 19% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2015, and not exceed water use targets of 95L/person/day.</p> <p>REASON: In the interest of sustainable development.</p>
14	Accessibility
	<p>CONDITION: Notwithstanding the drawings hereby approved, all residential units shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with LPP 3.8</p>

List of Informatives:

1	Positive statement
	To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the

	<p>Council's website. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. 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 accordance with the requirements of the NPPF.</p>
2	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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.</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 and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
3	Improvements to Public Realm
	<p>It is noted that the applicant seeks to contribute towards improving the public realm around the building. It is considered that this matter should be pursued independently of this application with the Council's Highways/public realm team.</p>
4	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
5	Sustainable Sourcing of Materials
	<p>Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
6	Section 106
	<p>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.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, 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 2015 - Spatial Development Strategy for Greater London

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.18 Education facilities

3 London's people

3.1 Ensuring equal life chances for all

3.3 Increasing housing supply

3.4 Optimising housing potential

3.5 Quality and design of housing developments

3.8 Housing choice

3.9 Mixed and balanced communities

3.10 Definition of affordable housing

3.11 Affordable housing targets

3.13 Affordable housing thresholds

3.15 Coordination of housing development and investment

5 London's response to climate change

5.1 Climate change mitigation

5.3 Sustainable design and construction

5.12 Flood risk management

5.13 Sustainable drainage

5.14 Water quality and wastewater infrastructure

5.15 Water use and supplies

5.17 Waste capacity

6 London's transport

6.3 Assessing effects of development on transport capacity Policy

6.9 Cycling

6.10 Walking

6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

8 Implementation, monitoring and review

8.1 Implementation

8.2 Planning obligations

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 CS12 (Meeting the Housing Challenge)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.7 Noise and vibration (residential uses)

Transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

5. 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:

- None

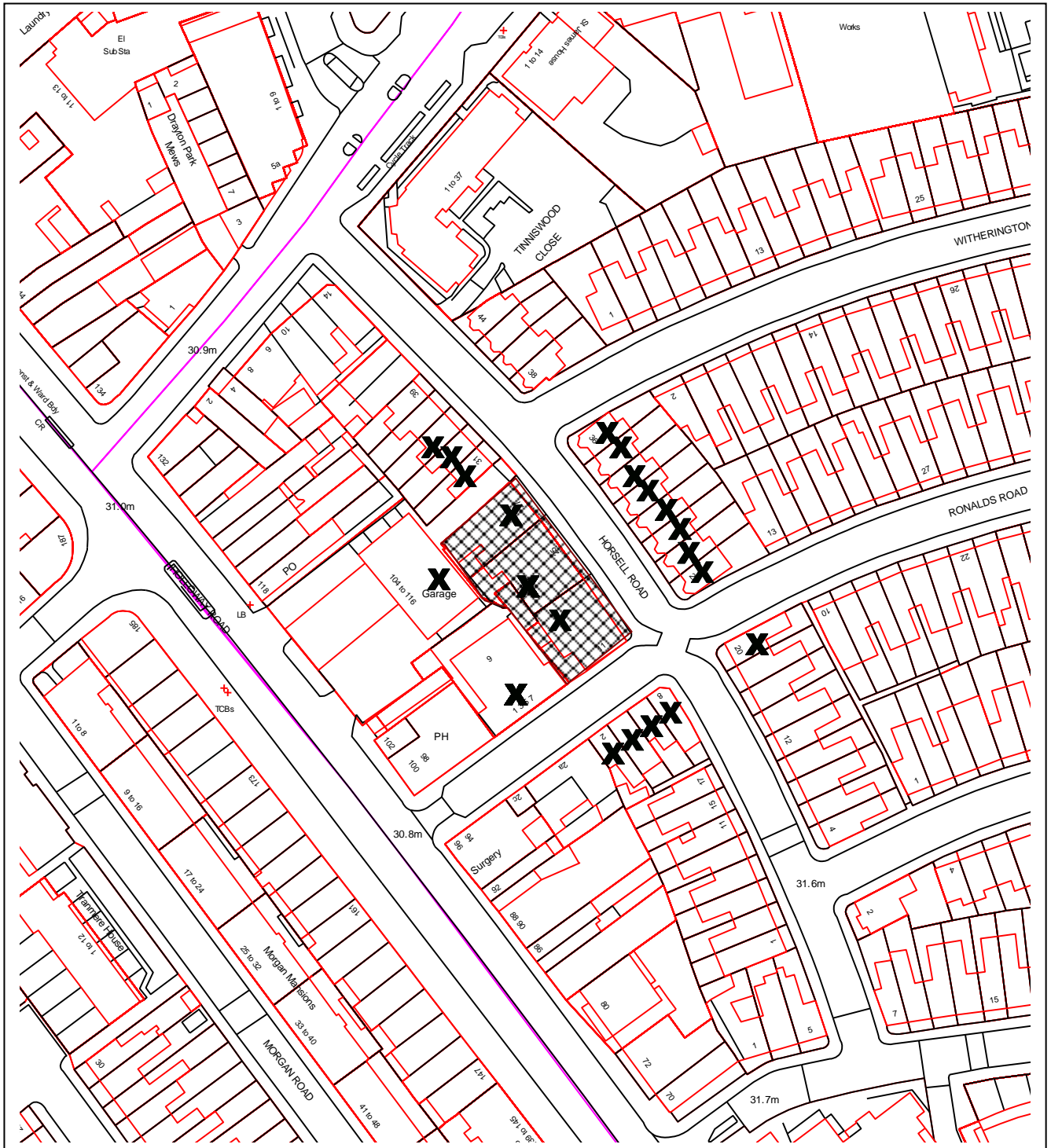
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan
- London Plan
- Conservation Area Design Guidelines (2002)
- Sustainable Design & Construction
- Urban Design Guide (2006)

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		NON-EXEMPT
Date:	18 July 2016	

Application number	P2016/0840/FUL
Application type	Full Planning Application
Ward	Holloway
Listed building	Unlisted
Conservation area	Hillmarton
Development Plan Context	None
Licensing Implications	None
Site Address	Garages at Quemerford Road London N7 9SG
Proposal	Demolition of three existing garages and excavation works for the construction of a ground floor over basement two-bedroom residential dwelling with green roof and bin store at entrance level.

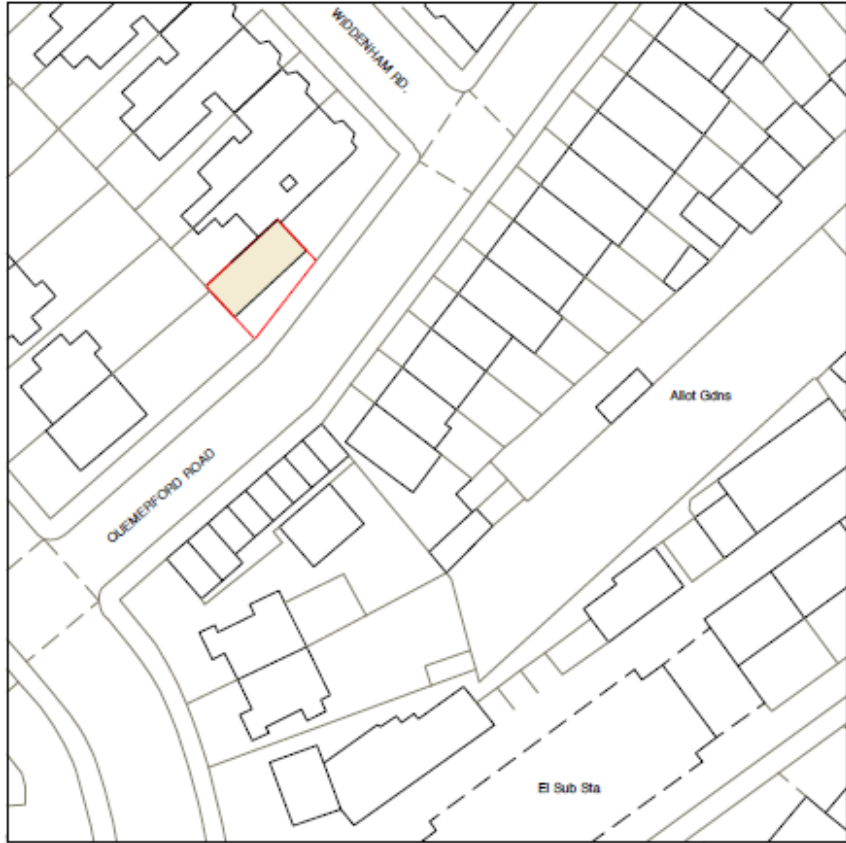
Case Officer	Pedro Rizo
Applicant	Mr John Rabbini
Agent	Gpad London Ltd

1. RECOMMENDATION

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

1.1 subject to the conditions and legal agreement set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1 - View of the existing garages from Quemerford Road



Image 2 – Quemerford Road’s street scene

4. SUMMARY:

- 4.1 The application seeks permission for the demolition of three single storey garages and the construction of a two-storey (basement and ground floor levels) two bedroom house. The existing pitched-roof profile of the garages, which has a maximum height of 3.69 and slopes down to 2.40 metres, would be replaced with a flat-roofed building that would measure 3.25 metres in height from ground floor level.
- 4.2 The main considerations are the impact of the development on the character and appearance of the site and its surrounding residential area, the impact on the residential amenity of neighbouring occupiers, the quality of residential accommodation and the acceptability of the proposed excavation works to enable the creation of a basement.
- 4.3 The development would have no significant harm on neighbouring amenity, by virtue that it would have no effects on the outlook and daylight/sunlight of adjoining properties. The development would be of an acceptable scale and would incorporate appropriate principles of design that would enhance the character and appearance of the street scene and the Hillmarton Conservation Area. Furthermore, the proposed dwelling house would provide acceptable residential accommodation in terms of floor area, outlook, access to sunlight/daylight and privacy.
- 4.4 The proposal is considered acceptable and broadly in accordance with the Development Plan policies.

5. SITE AND SURROUNDINGS:

- 5.1 The application site is formed by a single storey garage with three bays and lean-to, which are located on the northern side of Quemerford Road. The site abuts No. 150 Widdenham Road and adjoins the rear garden of No. 10 Stock Orchard Crescent. A

ground floor side conservatory has been built on the adjoining property No. 150 Widdenham Road, which abuts the north eastern section of the site.

- 5.2 The site is currently being used for residential storage.
- 5.3 The surrounding area is residential in character. Although the garages are not listed, these are positioned within the Hillmarton Conservation Area.

6. PROPOSAL (IN DETAIL):

- 6.1 The application involves the demolition of the existing single storey garages and the construction of a ground floor over basement two-bedroom dwelling house, which would measure 11.745 metres in length x 5.060 metres depth. The existing pitched-roofs of the three garages, which measures 3.69 metres at ridge line and slopes down to 2.40 metres, would be replaced with a flat-roofed building that would have parapet walls with a maximum height of 3.25 metres.
- 6.2 The proposed house would be accessed by a timber door that would provide access to a front courtyard, which would contain a lightwell that would provide sunlight/daylight to the proposed habitable rooms at basement level.
- 6.3 The house would have a brick wall elevation when viewed from the Quemerford Road's street scene and would therefore read as a continuation of the existing side boundary treatment of adjoining properties at No. 150 Quemerford Road and No. 10 Stock Orchard Crescent.
- 6.4 The scheme involves excavation works to create a basement, which would have a maximum depth of 3.40 metres that would accommodate two double bedrooms with an internal ceiling height of 2.60 metres.
- 6.5 The proposed house would have 90 square metres in internal floor area and would provide 21 square metres of private amenity space. The scheme includes the installation of a green roof with a small roof light.

Revisions:

- 6.6 Revised drawings were received on the 23rd June 2016 showing the following amendments:
- The footprint of the proposed basement extension was reduced by approximately 5.00 square metres.
 - The plans introduce soft landscaping at ground floor level in order to support the provision of mature planting to allow natural drainage.

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 None.

Enforcement:

7.2 None.

Pre-Application Advice:

7.3 A pre-application (Council Ref. P2015/3612/MIN) for the “Replacement of the existing garages with a new two storey (ground floor over basement) two-bedroom house” was submitted on the 20th August 2015. A pre-application report was issued on the 14th October 2015.

8. CONSULTATION

Public Consultation:

8.1 Letters were sent to occupants of 22 adjoining and nearby properties at Stock Orchard Crescent, Quemerford Road and Widdenham Road on the 04th April 2016. On the 07th April 2016, a site notice was placed outside the site and the application was advertised in the Islington Gazette on the 07th April 2016. The public consultation of the application therefore expired on the 28th April 2016.

8.2 At the time of writing this report, a total of 6 letters of objection and 2 letters of support were received in response to the consultation. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):

8.3 Objections:

- (i) Proposed house would affect the privacy of neighbouring residents. [paragraphs 10.22, 10.23, 10.24 and 10.25].
- (ii) Proposed replacement of the garages with a new modern building would be out of character with the surrounding conservation area [paragraphs 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 10.10 and 10.11].

8.4 Support:

- (i) The proposed garages would improve the appearance of the area.
- (ii) The proposed contemporary design would enhance the character of the street.

Internal Consultees:

8.5 Design and Conservation Officer:

The proposed demolition of the garages is considered acceptable in principle. The Council accepts that the garages have some historic value; however, their contribution to the conservation area is considered to be limited. The proposed design and massing of the proposed development is considered acceptable. The materials should be conditioned as well as the details of the new entrance doors and door to the refuse store along the boundary wall.

8.6 Tree Preservation Officer:

There are no trees on site and the four trees that are situated adjacent to the development would not be removed. Given that the trees directly adjacent to the development are of limited scale and amenity, these would not be considered a constraint for development.

8.7 Inclusive Design Officer:

Minor concerns raised over WC access door at basement level, which does not open outwards. However, given that the layout has been amended, the door would be acceptable as designed.

8.8 Sustainability Officer:

The amended plans show the reduction in extent of basement and the introduction of an unimpeded landscaped area that is capable of supporting mature planting and allowing natural drainage. The proposed development is therefore in principle compliant with the Basement Development Supplementary Planning Document, subject to conditions requiring landscaping and drainage details.

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 (NPPF) 2012 and Planning Policy Guidance (PPG) seek 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.

9.2 The Development Plan is comprised of the London Plan 2015 (consolidated with alterations since 2011), Islington Core Strategy 2011, Development Management Policies 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 relevant SPGs and/or SPDs are listed in Appendix 2.

10. **ASSESSMENT:**

10.1 The main issues arising from the proposal relate to:

- Land Use
- Design
- Standard of Proposed Residential Accommodation
- Impact on Amenity
- Sustainability
- Inclusive Design
- Refuse
- Transportation
- Trees
- Planning Obligations

Land Use

10.2 The garages comprise an internal floor area of 59.45 square metres. The proposed development has been reviewed by policy officers, who advised that solely in terms of

land use principles, there is no objection for the construction of a residential dwelling on this location, by reason that the development does not involve the loss of B8 (storage and distribution) floor space and the development meets car free policies (CS10 of the Islington's Core Strategy and DM8.5 of the Islington's Development Management Policies (2013)).

- 10.3 The three domestic garages were originally built for off-street parking and are presently used for storage by the current owner of the land. Given that the site is used as private domestic storage and is not under B8 use class, the requirements of Policy DM5.2 of the Islington's Development Management Policies (2013) would not be applicable. The introduction of a residential dwelling house is therefore acceptable on this site.

Design and Conservation:

- 10.4 The site is within the Hillmarton Conservation Area and is considered sensitive, by reason of its prominent position within the Quemerford Road's streetscape and its location within close proximity to two residential houses. Any form of development should therefore be carefully assessed, with reference to how any proposed building is integrated to neighbouring properties in terms of scale, massing and design, while respects the existing boundary treatment and the overall character and appearance of the streetscape and conservation area.
- 10.5 The Islington's Urban Design Guide aims for new buildings to consider the most important elements of the urban context. In this instance, any replacement of the existing garages and the construction of an individual building should respect the integrity of terrace houses along Widdenham Road and semi-detached houses along Stock Orchard Crescent, by properly integrating to the street frontage of this side of Quemerford Road and its visual relationship with neighbouring residential properties.
- 10.6 The proposed scheme involves the demolition of the existing three garages and the construction of a single family dwelling house. The development includes excavation of the site in order to create a basement level. Although the new dwelling will be located at lower ground and ground floor level, it would read as a single storey structure when viewed from the street. The proposed boundary treatment would continue the language of the traditional brick walls of the site and would therefore appear appropriate, in that the front of the building would remain visually related to neighbouring properties at both sides of the site and would not result in a substantial alteration to the front boundary treatment, when viewed from the public realm.
- 10.7 Given the acceptable height and the fact that the proposed house would have a distance at ground floor level from the front boundary wall of 3.20 metres, the design approach is considered to remain subservient to the adjoining properties at Stock Orchard Crescent and Widdenham Road. The visual gap between No. 10 Stock Orchard Crescent and No. 150 Widdenham Road would be maintained and therefore the development would have minimal visual impact on the conservation area. The development would therefore be consistent with the Hillmarton's Conservation Area Design Guidelines, which mentions how *"the gaps between detached, semi-detached and groups of villas afford pleasant views of trees and rear gardens and contribute to the spacious appearance of the area"*.
- 10.8 The proposal involves the replacement of the existing pitched roofs (maximum height of 3.69 metres) with a flat-roofed structure that would measure 3.49 metres in height. Given that the proposed flat roof would not be higher than the existing ridge line of the 'saw-tooth' profile of the existing roofs, the proposed building would not be seen as a visually dominating structure when viewed from public and private vantage points.

- 10.9 Concerns have been raised regarding the loss of the historic garages. However, the existing structure is not statutory listed and the existing garages have limited architectural merit. The Conservation and Design Officer therefore does not object to their demolition.
- 10.10 The refuse store and bicycle storey would be located in concealed positions and would therefore not detract from the street scene. Notwithstanding the approved drawings, a condition requiring details of the proposed entrance door and refuse store shutters is recommended, in order to ensure that these features are appropriate in terms of design and materials.
- 10.11 Overall, it is considered that the character and appearance of the surrounding Hillmarton Conservation Area would be preserved. The proposal is also considered to accord with policies CS8 and CS9 of the Islington's Core Strategy 2011, policies DM2.1 and DM2.3 of the Islington's Development Management Policies (2013) and the guidance contained within the Conservation Area Design Guidelines and the Islington Urban Design Guide.

Standard of Residential Accommodation:

- 10.12 Tables 3.2 and 3.3 of policy DM3.4 of the Islington's DMP provide the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected for the proposed house, which would accommodate two double bedrooms. The table below sets out the expected spatial standards that should be met for this type of residential dwelling:

No. Bedrooms/ Expected Occupancy	Habitable Floor Space Provided	Minimum Required Floor Space	Provided Storage	Required Storage
two double bedrooms (four people)	Approx. 87 m ²	83.00 m ²	Approx. 5.0 m ²	3.0 m ²

Bedrooms:	Floor Space Provided	Minimum Required Floor Space
Double Bedroom 1	Approx 12.50 m ²	12.00 m ²
Double Bedroom 2	Approx 13.90 m ²	12.00 m ²

- 10.13 The proposed house would be east facing and single aspect. Whilst single aspect, it is considered that the constraints of the site restrict the ability for providing a dual aspect development. An east facing development would therefore be acceptable in this instance, considering the site constraints and the acceptable size of the front courtyard at ground floor level.
- 10.14 The proposed double bedrooms meet the minimum spatial requirements, in that these exceed 12.00 square metres. Although initial concerns were raised over with reference to the limited outlook provided at basement level, the bedrooms would overlook a courtyard that would have 3.50 metres x a maximum depth of 2.60 metres and would have sufficient daylight and outlook and would not feel enclosed.
- 10.15 In terms of internal floor to ceiling height, the proposed bedrooms at lower ground floor level would have 2.60 metres and would therefore be acceptable. Whilst the internal floor to ceiling height at ground floor level would be 2.50 metres and would fail to achieve the recommended height of 2.60 metres under policy CS9 of the Islington's Core Strategy (2011), the 10 centimetres shortage would be considered acceptable in this case, by

reason of the constraints of the site and the considerable glazing that is proposed, which would face eastwards, towards the front courtyard.

- 10.16 The scheme would incorporate a roof light and large glazing area, in order to maximise daylight and sunlight levels to the new residential accommodation at ground floor and lower ground floor levels. The proposed bedrooms at lower ground floor would have corner windows that would provide glazed areas of 5.05 square metres for bedroom 1 and 1.30 square metres for bedroom 2. The applicant has confirmed that the proposed bedrooms at basement levels would meet the Average Daylight Factor (ADF) target level of 1 percent for bedrooms (as recommended in BS8206-2). Additionally, the ADF target level for the ground floor habitable space would be higher, as the proposed east facing glazing would have 13.20 square metres in area and the living area would have an additional roof light (1.45 square metres). The proposal therefore exceeds the 1.5% ADF target value for living area, as confirmed by the applicant on the 5th July 2016.
- 10.17 In terms of external amenity space, policy DM3.5 of the Islington's Development Management Policies (2013) details how all new residential development should provide good quality private outdoor space, in accordance with the minimum required figures. In this case, the minimum requirement for a ground floor residential unit (over basement) is 25 square metres (15 square metres on ground floor and additional 5 square metres per additional occupant). The house would provide 13 square metres of external amenity space at ground floor and an additional external area of 8.0 square metres at lower ground floor. Although the provision of a total of 21.00 square metres of outdoor amenity space would fall short by 4 square metres, the site is positioned within walking distance to the public spaces of Paradise Park. As such, the failure to meet the requirements of policy DM3.5 of the Islington's DMP (2013) by a marginal floor area of 4.0 square metres, would not warrant a reason of refusal in this instance.
- 10.18 Due to the above considerations, the proposed house would provide acceptable and adequate living accommodation, in compliance with policies DM2.1 and DM3.4 of the Islington's DMP (2013).

Impact on Amenity:

- 10.19 The site adjoins the rear gardens of No. 9 and No. 10 Stock Orchard Crescent to the south and abuts the flank wall of No. 150 - 152 Widdenham Road to the northwest. Any impact on residential amenity should therefore be assessed against these two neighbouring properties with the following considerations:

150 - 152 Widdenham Road:

- 10.20 No. 150 Widdenham Road has been extended with a single storey side/rear conservatory extension that has a mono-pitched roof with a maximum height of approximately 3.50 metres that slopes down to 3.00 metres. The existing conservatory extension at No. 150 Widdenham Road abuts the rear wall on the north western boundary of the site. Given that the proposed building would have a flat roof that would measure 3.25 metres in height when measured from ground floor level, the development would not exceed the maximum height of the existing conservatory extension and would therefore respect the outlook and sunlight/daylight provided to the rear and side windows at No. 150 Widdenham Road.
- 10.21 The proposed building would largely follow the footprint and height of the existing garages. The 'saw tooth' pitched roof profile of the existing garages has a maximum height of 3.69 metres and slopes down to 2.40 metres. Whilst the proposed flat roof would measure 3.25 metres in height and the 'saw-tooth' element of the existing garages

would be partially in-filled, the proposed house would largely follow the massing of the existing garages and would therefore have no harmful impact on the rear and side views of No. 150 Widdenham Road.

- 10.22 The proposed windows would be positioned towards the east side of the property and would not face the rear garden of No. 150 Widdenham Road. Due to these considerations, the proposed development would not include windows that overlook No. 150 Widdenham Road. The neighbouring residents of this adjoining property therefore support the application and have raised no concerns in terms of harmful impact on loss of privacy, loss of sunlight/daylight or loss of outlook.

9 and 10 Stock Orchard Crescent

- 10.23 The proposed house would have a setback of 15.40 metres from the rear elevations at No. 9 and No. 10 Orchard Crescent. Although the proposed house fails to achieve the recommended separation of 18 metres under policy DM2.1 of the Islington's Development Management Policies (2013), the proposed building would have an acceptable height of 3.25 metres and would only result of a partial infill of the existing 'saw tooth' pitched roof profile of the garages, with an additional height of 85 centimetres if measured from the eaves of the existing structure. Due to the acceptable separation from the rear elevations of properties at Orchard Crescent and the modest height of the proposed building, the development would not create a 'canyon effect' or sense of enclosure on No. 9 and No. 10 Stock Orchard Crescent and would have no impact on the daylight/sunlight and outlook provided to the rear windows of these two semi-detached properties.
- 10.24 The proposed development would not include side windows to the south side of the site towards the rear gardens of No. 9 and No. 10 Stock Orchard Crescent. In the absence of windows overlooking these neighbouring properties, the proposed development would have no ability to overlook the rear garden and windows of these properties.
- 10.25 In the absence of harm on the residential amenities of residents at No. 9 and No. 10 Stock Orchard Crescent, the concerns raised by neighbouring residents on these properties refer to the design and impact on the character of the conservation area, but raise no objections with reference to harm on amenity.
- 10.26 Given the fact that the principle of residential use is well established within the immediate setting and the low intensity use of the site for a two bedroom residential dwelling, the proposed development would not create unreasonable disturbance to the residents of neighbouring properties. The proposal is therefore considered to accord with policy DM2.1 of the Islington's Development Management Policies (2013), which requires all forms of development to provide good level of amenity including considerations of noise, overshadowing, overlooking, privacy, directly sunlight and daylight, over-dominance, sense of enclosure and outlook.

Sustainability:

- 10.27 The site is not within a Local Flood Risk Zone and the proposed basement extension would measure 3.40 metres in depth. The development is reviewed against the Basement Development Supplementary Planning Document (January 2016), which advises that for infill residential development, the scale and extent of basement development within a site should respond to the site context and the prevailing scale of development in the area. Basements should be proportionate, subordinate to the above ground building element and reflect the character of the surrounds.

- 10.28 The scheme was amended on the 23rd June 2016 and the proposed basement has been reduced in floor area by 5.00 square metres, in order to provide soft landscaping for the provision of natural drainage at ground floor level. Given that the existing garages provide no area for soft landscaping and the proposed scheme would introduce a landscaped area and a green roof that would aim to maximise the creation of habitats for biodiversity within the site and environmental quality of the building, the Council's Sustainability Officer supports the application and advised that *"the introduction of an unimpeded landscaped area that is capable of supporting mature planting in order to allow natural drainage would be supported."*
- 10.29 However, whilst the proposal is in principle acceptable, a further condition is recommended requiring the submission of a Sustainable Design and Construction Statement, in order to achieve that the proposed house achieves the best practice sustainability standards with reference to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwelling will achieve a 19% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2015 and not exceed water use targets of 110L/person/day.

Inclusive Design:

- 10.30 Since the application was submitted, the lifetime homes standard has been revoked and replaced with National Standards for Housing Design, set out within Building Regulations.
- 10.31 On 1st October 2015, a new National Standard for Housing Design was introduced, as an enhancement to Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via:
- Written Ministerial Statement issued 25th March 2015.
 - Deregulation Bill (amendments to Building Act 1984) to enable 'optional requirements'
 - Deregulation Bill received Royal Assent 26th March 2015.
- 10.32 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing; therefore flexible housing standards nor local wheelchair housing standards no longer apply.
- 10.33 The new National Standard is broken down into three categories: Category 2 is similar but not the same as the Lifetime Homes Standard and Category 3 is similar to the present wheelchair accessible housing standard. Planning must check compliance and condition the requirements. If not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.
- 10.34 It is only permitted to require (by Condition) that housing be built to Category 2 or 3 if evidence is found of such local need for housing (i.e. housing that is accessible and adaptable). The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, these emerging revised London Plan policies are given weight and inform the approach below.
- 10.35 The Inclusive Design Officer advised that the proposed house should incorporate the following:

- Step free access at ground floor level,

- Accessible and entrance level WC;
- The provision of an accessible courtyard at ground floor level
- The provision of stairs that meet the minimum clear width of 850mm.
- The provision of a minimum of 750 mm clear access route from the doorway on every bedroom.

10.36 The above requirements are met and have been confirmed by the applicant in writing. The proposed development would therefore aim to provide adequate and inclusive residential accommodation, in line with policies DM2.1 and DM2.2 of the Islington's Development Management Policies (2013).

Refuse:

10.37 The details for refuse and recycle store are considered adequate in terms of position and size. Although concerns have been raised over the design and appearance of the proposed entrance door and roller shutters, a condition is recommended requiring further details of these two external features, in order to ensure that the design of the bin stores is adequate and is not seen as an obtrusive feature along the street scene.

10.38 However, the proposed development would have proper regard to bin storage and given that its position is in principle acceptable with direct access to the pavement, the scheme raises no concerns with reference to bin and recycle stores.

Trees:

10.39 The application includes the submission an arboricultural report, which has been reviewed by the Council's Tree Officer. The proposed development would have no impact on the existing tree along the footpath, by virtue of a considerable distance. Given that the existing trees on adjoining properties have limited scale, these would not represent a constraint for development. The Tree Officer therefore advised that the scheme would be acceptable and any impact on trees should not be seen as a reason for refusal.

Transportation:

10.40 The proposed residential scheme would be car free. Although the existing garages were originally built for parking, these are presently used for storage and the development does not represent the loss of off street parking on site. The demolition of the garages is therefore supported by policy officers, by virtue that the development does not conflict with car-free policies CS10 of the Islington's Core Strategy and policy DM8.5 of the Development Management Policies (2013), which expects all forms of development to be 'car free'.

10.41 The provision of two cycle parking spaces for the two bedroom house is considered acceptable and consistent with Policy DM8.4 of the Islington's Development Management Policies (2013), which requires one cycle space provision per bedroom. The proposed cycle spaces would be well designed and properly sheltered and integrated to the dwelling house, located at entrance level.

Planning Obligations:

10.42 The Core Strategy Policy CS12 'Meeting the Housing Challenge' requires all sites capable of delivering 10 or more units gross to provide affordable homes on site. Schemes below this threshold will be required to provide financial contribution towards

affordable housing provision elsewhere in the borough. The SPD 'Affordable Housing Small Sites' states that line with the evidence base.

10.43 In addition, the Environmental Design Planning Guidance Supplementary Planning Document (SPD) and Islington's Core Strategy Policy CS10 require minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the off-set contribution is a flat fee based on the development type is £1,500.00 per house.

10.44 The applicant has therefore agreed to pay the full affordable housing and small sites contribution of £50,000. The applicant has also agreed to pay the environmental off-set contribution of £1,500.00.

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

11. Other Matters:

11.1 A letter of objection advises that the existing garages were constructed at the same time as the existing houses at Widdenham Road and therefore the existing roofline mimics the existing rooflines at Widdenham Road. However, the visual relationship between the existing garages and the terrace properties at Widdenham Road has been reviewed by the Design and Conservation Officer. The existing garages are not part of the Widdenham Road's street scene and the proposed continuation of the brick boundary wall is considered visually acceptable. Although the proposed entrance door and roller shutters are considered inappropriate, a condition is recommended, advising that notwithstanding approved drawings, further details of the entrance door and roller shutters shall be approved by the Local Planning Authority prior the commencement of building works.

11. SUMMARY AND CONCLUSION

Summary

11.1 The application seeks permission for the erection of a ground floor over basement dwelling house, which would replace three single storey garages. The principle of residential development on this land is considered acceptable and the proposed building, by virtue of limited height and massing would not detract from the character and appearance of the Hillmarton Conservation Area.

11.2 The impact on neighbours has been assessed and it is considered that the development would not harm the residential or visual amenities of neighbouring properties in terms of loss of sunlight/daylight, overlooking or overbearing sense of enclosure. The internal layout and spatial standards of the proposed residential dwelling meet the policy standards and would provide adequate outdoor amenity space, in accordance with the Council's objectives and planning policies.

11.3 The proposed basement would not represent the loss of soft landscaping in the site and would meet the guidelines under the Supplementary Planning Document SPD for basement extensions (adopted January 2016), in that the basement would not alter any perceived garden area on the site and would enhance the biodiversity value of the site by incorporating a green roof.

11.4 Whilst neighbouring residents have objected on the basis of harm on residential amenity and harm on the visual appearance of the site and surrounding Hillmarton Conservation Area, the scheme is acceptable under design, massing, scale and position grounds. The proposal is therefore considered in accordance with the Development Plan Policies.

12. CONCLUSION

- 12.1 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 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.

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

The Heads of Terms are:

- £50,000.00 contribution towards affordable housing within the Borough.
- £1,500.00 contributions towards carbon off-setting.

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.

RECOMMENDATION A

subject to **conditions** to secure the following:

List of Conditions:

1	Commencement (Compliance)
	<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: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved documents and plans:</p> <p>Sustainable Design and Construction Statement dated 23rd February 2015, Structural Method Statement (Project No. 7376), Planning Document (dated March 2016), Arboricultural Impact Assessment Report dated 22nd February 2016 and Drawing Numbers 509-EX.01, 509-EX.02 (Rev. P1), 509-EX.03 (Rev. P1), 509-EX.04 (Rev. P1) 509-EX.05 (Rev. P1), 509-EX.06 (Rev. P1), 509-EX.07 (Rev. P1), 09-PA.01 (Rev. A), 09-PA.02 (Rev. A), 09-PA.03 (Rev. P1), 09-PA.04 (Rev. P1), 09-PA.05 (Rev. A), 09-PA.06 (Rev. P1) and 09-PA.07 (Rev. A)</p>

	<p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials to Match (Details):</p> <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 treatment (including sections and reveals); d) roofing materials; e) details of new entrance door and refuse store within the boundary wall (Note: the materials of the entrance door and refuse store doors should be sympathetic to the surrounding conservation area and the use of aluminium doors and solid metal shutters is not considered appropriate) <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	<p>Sustainable Design and Construction (Details)</p> <p>A Sustainable Design Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the dwelling hereby approved achieves best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwelling will achieve a 19% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2013 and not exceed water use targets of 95L/person/day.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>
5	<p>Green Biodiversity Roof (Details)</p> <p>Details of the biodiversity (green 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 roof shall be:</p> <ul style="list-style-type: none"> d) biodiversity based with extensive substrate base (depth 80-150mm); e) laid out in accordance with plan 509-PA.03 (Rev. P1) hereby approved; and f) 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>The biodiversity green 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</p>

	<p>essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof 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>
6	Inclusive Design (Details)
	<p>Notwithstanding the Design and Access Statement and plans hereby approved, the residential unit shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance to LPP 3.8.</p>
7	Structural Method Statement (Details)
	<p>No development shall be commenced on site unless and until an updated structural engineers report and excavation strategy including methodology for excavation and its effect on all neighbouring boundaries and neighbouring listed buildings has been submitted to and agreed in writing by the Local Planning Authority.</p> <p>This strategy shall be fully implemented in accordance with the approved details.</p> <p>REASON: To ensure that the proposed development would have no undue impact on the structural integrity of the neighbouring buildings.</p>
8	Construction Method Plan (Details)
	<p>No development works shall take place on site unless and until a Construction Method Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The CMP should include details on the access, parking, and traffic management and delivery arrangement throughout the construction phase of the development. This should include:</p> <ul style="list-style-type: none"> a) identification of construction vehicle routes b) how construction related traffic would turn into and exit the site (including appropriate traffic management) c) the method of demolition and removal of material from the site d) the parking of vehicles of site operatives and visitors e) loading and unloading of plant and materials f) storage of plant and materials used in constructing the development

	<p>g) the erection and maintenance of security hoarding h) wheel washing facilities where applicable i) measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and j) construction works</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change from 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.</p>
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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	S106 Agreement
	<p>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.</p>
3	CIL
	<p>CIL Informative: 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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.</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 and the development will not benefit from the 60 day payment window.</p>

	<p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
4	Definitions (Superstructure and Practical Completion)
	<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>
5	Working Hours of Development
	<p>The applicant is advised that the accepted working hours for development within the borough are:</p> <p>8:00am - 5:00pm on Mondays to Fridays 9:00am - 1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.</p>
6	Thames Water
	<p>Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Furthermore, it is recommended, in line with best practice for the disposal of fats, oils and grease, the collection of waste by an oil contractor, particularly to recycle for the production of bio-diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.</p> <p>Thames Water would recommend that petrol / oil interceptors be fitted in all car-parking / washing / repair facilities. Failure to do enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p>A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution.</p>
7	Car-Free Development
	<p>All new developments are car free. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
8	Excavation
	<p>The applicant is advised to consider the construction impacts of the proposed excavation of a considerable basement in close proximity to neighbouring residential properties and refer to LBI's Code of Construction Practice, BS5228:2009, the GLA's SPG on control of dust and emissions during</p>

	construction and demolition.
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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 2015, 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 2015 - Spatial Development Strategy for Greater London

- Policy 3.3 Increasing Housing Supply
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and Design of Housing Developments
- Policy 5.3 Sustainable Design and Construction
- Policy 5.18 Construction, excavation and demolition waste
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.19 Biodiversity and Access to Nature
- Policy 7.21 Trees and Woodlands

B) Islington Core Strategy 2011

- Policy CS8 (Enhancing Islington's Character)
- Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
- Policy CS10 (Sustainable Development)
- Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

- DM2.1 Design
- DM2.2 Inclusive Design
- DM2.3 Heritage
- DM3.5 Private outdoor space
- DM6.5 Landscaping, trees and biodiversity
- DM7.1 Sustainable design and construction statement
- DM7.4 Sustainable design standards
- DM9.2 Planning Obligations

3. Designations

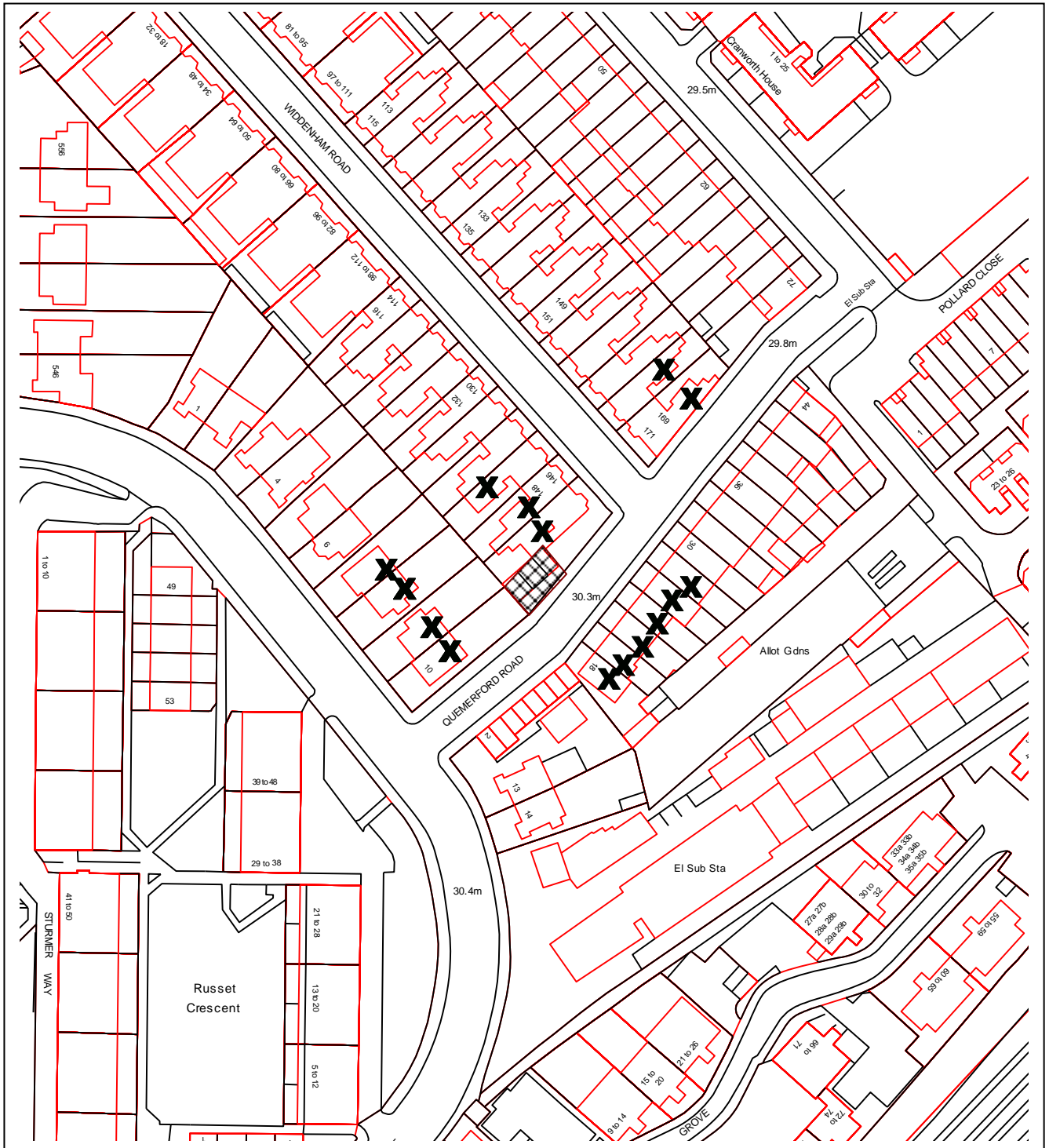
The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013: Hillmarton Conservation Area

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan
- Conservation Area Design Guidelines - Hillmarton
- Urban Design Guide
- Basement Development

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	18 July 2018	NON-EXEMPT

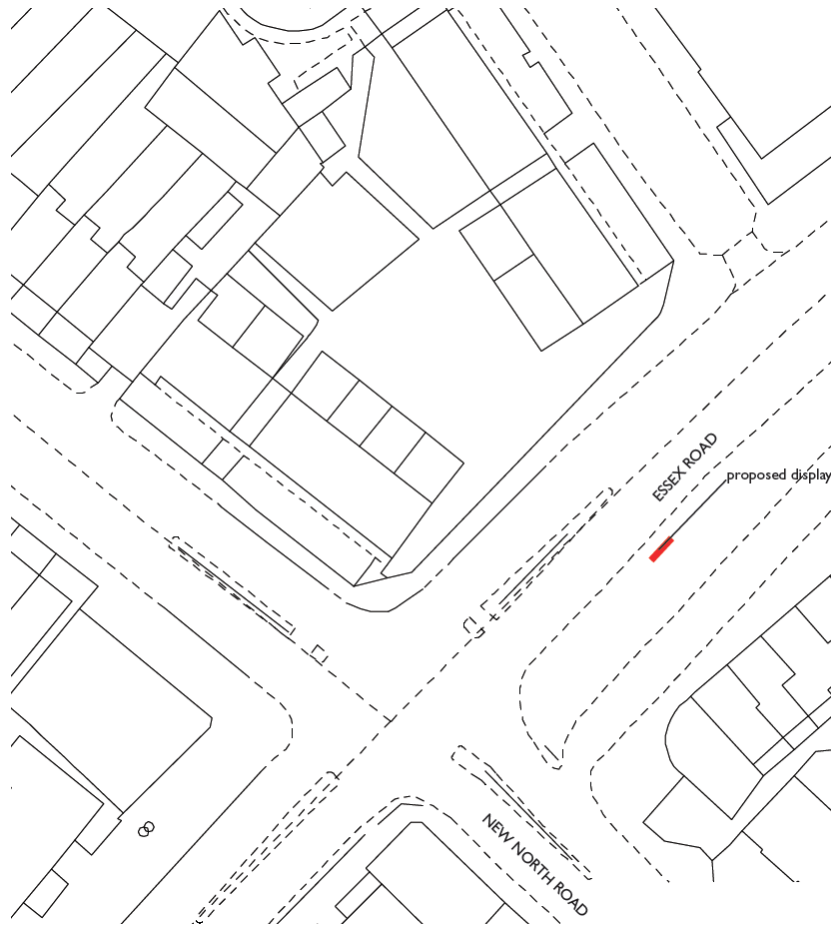
Application number	P2015/4873/ADV
Application type	Advertisement Consent
Ward	Canonbury
Listed building	None
Conservation area	N/A
Development Plan Context	Local Shopping Area- Embassy Within 50 metres of Canonbry Conservation Area
Licensing Implications	None
Site Address	Pavement on the east side of Essex Road (close to junction with New North Road) Essex Road, London N1 3AP
Proposal	Installation of Free Standing internally illuminated advertisement display panel (6 sheet) on pavement on the east side of Essex Road close to the junction with New North Road

Case Officer	Daniel Power
Applicant	Islington Council
Agent	J Foster Architects

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission -subject to the conditions set out in Appendix 1

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Application site

4. SUMMARY

- 4.1 Advertisement consent is sought for the installation of a free standing self-illuminated advertisement display panel (6 sheet) on the pavement on the east side of Essex Road.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The proposed advertisement display panel will neither harm the character or appearance of the adjacent buildings nor the wider street scene, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.
- 4.4 It is recommended that advertisement consent be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The proposal is located to the north of the junction between Essex Road and New North Road, on the eastern side of Essex Road. The immediate area is characterised by commercial properties and the application site is located to the east of Essex Road train station.
- 5.2 The buildings adjacent to the site are not listed and the site is within 50 metres of a Conservation Area, but not within one. The application site is a wide tree lined pavement with a bus stop, telephones box and cash machine close to the proposed site.

6. PROPOSAL (IN DETAIL)

- 6.1 Advertisement consent is sought for the installation of a freestanding self-illuminated advertisement display panel (6 sheet) on the pavement on the east side of Essex Road.
- 6.2 The proposed sign will measure a maximum of 2.6 metres in height, 1.3 metres in width and 0.2 metres in depth. The visible area of the digital screen display will measure 1.1 metres in width and 1.7 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 None

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

- 7.3 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 49 occupants of adjoining and nearby properties at Junction Road on the 4/12/2015. A site notice was placed close to the site, therefore the public

consultation expired on 13/01/2016. At the time of the writing of this report no objections had been received from the public with regard to the application.

- 8.3 It is proposed that the advertisements will be installed for 10 years, after this time the advertisements will be reconsidered. Whilst the contents of the signs is not something that can be controlled under advertisement legislation, it will be written into the contracts that only appropriate advertising is displayed on this sign.

Internal Consultees

- 8.4 **Design and Conservation Officer:** No objections have been received.
- 8.5 **Highways:** No objection.

External Consultees

- 8.5 N/A

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 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Local Shopping Areas - Embassy
 - Rail Safeguarding Area – Crossrail 2

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.4 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:
- Amenity
 - Highways Safety

Amenity

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building,
- 10.3 The application site is not located within a Conservation Area, but is close to the Conservation area of Canonbury. The proposed sign would be located on a busy main road, in front of a 6 storey building (Bentham Court Estate) with existing street clutter and commercial premises located in close proximity to the proposed site.
- 10.4 The proposed advertisement sign will be positioned on the pavement on the eastern side of Essex Road. Whilst the sign will be located on the pavement, it will be seen against the backdrop of the existing street furniture including the public telephone box and other street clutter as well as a bus stop to the north of the application site.
- 10.5 The proposed sign will measure 2.6 metres in height and 1.3 metres in width and will be set on the existing pavement. It is considered that when viewed against the back drop of the large properties to the rear the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. Immediately adjacent to the site there are several examples of existing street signage. It is therefore considered that the proposal will not result in unnecessary and additional clutter to the detriment of the existing landscape. Furthermore, as the sign is not located immediately adjacent to any neighbouring residential windows, it is not considered that the signs, by reason of their illumination, would have a detrimental impact on residential amenity.
- 10.6 It should also be noted that each application is considered on its own merits and if Members are minded to approve this application, it would not set a precedent for allowing other advertisements in this location. Whilst other advertisements in the vicinity may have been considered unacceptable, given the size and siting of the proposed advertisement it is considered acceptable in this location.
- 10.7 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

Highways Safety

- 10.8 It should be ensured that all new advertisement signs do not cause a hazard to pedestrians or road users, as a result of their visual dominance and method of illumination, in accordance with policy DM2.6 of the Islington Development Management Policies 2013.
- 10.9 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be set on the grass immediately adjacent to the pavement to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. The plans have been reviewed by the Council's Highways team who raised no objections to the proposal in terms of its siting or method of illumination and did not

consider the proposed sign would have a detrimental impact on highways safety. The proposal is therefore not considered to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 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

- 11.3 It is recommended that advertisement consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of advertisement consent be subject to conditions to secure the following:

List of Conditions

1	<p>Standard advertisement conditions</p> <p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission.</p> <p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</p>
2	<p>Luminance</p> <p>CONDITION: The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 300 candelas per square metre during the hours of darkness consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: “The Brightness of Illuminated Advertisements” (PLG05, January 2015).</p> <p>The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
3	<p>Display time</p> <p>CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.</p> <p>REASON: In the interests of visual amenity and highway safety.</p>
4	<p>Special effects</p> <p>CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.</p>

	REASON: In the interests of visual amenity and highway safety.
5	Display functions
	CONDITION: The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction.
6	Installation and maintenance
	CONDITION: The footway and carriageway on the TLRN and SRN must not be blocked during the installation and maintenance of the advertising panel. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic. REASON: In the interests of highway safety.

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 a timely manner 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.

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 2015, 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 2015 - Spatial Development Strategy for Greater London

3 London's people

7 London's living places and spaces
Policy 7.4 Local character
Policy 7.6 Architecture

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)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.6 Advertisements

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Archway Core Strategy Key Area

- Strategic Cycle Route
- Local view from Archway Bridge
- Archway Town Centre
- Within 100m of Transport for London Road Network Road
- Within 100m of a Strategic Road Network Road
- Primary Retail Frontage

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

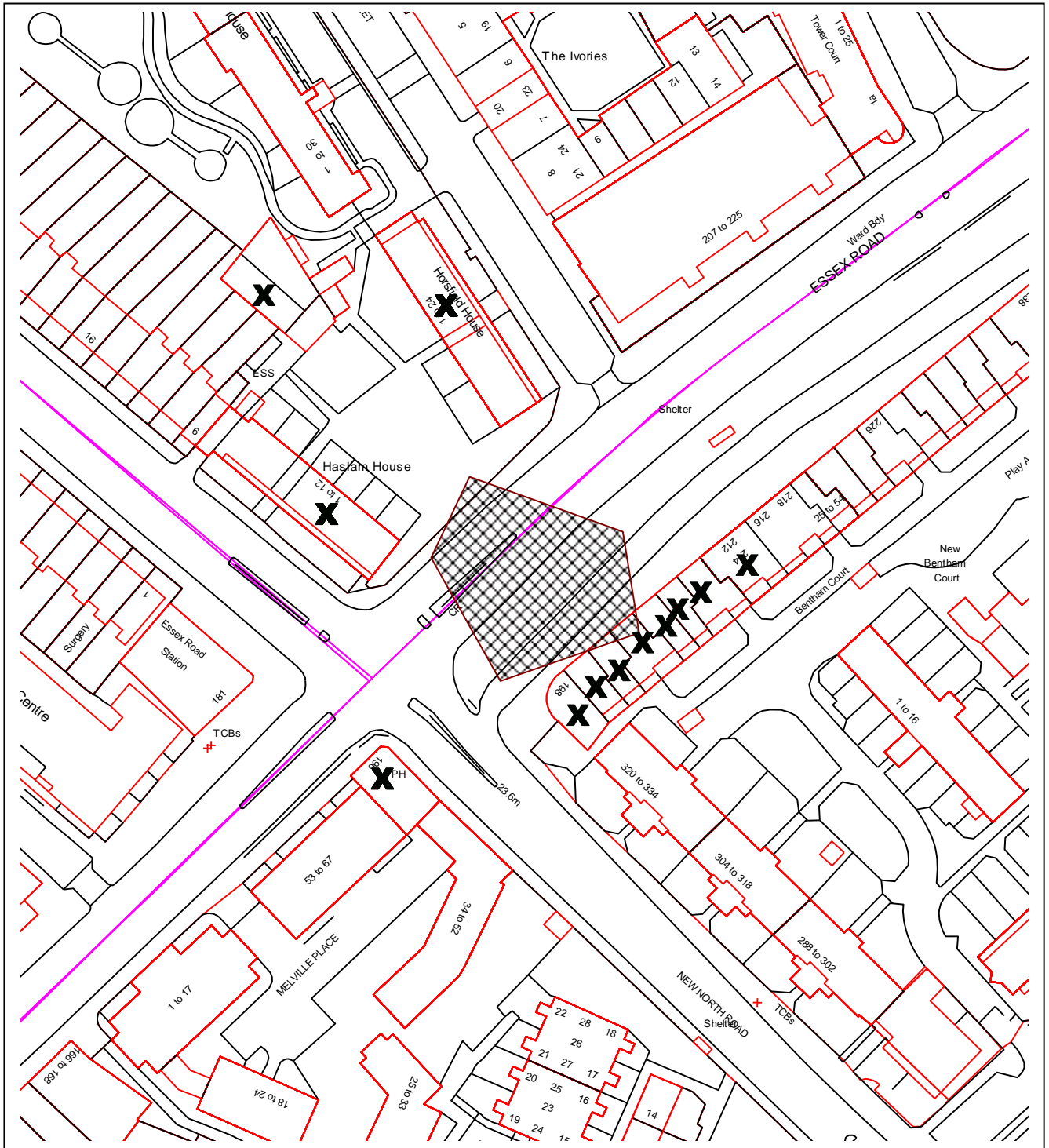
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

London Plan

Urban Design Guide (2006)

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P2015/4873/ADV

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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE A		
Date:	18 July 2016	NON-EXEMPT

Application number	P2016/2039/FUL & P2016/2040/ADV
Application type	Full Planning Application
Ward	Highbury West
Listed building	None
Conservation area	None
Development Plan Context	<ul style="list-style-type: none"> - Core Strategy Key Area - Local cycle routes - Major cycle route - Open Space - Rail Safeguarding area - Town Centre – Finsbury Park - Within 100 metres of a TLRN Road
Licensing Implications	None
Site Address	Railway Bridge East of 233, Seven Sisters Road, London, N4 2HY
Proposal	<p>P2016/2039/FUL: Installation of integrated public art and lighting scheme below Seven Bridges on Seven Sisters Road, comprising of six elements of artwork flush to the north and south railway bridge abutments.</p> <p>P2016/2040/ADV: Display of integrated public art and lighting scheme below Seven Bridges on Seven Sisters Road, comprising of six elements of artwork flush to the north and south railway bridge abutments.</p>

Case Officer	Daniel Power
Applicant	Sheena Etches
Agent	N/A

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission and advertisement consent:

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: View of area under bridges



Image 2: View of northern abutments under bridges

4. SUMMARY

- 4.1 Planning permission and advertisement consent is sought for installation of public art and lighting scheme is comprised of six elements of artwork attached flush to the railway bridge abutments. On the North abutment the word 'FINSBURY PARK' will be created using screenprinting on flat shaped aluminium sheets with returned edges. Each letter will be attached to the wall within a bespoke shaped 'frame' so that the element sits against the wall without any finger gaps. Security screws will prevent the artwork from being levered or pulled off the walls. Internal 'Z' angle buffers and reinforcing 'fins' will ensure that the panels do not bend. Individual white lights will be placed centred directly above each letter and then at 5m intervals to either side of the artwork for the full length of the bridge span
- 4.2 It is considered that given the direction of the proposed lights and distance from residential properties, it is considered that the development would not have a detrimental impact upon their amenity, in terms of light position.
- 4.3 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 Policy Framework and as such is recommended for an approval subject to appropriate conditions. In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies.

5 SITE AND SURROUNDING

- 5.1 The artwork would be located on the north and southern side of Seven Sister Road under the railway bridge to the south of Finsbury Park station. Seven railway lines cross this section of the road each having its own bridge, which are painted green. The walls under the bridge are mainly yellow London stock brick with section of existing lighting.
- 5.2 The majority of the surrounding development is commercial, apart from residential flats on the eastern side of Seven Sisters Road.

6. PROPOSAL (in Detail)

- 6.1 Planning permission and advertisement consent is sought for installation of public art and lighting scheme is comprised of six elements of artwork attached flush to the railway bridge abutments. On the North abutment the word 'FINSBURY PARK' will be created using screenprinting on flat shaped aluminium sheets with returned edges. Each letter will be attached to the wall within a bespoke shaped 'frame' so that the element sits against the wall without any finger gaps. Security screws will prevent the artwork from being levered or pulled off the walls. Internal 'Z'

angle buffers and reinforcing 'fins' will ensure that the panels do not bend. Individual white lights will be placed centred directly above each letter and then at 5m intervals to either side of the artwork for the full length of the bridge span.

- 6.2 On the South abutment there will be four sections of screenprinted 'mosaic' pattern and the word 'TOGETHER'. The pattern has been derived from workshops with local residents, elders and children and will be printed as a flat pattern onto the aluminium sheets. The mosaic sections will be made up of several sections abutted together with a 'frame' to prevent finger and rubbish trap. The piece has been designed so that all elements can be removed to allow for annual inspection of the bridges as required by Network Rail. Again white lights will be placed centred directly over each of the letters, at 2.5m distance (centre to centre) above the mosaic sections and at 5m apart above the bare brick walls.

7. RELEVANT HISTORY

PLANNING APPLICATIONS

- 7.1 No relevant planning history

ENFORCEMENT:

- 7.2 None

PRE APPLICATION ADVICE:

- 7.3 Q2016/0491/MIN

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 123 adjoining and nearby properties at Seven Sisters Road and Fonthill Road on 31 May 2016. A site notice was placed at the site on 8 June 2016. The public consultation of the application therefore expired on 4 July 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision. At the time of the writing of this report no letters had been received from the public with regard to the application.

Internal Consultees

- 8.2 **Inclusive Design Officer:** No comments received

- 8.3 **Highways:** No comments received

External Consultees

- 8.4 **TFL:** No comments received

- 8.6 **Network Rail:** No comments received

- 8.7 **Crime Prevention Officer:** No comments received

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 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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 2015, 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:

- Design and Impact on Surrounding Area
- Neighbouring Amenity
- Highways and Transport

Design and impact upon the surrounding area

- 10.2 The application site consists of the north and southern side of Seven Sisters Road under the railway bridge to the south of Finsbury Park station. Seven railway lines cross this section of the road each having its own bridge, which are painted green. The walls under the bridge are mainly yellow London stock brick with section of existing lighting.
- 10.3 The area is an important part of Seven Sisters Road and with access to Finsbury Park underground station to the west and the over ground Finsbury Park station to the north. The area of Seven Sisters Road is an priority improvement area for the Council. As a result of the number of bridges the area of the application site has low levels of light and is gloomy. In an attempt to address this a number of up lights where installed under the bridge. However the area remains poorly light and unwelcoming. Notwithstanding this it is important that the proposal does not further detract from the character of the area and enhances the usability of the space.
- 10.4 The proposal seeks to be the catalysts of improvement in the area and introduce a brand for the area of Finsbury Park, the design will be followed through the area in future projects and marking for the area. The applicant has undergone extensive consultation works since 2013 to engage with a number of different groups within the local community from a wide range of age groups. The designs that are proposed are a result of engagement with those groups and an artist to create to the proposed designs. On the North abutment the word 'FINSBURY PARK' will be created using screenprinting on flat shaped aluminium sheets with returned edges. On the South abutment there will be four sections of screenprinted 'mosaic' pattern and the word 'TOGETHER'.



Image 1: Sample of lettering



Image 2: Proposed lettering

- 10.5 The panels will be attached to the wall via security screws will prevent the artwork from being levered or pulled off the walls. The panels will have internal 'Z' angle buffers and reinforcing 'fins' will ensure that the panels do not bend. Individual white lights will be placed centred directly above each letter and then at 5m intervals to either side of the artwork for the full length of the bridge span. The intension is to illuminate the artwork, brighten the pedestrian space and create interesting light contrast between the bare brick and artwork sections of the wall. The lighting fixtures will be attached 14cm from the wall and 14cm above the artwork using unistrut in a lighting design.
- 10.6 The designs have been created by the community and their design will form part of the branding for the area. The design and colouring with form a contrast between the brick and the darkened area under the railway bridges. Together with the lighting of the art work, which will enhance the usability of the area and a statement to visitors of the nearby underground station and main railway station. The area under the bridges will be significantly improved, both in terms of its lighting and making it more of a usable space, where members of the public will not feel threatened. The wording of the artwork links it to the area, making it clear where you are and forms an important part of the branding of the area, design by the community.

- 10.7 Given the existing quality of the environment of the area, the quality and robustness of the proposed artwork, it is considered that the proposal would enhance the character of the area creating a more welcoming place. In addition the development would improve the visible appearance of this well used road, both to vehicles and pedestrians using the footpath and accessing the underground and train station. The proposal is therefore considered acceptable in terms of its design and appearance.

Highways

- 10.8 Policy DM2.6 of Islington's Development Management Policies state that advertisements should not cause a hazard to pedestrians or road users. The proposed art work would be located close to a major highway and on the abutments for the railway bridge which would project the pavement. The artwork would project approximately 60cm from the wall with the lighting units above. Given the project of the artwork from the wall it is not considered that this would obstruct or cause a hazard to pedestrians.
- 10.9 The application is located on a TFL controlled road, with the application proposing to illuminate the art work from above. While no comments have been received from TFL, throughout the pre application stage TFL were consulted and offered no objections to the proposal. Given the direction of the proposed lighting and the small projection of the art work, it is considered that the proposal would not cause a hazard to pedestrians or road users.

Neighbour Amenity

- 10.10 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, safety and an increased sense of enclosure. A development's likely impact in terms of light pollution, safety, security, noise and disturbance is also assessed. London Plan Policies 7.14 and 7.15 as well as Development Management Policies DM 2.1 and DM6.1 require all developments to be safe and inclusive and maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.11 The proposal would introduce new lighting and artwork under the Seven Sister Railway Bridge. The majority of the surrounding development is commercial, apart from residential flats on the eastern side of Seven Sisters Road. Given the direction of the proposed lights and distance from residential properties, it is considered that the development would not have a detrimental impact upon their amenity, in terms of light position.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 It is considered that the proposal will enhance the existing quality of the environment of the area. The quality and robustness of the proposed artwork is considered to enhance the character of the area creating a more welcoming place. The development would improve the visible appearance of this well used road, both to vehicles and pedestrians using the footpath and accessing the underground and train station.
- 11.2 Given the direction of the proposed lights and distance from residential properties, it is considered that the development would not have a detrimental impact upon their amenity, in terms of light position.
- 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 Policy Framework and as such is recommended for an 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 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions: Full Application

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>PL0782SC1960_ELE01_0, PL0782SC1690_ES01_0, PL0782SC1960_EL1_0, PL0782SC1960_PGFD01_0, PL0782SC1960_PGFD02_0, PL0782SC1690_PPC01_0, PL0782SC1960_EWE01_0, PL0782SC1960_WWE01_0, 4955 SHEET 3, 4955 SHEET 1, Morag Myerscough_artwork 25 April 2016,</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>

List of Conditions: Advertisement consent

1	Standard Advertisement Condition
	<p>Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission.</p> <p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</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>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 a timely manner 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 2015, 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 2015 - Spatial Development Strategy for Greater London

6 London's transport:

6.3 Assessing effects of development on transport capacity

7 London's living places and spaces:

7.2 An inclusive environment

7.3 Designing out crime

7.4 Local character

7.6 Architecture

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

DM7.1 Sustainable Design and Construction

DM8.2 Managing Transport Impacts

Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Core Strategy Key Area
- Local cycle routes
- Major cycle route
- Open Space
- Rail Safeguarding area
- Town Centre – Finsbury Park
- Within 100 metres of a TLRN Road

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington

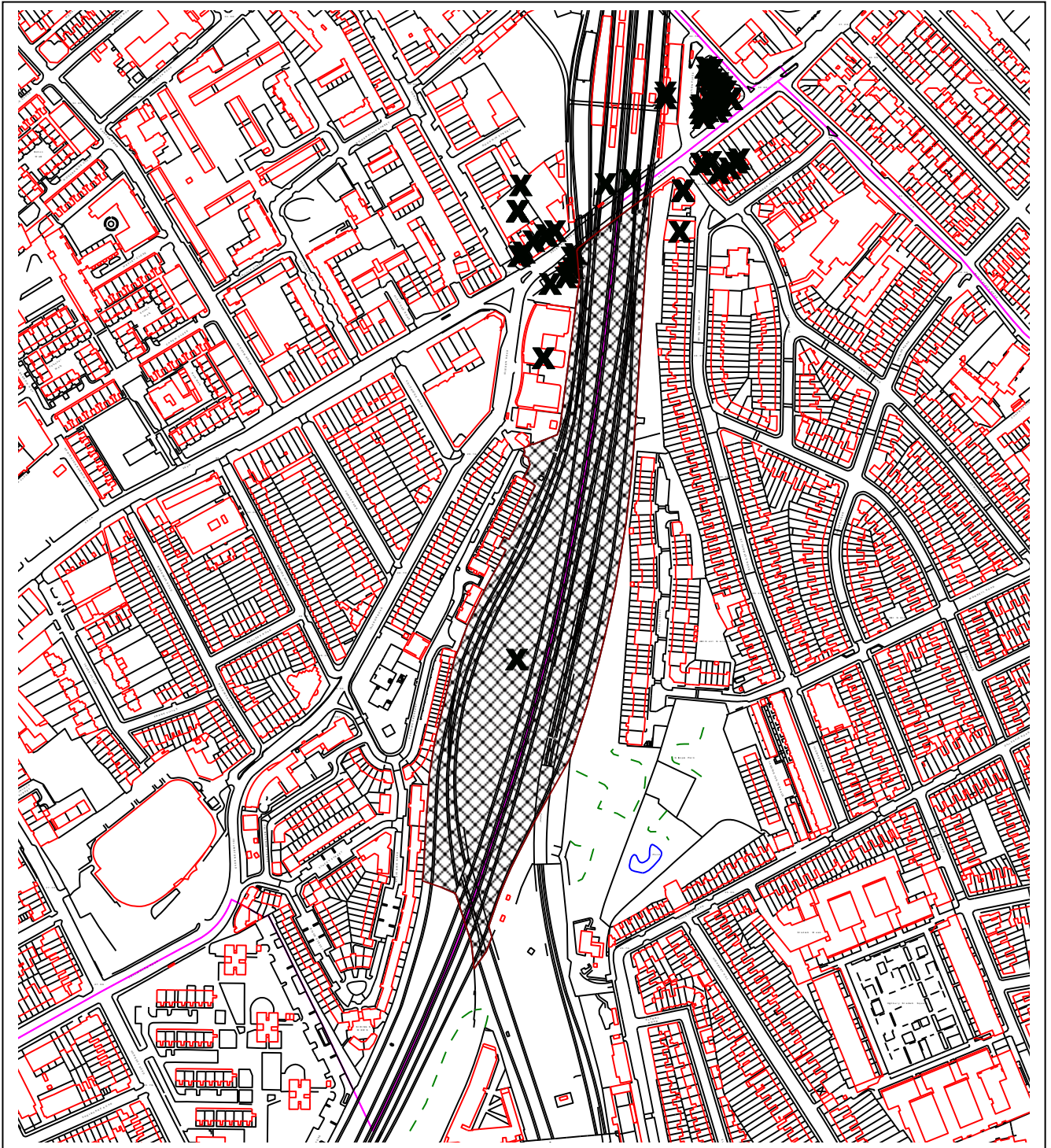
- Accessible Housing in Islington
- Car Free Housing
- Planning Obligations and S106
- Urban Design Guide
- Affordable Housing Small Sites SPD
- Conservation Area Design Guidelines
- Inclusive Design
- Basements

London Plan

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

-

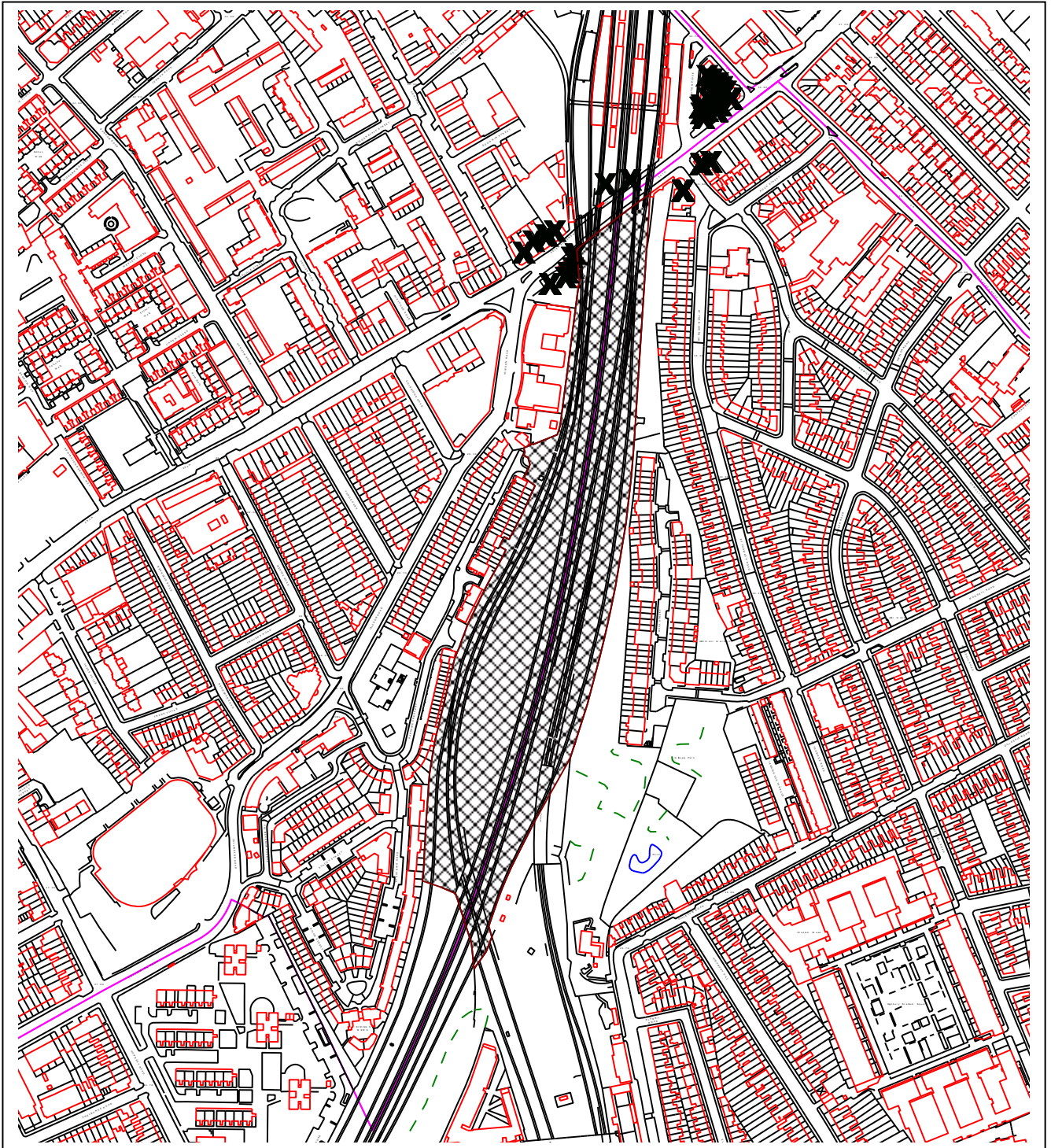
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