



Governance and Human Resources
Town Hall, Upper Street, London, N1 2UD

AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **3 October 2016 at 7.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
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Despatched : 22 September 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 Donovan (Chair)
Councillor Picknell (Vice-Chair)
Councillor Chowdhury
Councillor Khan
Councillor Ward

Wards

- Clerkenwell;
- St Mary's;
- Barnsbury;
- Bunhill;
- St George's;

Substitute Members

Councillor Convery
Councillor Klute
Councillor Nicholls
Councillor Fletcher
Councillor A Perry
Councillor Poyser
Councillor Wayne
Councillor Caluori
Councillor Gantly
Councillor O'Halloran
Councillor Webbe

- Caledonian;
- St Peter's;
- Junction;
- St George's;
- St Peter's;
- Hillrise;
- Canonbury;
- Mildmay;
- Highbury East;
- Caledonian;
- Bunhill;

Quorum: 3 councillors



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

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

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

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

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

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

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

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

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

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

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

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

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

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C. Consideration of other planning matters

D. Urgent non-exempt items

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

E. Exclusion of press and public

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

F. Confidential/exempt items

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee B, 29 November 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 B - 28 June 2016

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 28 June 2016 at 7.30 pm.

Present: **Councillors:** Alice Donovan, Robert Khan, Una O'Halloran, Angela Picknell and Nick Ward.

Councillor Alice Donovan in the Chair

222 INTRODUCTIONS (Item A1)

Councillor Donovan welcomed everyone to the meeting. Members of the Sub-Committee and officers introduced themselves. The Chair explained that the Sub-Committee would deal with the determination of planning applications and outlined the procedures for the meeting.

223 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Chowdhury.

224 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor O'Halloran substituted for Councillor Chowdhury.

225 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

226 ORDER OF BUSINESS (Item A5)

The order of business was B2, B1, B5, B3 and B4.

227 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED

That the minutes of the meeting held on the 10 May 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

228 35-53 BRITANNIA ROW, LONDON, N1 8QH (Item B1)

Creation of eight new residents units (3 x 3 bed, 5 x 2 bed) comprising of new third and fourth floors including roof terraces at fourth floor and the addition of 440m² (B1) office floor space in a part 2, part 3 storey extension over the existing yard area and the excavation of a basement for service facilities for the building and associated external alterations. (P2015/3451/FUL)

Noted the officer comment that there was a typing error in the report at paragraph 10.20, page 24, line 8 and the sentence should read 'the proposal would not result in detrimental impact.

It was also noted that the s106 would allow basement parking for the commercial element of the development and not the residential element.

In the discussion the following points were made:-

- Noted that the terrace over the mission hall was for commercial use and the applicant agreed to accept a condition to have no opening windows on the side to prevent public nuisance.
- Noted the previous permission approved in 2013 and that this scheme did not change overlooking from the permission already granted.
- The development would not provide affordable workspace as planning policies did not apply in this instance.
- It was considered that, given the scale of the development and distances to adjoining properties, together with the orientation of the building, a sunlight/daylight report was not required.

RESOLVED

1. That planning permission be granted subject to the conditions, informatives and s106 as detailed in the report including basement parking to be for commercial use only and an additional condition requiring non-opening windows to the flat roof area of the mission hall. Wording to be delegated to officers and appended to the minutes.
2. That future reports detail the reasons why affordable workspace is not applicable when necessary.

229

98A SEVEN SISTERS ROAD, LONDON, N7 6AE (Item B2)

Erection of a first floor full width rear extension and formation of roof terrace at rear first floor level with associated aluminium ballustrades. (P2016/0336/FUL).

In the discussion the following points were made:-

- A full width extension was situated at 100-102 Seven Sisters Road which did not have planning permission but was lawful under the four year rule for enforcement action. This should be a consideration in the determination of the application although the Committee could consider that this existing extension was harmful in visual terms.
- The extension did not maintain a distance of 18m from neighbouring properties which was against planning policy.
- The concerns of the objectors regarding overlooking and any screening used on the terrace would need to be 1.8 m in height which would add to the bulk of the extension.

Councillor Ward proposed a motion to refuse the application which was seconded by Councillor Khan.

RESOLVED that planning permission be refused for the reasons of scale and bulk and overlooking, drafted by officers and agreed in consultation with the Chair.

230

JUNCTION ROAD (LAND OPPOSITE 12 JUNCTION ROAD), JUNCTION ROAD, LONDON, N19 5QT (Item B3)

Installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the pavement opposite 12 Junction Road. (P2015/5098/ADV)

In the discussion the following points were made:-

- The display panel would be in line with the existing telephone box.

- A number of conditions had been agreed with TfL.
- Contracts would require that there would be only appropriate advertising on display.

RESOLVED that advertisement consent be granted subject to the conditions and informative set out in the report.

231 LAND AT INTERSECTION OF CALEDONIAN ROAD, HILMARTON ROAD AND NORTH ROAD, 42 NORTH ROAD, LONDON, N7 (Item B4)

Installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the pavement at the corner of Caledonian Road, Hillmarton Road and North Road.
(P2015/4852/ADV)

In the discussion the following points were made:-

- There was a distance of three metres from the advertising hoarding to the kerb.

RESOLVED that advertisement consent be granted subject to the conditions and informative set out in the report.

232 UNIT 10, ROMAN WAY INDUSTRIAL ESTATE, 149 ROMAN WAY, LONDON, N7 8XH (Item B5)

Retention of four boiler flues and seven silencers to the roof of the commercial unit.
(P2015/3131/FUL)

In the discussion the following points were made:-

- This was a retrospective application as silencers had been installed to reduce noise emissions from the ventilation equipment.
- Planning permission was not required for the use of the laundry as the lawful use of the premises was light industrial but was required for the unauthorised silencers..
- There had been no restriction of hours on the original consent for light industrial use.
- If the silencers were removed, action would be required for the noise nuisance.
- The comment by the objectors that, although the noise nuisance had decreased with the installation of some silencers, the premises were operating 18 to 20 hours per day and there was a constant hum of noise throughout the night which caused disturbance.

Councillor Khan proposed a motion that was seconded by Councillor Donovan.

RESOLVED that this application be deferred for officers to explore alternative options.

The meeting ended at 9.00 pm

CHAIR

233 WORDING DELEGATED TO OFFICERS (Item)

Minute 228

35-53 Britannia Row, N1 8QH

Additional condition.

Notwithstanding the hereby approved plans, no permission is granted for the creation of a roof terrace at second floor level to the Old Mission Hall Building as outlined on approved plan numbers: 317/A 104/G and 317/A108 G.

The flat roof area shall not be accessed by any openable windows and shall not be used as any form of amenity space or sitting out space in relation to the commercial use of the property into perpetuity.

Reason- In order to safeguard the amenity levels of adjoining occupiers.

Minute 229

98 Seven Sisters Road, N7 6AE

Reasons for refusal.

Reason: The proposed first floor rear extension and rear first floor roof terrace and associated ballustrades by reason of their excessive design, scale, bulk and massing is considered to form an overdominant and visually detrimental feature when seen from the surrounding private realm. The addition would fail to be a subservient and harmonious addition to the host building and wider terrace setting. The proposed development is considered to have a clear detrimental visual impact and is therefore considered to be contrary to London Plan 2015 Policies 7.4 & 7.6, CS policy 8 & 9, DM policy 2.1 and Islington's Urban Design Guidance 2006.

Reason: The proposed design, scale, footprint and prominent location of the proposed first floor rear roof terrace is considered to give rise to an unacceptable detrimental amenity impact on the rear habitable windows of adjoining properties behind the site along 18 to 28 Mayton Street in terms of loss of privacy and overlooking incidences. The proposed development is considered to be contrary to DM policy 2.1 and Islington's Urban Design Guidance 2006.

COMMITTEE AGENDA

1 1 Junction Road London N19 5QT

**2 Car Park Area
Centurion Close,
London
N7**

3 Flats 1 - 37, Mulberry Court Tompion Street London EC1V 0HP

**4 Herbert Chapman Court
Flats 1-8
Avenell Road
LONDON
Islington
N5 1BP**

**5 Herbert Chapman Court
Flats 9-16
Avenell Road
LONDON
Islington
N5 1BP**

**6 St James House
28 Drayton Park
Islington
LONDON
N5 1PD**

7 Unit 10 Roman Way Industrial Estate, 149 Roman Way, London N7 8XH

1 1 Junction Road London N19 5QT

Ward: Junction

Proposed Development: erection of 2no. Projecting signs (internally illuminated) - 2no. 'White Wordmark' fascia signs (Halo Illuminated).

Application Number: P2015/5253/ADV

Application Type: Advertisement Consent

Case Officer: Joe Aggar

Name of Applicant: Mr Amin Will

Recommendation:

Ward: Junction

Proposed Development: Alterations to shopfront including tiling of stall-riser in place of timber.

Application Number: P2015/5248/FUL

Application Type: Full Planning Application

Case Officer: Joe Aggar

Name of Applicant: Mr Amin Will

Recommendation:

Ward: Junction

Proposed Development: Reconsultation for change of use of upper floors to form 2x2 bed residential units (C3 use) with separate internal residential access plus ground and first floor rear extensions to increase the ground and first floor roof heights, proposed terrace at rear first floor level with balustrade and at roof level with roof structure to allow access to roof garden. Replacement of windows to front elevation and installation of windows and door to rear elevation. Removal of railings and introduction of brick parapet at roof level.

Application Number: P2015/2436/FUL

Application Type: Full Planning Application

Case Officer: Joe Aggar

Name of Applicant: Treats Food Ltd

Recommendation:

2 Car Park Area Centurion Close, London N7

Ward: Caledonian

Proposed Development: Redevelopment of the car park at Centurion Close involving the erection of a 4-storey building consisting of 8 x 2-bed units with associated balconies, communal open space and improvements to the public realm.

Application Number: P2016/2865/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Stefan Sanctuary

Name of Applicant: Islington Council - Ms Fiona Monkman

Recommendation:

3 Flats 1 - 37, Mulberry Court Tompion Street London EC1V 0HP

Ward: Clerkenwell

Proposed Development: Replacement of the existing single glazed metal windows with aluminium framed double glazed windows.

Application Number: P2016/0529/FUL

Application Type: Full Planning Application

Case Officer: Ben Oates

Name of Applicant: Breyer Group Plc - Ms Linda Harris

Recommendation:

**4 Herbert Chapman Court
Flats 1-8
Avenell Road
LONDON
Islington
N5 1BP**

Ward: Highbury West

Proposed Development: Replacement of the existing single glazed metal windows with aluminium framed double glazed units. Replacement of the existing mineral felt roof covering with a high performance mineral felt covering.

Application Number: P2016/2530/FUL

Application Type: Full Planning Application

Case Officer: Nathan Stringer

Name of Applicant: Ms Linda Harris

Recommendation:

**5 Herbert Chapman Court
Flats 9-16
Avenell Road
LONDON
Islington
N5 1BP**

Ward: Highbury West

Proposed Development: Replacement of the existing single glazed metal windows with aluminium framed double glazed units. Replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering.

Application Number: P2016/2531/FUL

Application Type: Full Planning Application

Case Officer: Nathan Stringer

Name of Applicant: Ms Linda Harris

Recommendation:

**6 St James House
28 Drayton Park
Islington
LONDON
N5 1PD**

Ward: Highbury East

Proposed Development: Erection of roof extension to accommodate 3 self-contained residential units (3x2bed 3persons) and private amenity space plus bike and refuse storage.

Application Number: P2016/1791/FUL

Application Type: Full Planning Application

Case Officer: Daniel Jeffries

Name of Applicant: Mr ozmen safa

Recommendation:

7 Unit 10 Roman Way Industrial Estate, 149 Roman Way, London N7 8XH

Ward: Caledonian

Proposed Development: Erection of four boiler flues and seven silencers to roof

Application Number: P2015/3131/FUL

Application Type: Full Planning Application

Case Officer: Duncan Ayles

Name of Applicant: Mr William Ray

Recommendation:

PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B		
Date:	3 rd October 2016	NON-EXEMPT

Application numbers	P2015/5253/ADV
Application types	Advertisement Consent
Ward	Junction Ward
Listed building	n/a
Conservation area	St John's Conservation Area
Development Plan Context	St John's Conservation Area Primary Retail Frontages Within 100m TLRN Within 100m SRN Town Centre Locally listed building Local Views
Licensing Implications	None
Site Address	1 Junction Road London N19 5QT
Proposals	Erection of 2no. Projecting signs (internally illuminated) - 2no. 'White Wordmark' fascia signs (Halo Illuminated).

Case Officer	Joe Aggar
Applicant	Treats
Agent	Abbey Kelsey

1 RECOMMENDATION

The Committee is asked to resolve to **GRANT** Advertisement Consent subject to the conditions set out in Appendix 1.

2. SITE PLAN (site outlined in black)



OS PLAN @1:1250

3. PHOTOS OF SITE/STREET

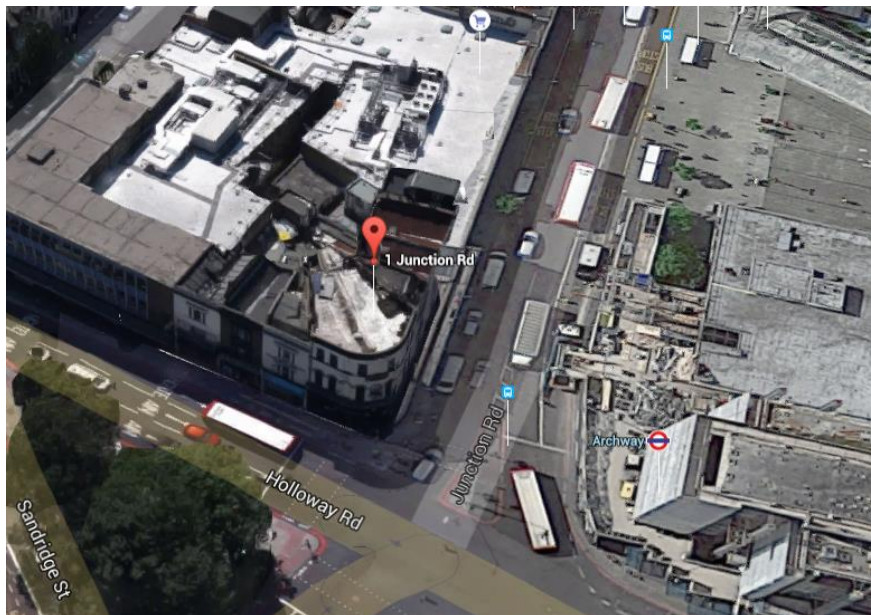


Image 1 - Aerial view of the site and surroundings



Image 2 – View of site from wider public view.

4 SUMMARY

- 4.1 Advertisement consent is sought for the installation of halo illuminated fascia sign and two internally illuminated projecting signs.
- 4.2 The application is brought to committee because this application is linked to a related change of use application before members on this agenda which has attracted a number of objections (P2015/2436).
- 4.3 The proposed advertisements will neither harm the character or appearance of the adjacent building, the wider street scene, nor the character and appearance of the conservation area, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.
- 4.4 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies. It is recommended that planning permission be granted subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The site consists of a curved corner three storey former public house with tiled ground floor and stucco upper floors with arched windows at first floor and square at second floor. The building is locally listed and also displays a strong cornice and parapet. It is located on the corner of two 'high streets', Holloway Road and Junction Road. The building is half a storey higher than those directly adjacent. The site is located on the southern corner of the busy Archway Gyratory on the junctions of Holloway Road and Junction Road and is directly opposite Flowers Mews and is located in the district town centre of Archway.
- 5.2 The immediate area is dominated by both the former 1960's office accommodation of Hamlyn House and Hill House, Archway tower and the layout of the A1 gyratory road system.

- 5.3 The building is located within the St John's conservation area which is largely residential and many of the houses are mid-19th century, locally listed, with fine detailing and have special group value and well-balanced scale. Properties on Junction Road and the Archway Island site have commercial and office uses in addition to residential, and contribute to the this local shopping centre.

6 PROPOSAL (in Detail)

- 6.1 The application seeks the erection of four signs in total, two internally illuminated projecting signs and two halo illuminated fascia signs. Of the latter, one of these signs would be located at fascia level and the other attached vertically to the mullion.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 1 Junction Road, planning application re: P2015/2436/FUL for the '*Reconsultation for change of use of upper floors to form 2x2 bed residential units (C3 use) with separate internal residential access plus ground and first floor rear extensions to increase the ground and first floor roof heights, proposed terrace at rear first floor level with balustrade and at roof level with roof structure to allow access to roof garden. Replacement of windows to front elevation and installation of windows and door to rear elevation. Removal of railings and introduction of brick parapet at roof level*' is under consideration.
- 7.2 1 Junction Road, planning application re: P2015/5248/FUL for '*Alterations to shopfront including tiling of stall-riser in place of timber*' is under consideration.
- 7.3 1 Junction Road, planning application re: P2014/5087/COL for the '*Certificate of Lawfulness (existing) for use as a cafe (Use Class A3)*' was GRANTED 04/02/2015

ENFORCEMENT:

- 7.4 None

PRE-APPLICATION ADVICE:

- 7.5 1 Junction Road, pre -planning application re: P2015/0416/MIN for the conversion of the upper floors to residential.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 31 adjoining and nearby properties at, Archway Close, Giesbach Road, Junction Road, Windmere Road and Holloway Road.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 28th January 2016. It is the Council's practice to continue to consider representations made up until the date of a decision. Members will be updated at committee of any additional responses received.

8.3 At the time of writing this report 2 responses have 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).

- The change of use is damaging to the local economy(10.11)
- Change of use is contrary to local policy (10.11)
- Plastic film blocks frontage (10.12)
- Tables and chairs would suffer from wind blight (10.13)
- Tables and chairs not appropriate due to pedestrian congestion(10.13)

Better Archway Forum commented: Better Archway members were very pleased that LB Islington had moved to protect pub use in the borough and will be disappointed if it is decided that that policy is not applicable. Among other problems, the change of use is damaging to the local economy. Publicans almost always operate as independent businesses, employing local people. Chains employ staff from across London and other services from all over the UK while profit goes to head office, so local benefit is minimal. We note therefore that while such a change of use may be permitted by other legislation, it is contrary to LB Islington's core policy for example Point 9. ensuring a range of provision of shopping, leisure and local services which serve the local community and support Islington's economy.

Even if the change of use from a pub is to be accepted, the application is changes to the structure proposed are both damaging and contrary to Islington policy including the Core Strategy, Islington Urban Design Guide, Archway SPD and St John's Conservation Area Statement.

External Consultees

8.4 Transport for London: Subject to the above conditions being met, the proposal as it stands would not result in an unacceptable impact to the TLRN.

Internal Consultees

8.5 Design and Conservation Officer: raised no overall objections to the proposed adverts overall.

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 2016, 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 1 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013.

St John's Conservation Area
Primary Retail Frontages
Within 100m TLRN
Within 100m SRN
Town Centre
Locally listed building
Local Views

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
- Public Safety

The Advertisement Regulations require that decisions be made only in the interests of amenity, and, where applicable, public safety. Therefore the Council's policy alone cannot be decisive. However, planning policy is a material consideration in the assessment of these proposals.

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 and DM2.3 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 Islington Shopfront Design Guide and Conservation Area Design Guidelines sets out the Council's approach to the control of advertisements within the borough and specifically within conservation areas. This policy and guidance seeks to ensure that advertisements respect the character and scale of the host building and surrounding townscape.
- 10.4 The site is located on the corner of Junction Road and Holloway Road, two busy commercial streets characterised by commercial units at ground floor. The type of signage proposed at the application site would be comparable to many other such signs observed in the vicinity, including those illuminated projecting signs on the adjacent buildings. It is acknowledge the adjacent buildings on Junction Road were in receipt of building grants to improve their general appearance from the Local Authority.
- 10.5 The projecting signs are of a traditional form and considered a minor feature on the shop-front and even when illuminated would not in itself dominate the building. When seen as part of the overall signage these are considered to an appropriate addition to it.

- 10.6 The proposed externally illuminated fascia sign with applied lettering and internally illuminated projecting signs are considered to be acceptable and of an appropriate size, siting and height to fit well with the front façade of the building, street scene and Conservation Area generally. The signs luminance levels are restricted by condition as recommended by Transport for London. Whilst one of the proposed signs would be unorthodox and sit vertically on a pilaster this would not in itself be a reason for refusal.
- 10.7 The proposed advertisements are not considered to cause visual clutter or harm the visual amenity of the building or streetscape. 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, DM2.3 and DM2.6.

Public 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 fascia signage will be internally illuminated, through the lettering only and the project signs, although internally illuminated are considered relatively modest. In any event conditions have been recommended by Transport for London (conditions 2 and 3) to ensure there is no impact on public safety considering the signage is on the junction of A1 Holloway Road and Junction Road, which forms part of the Transport for London Road Network. 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

- 10.11 This application is for the erection of illuminated adverts within a conservation area. The topic of the change of use of the ground floor is not relevant to the assessment of this application. Its assessment rests on the visual amenity and safety.
- 10.12 The proposed vinyl signage is to be installed to the internal part of the shopfronts window and it is considered that it does not require advertisement consent under Class I advertisement regulations.
- 10.13 As the proposal for table and chairs is located on a public highway this is controlled by licensing and would be subject to separate relevant approvals.

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, and 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	Illumination
	<p>CONDITION: Illumination for the signage must be below the limit set out in the Institute of Lighting Engineers (ILE) technical note number 5 "The brightness of illuminated advertisement</p> <p>The proposed signage must not have any intermittent light source, moving feature, animation or exposed cold cathode tubing.</p> <p>The intensity of the illuminance of the advertisement shall be no greater than 600Cdm² during hours of darkness.</p> <p>REASON: In the interest of public safety.</p>
3	Footway
	<p>CONDITION: The footway and carriageway on the TLRN must not be blocked during the installation and maintenance of the signage 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 interest of public 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. 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>

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 2016, 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 2016 - Spatial Development Strategy for Greater London

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

B) Islington Core Strategy 2011

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
DM2.2 Inclusive Design
DM2.6 Adverts

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:

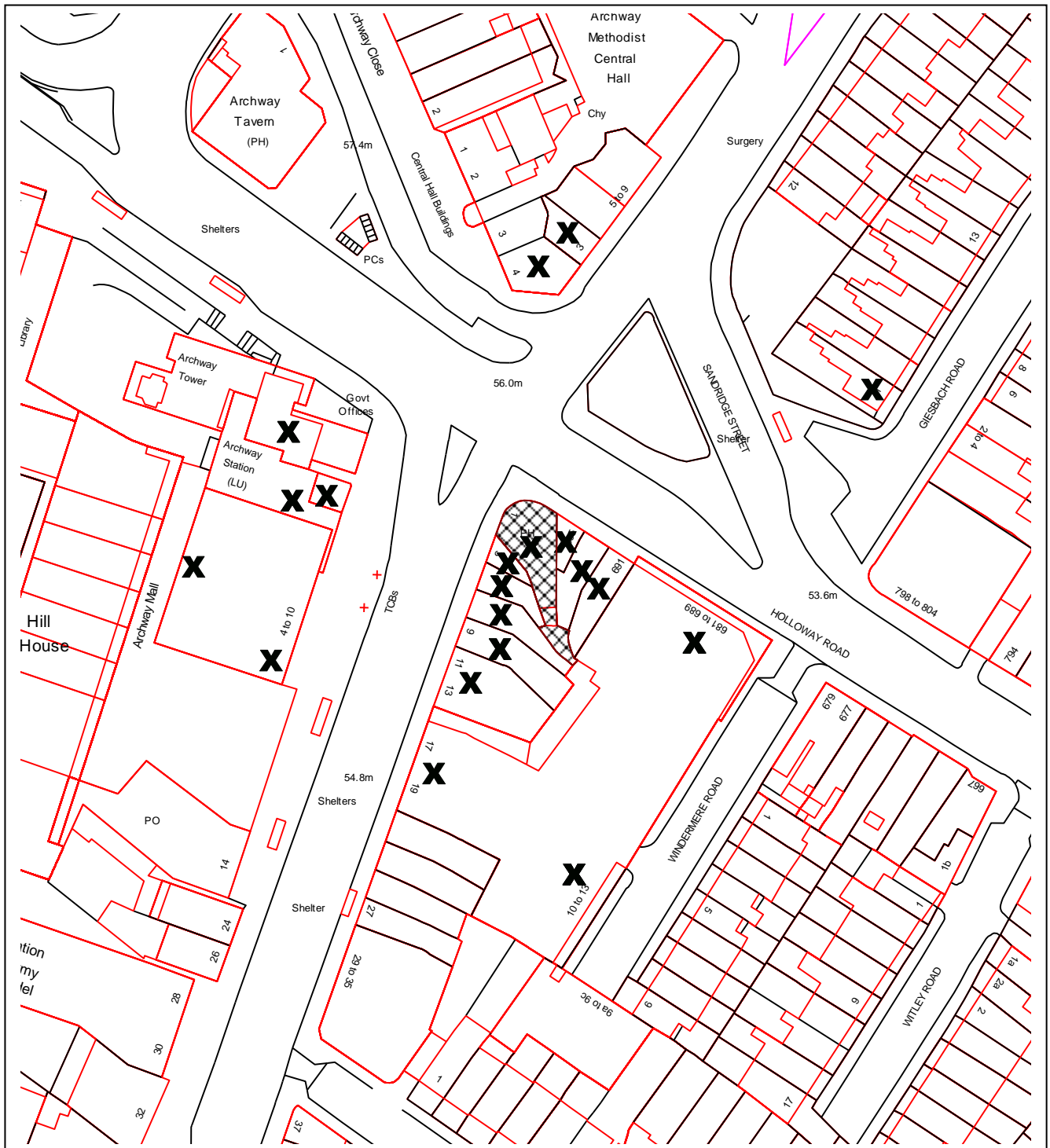
- St Johns Grove Conservation Area
- Locally Listed Building

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan
- Conservation Area Design Guidelines (2002)
 - Urban Design Guide (2006)
 - Islington Shopfront Design Guide

Islington SE GIS Print Template



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P2015/5253/ADV

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PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		
Date:	3 th October 2016	NON-EXEMPT

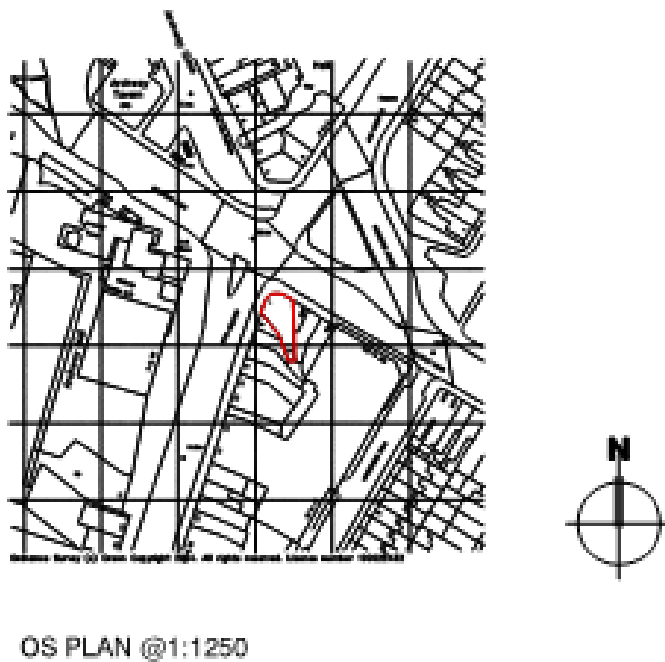
Application numbers	P2015/5248/FUL
Application types	Full Planning
Ward	Junction Ward
Listed building	n/a
Conservation area	St John's Conservation Area
Development Plan Context	St John's Conservation Area Primary Retail Frontages Within 100m TLRN Within 100m SRN Town Centre Locally listed building Local Views
Licensing Implications	None
Site Address	1 Junction Road London N19 5QT
Proposals	Alterations to shopfront including the tiling of stall-riser in place of timber and 5 halogen swan neck lights.

Case Officer	Joe Aggar
Applicant	Treats
Agent	Abbey Kelsey

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**

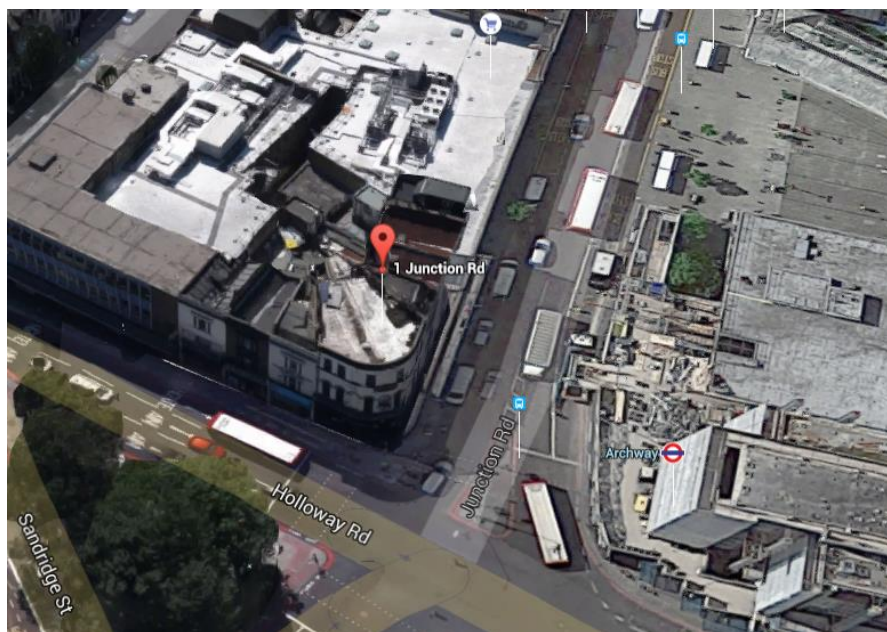


Image 1 - Aerial view of the site and surroundings



Image 2 – View of site form the wider area.

4 SUMMARY

- 4.1 Planning permission is sought for external alterations to the shopfront including the installation of 5 swan neck lighting and a tiled stall riser which in appearance which would be vertically stacked.
- 4.2 Other alterations are proposed such as painting of the shopfront to a dark colour. However planning permission is not required for painting a previously painted surface within a conservation area.
- 4.3 The application is brought to committee because this application is linked to a related change of use application before members on this agenda which has attracted a number of objections (P2015/2436).
- 4.2 The proposed alterations to the shopfront would not detract from the character and appearance of the application property and wider terrace and would not detrimentally impact upon neighbouring amenity.
- 4.2 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies. It is recommended that planning permission be granted subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The site consists of a curved corner three storey former public house with tiled ground floor and stucco upper floors with arched windows at first floor and square at second floor. The building is locally listed and also displays a strong cornice and parapet. It is located on the corner of two 'high streets', Holloway Road and Junction Road. The building is half a storey higher than those directly adjacent. The site is located on the southern corner of the busy Archway Gyratory on the junctions of Holloway Road and Junction Road and is directly opposite Flowers Mews and is located in the district town centre of Archway.

- 5.2 The immediate area is dominated area is dominated by both the former 1960's office accommodation of Hamlyn House and Hill House, Archway tower and the layout of the A1 gyratory road system.
- 5.3 The building is located with the St John's conservation area which is largely residential and many of the houses are mid-19th century, locally listed, with fine detailing and have special group value and well-balanced scale. Properties on Junction Road and the Archway Island site have commercial and office uses in addition to residential, and contribute to the this local shopping centre.

6 PROPOSAL (in Detail)

- 6.1 The application seeks the tiling of the current timber stall riser and the erection of swan neck lighting at fascia level.
- 6.2 Since the application has been received no amended drawings have been received

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 1 Junction Road, planning application re: P2015/2436/FUL for the '*Reconsultation for change of use of upper floors to form 2x2 bed residential units (C3 use) with separate internal residential access plus ground and first floor rear extensions to increase the ground and first floor roof heights, proposed terrace at rear first floor level with balustrade and at roof level with roof structure to allow access to roof garden. Replacement of windows to front elevation and installation of windows and door to rear elevation. Removal of railings and introduction of brick parapet at roof level*' is under consideration.
- 7.2 1 Junction Road, planning application re: P2015/5253/ADV for '*erection of 2no. Projecting signs (internally illuminated) - 2no. 'White Wordmark' fascia signs (Halo Illuminated)*' is under consideration.
- 7.3 1 Junction Road, planning application re: P2014/5087/COL for the '*Certificate of Lawfulness (existing) for use as a cafe (Use Class A3)*' was GRANTED 04/02/2015

ENFORCEMENT:

- 7.4 None

PRE-APPLICATION ADVICE:

- 7.5 1 Junction Road, pre -planning application re:P2015/0416/MIN for the conversion of the upper floors to residential.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 31 adjoining and nearby properties at Archway Close, Giesbach Road, Junction Road, Windmere Road, St John's Way and Holloway Road.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 28th April 2016. It is the Council's practice to continue to consider representations made up until the date of a decision. Members will be updated at committee of any additional responses received.

8.3 At the time of writing this report 2 responses have 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).

- The application refers to the building as listed, no listed building application is submitted (10.2)
- Archway SDP requires improvement for pedestrians and cyclists. Tables and chairs would hinder this (10.7)
- Tables and chairs would suffer from worsening wind (10.7 & 10.10)
- Plastic film conceals ground floor window (10.9)
- Tiling is not of the style of the property (10.2-10.4)

Better Archway Forum commented:

The application:

calls the property a Listed Building but makes no Listed Building application and is wrongly on the basis that the property is not in the Conservation Area.

Pavement Tables: The application states that 'The new store brings a new external seating area for customers enjoy Starbucks Finest product.'

The proposal to place multiple tables and chairs on the pavement outside the property would hinder this requirement, causing significant inconvenience to the many pedestrians using this pavement, already too narrow for current levels of use by those passing and groups waiting to use the two signalised crossings. (See the 2007 pedestrian counts at <http://www.betterarchway.org.uk/pedestriancounts.html> since when there has been a significant increase.) However, given the policy above and the pedestrian congestion at this point, there should be a condition against any obstruction of the footway.

Ground Floor Transparency

The drawings continue to show a frontage blanked out by plastic film.

External Consultees

8.4 Transport for London: The applicant is reminded that no works can occur on the TLRN without the prior approval of TfL in the form of a Section 278 agreement (Highways Act 1980). Whilst TfL recognises that the development is relatively small scale, involving changes to the external facade, a Construction and Logistics Plan (CLP) should be secured as part of the planning conditions/obligations. TfL requests that the footway is not blocked during construction and this should form part of the CLP. The applicant also requires a Tables and Chairs License and Council will assess this application in conjunction with TfL.

The applicant is encouraged to install cycle parking, to accord with London Plan standards, for the café. They should take note that this should include long stay parking, for staff, and short stay.

As a separate matter, Council are reminded that the illumination of the signage should be restricted to the standards outlined in the Professional Lighting Guide 05 (2014).

8.5 Internal Consultees

8.6 Design and Conservation Officer: no objections raised regarding the application.

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 2016, 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 1 to this report.

Designations

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

St John's Conservation Area
Primary Retail Frontages
Within 100m TLRN
Within 100m SRN
Town Centre
Locally listed building
Local Views

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:

- Design and Conservation
- Neighbouring Amenity

Design and Conservation

- 10.2 Some of the shops in the vicinity have modern shopfronts, of variable quality. However, there are many, including some close to the site, which possess architectural features of historic interest, such as timber materials, stallrisers, cornices, pilasters and mouldings. These make a significant contribution to the character and appearance of the historic conservation area.
- 10.2 The timber shopfront is curved at ground floor and visually distinctive and can be appreciated from a number of public views given the openness of the adjacent A1 junction. The shopfront exhibits more ornate features evident on some of the other buildings in the street, and define the shopfront as a traditional one, in keeping with the historic character of the area. The building is also locally listed and whilst this does not afford the building statutory protection reflects its local significance.
- 10.3 The Council has produced a non-statutory document to supplement its Local Plan entitled Conservation Area Design Guidelines states that alterations which are detrimental to the character of the area will not be allowed and elsewhere it says that proposals for alterations

and refurbishments should use traditional materials. A further non-statutory document, the Council's Shopfronts Design Guide, also seeks to retain traditional features of shopfronts.

- 10.4 The alterations to the shopfront would include the tiling of the existing timber stall riser and the addition of swan neck lighting to the fascia. These alterations are considered relatively minor and would not represent loss to the historic character to the area, and as such, would not conflict with the clear advice referred to above. The proposals are considered to preserve the character and appearance of the conservation area and not harm the visual appearance of the locally listed building.
- 10.5 Accordingly the proposed alterations to the shopfront would preserve and enhance the character or appearance of the St John's Conservation Area. It would accord with Policy CS 9 of the Core Strategy, which requires proposals to protect the borough's unique character, and to conserve and enhance Islington's heritage assets, including Conservation Areas. It would also comply with Policies DM2.1 and DM2.3 of the DMP which require, amongst other things, proposals to be of a high quality design and to conserve or enhance the significance of Conservation Areas as well as the Council's Conservation Area Design Guidelines and the Islington Urban Design Guide which have similar aims.

Neighbouring Amenity

- 10.6 The proposed alterations to the shopfront, within the existing footprint of the building would not cause demonstrable harm to the amenities (including daylight, sunlight, outlook or increased sense of enclosure) of adjoining occupiers in accordance with policy DM2.1 of the Development Management Policies.

Highways

- 10.7 There is the provision for the inclusion of tables and chairs for outside seating on the highway outside the front of the ground floor premises within the applicant's documentation. However these fall outside the site area and are intended to be located on the public highway. As such this is not a material consideration within the assessment of the application. A license is required under the Highways Act and is therefore separate from the stated alterations which require planning permission.
- 10.8 A condition is attached to control the level of illumination to the lighting at fascia level to accord with the standards outlined in the Professional Lighting Guide 05 (2014).

Other Matters

- 10.9 An objection has been raised regarding the inclusion of internal vinyl. This has been considered under application P2015/5253/ADV and is therefore not relevant to the merits of this particular application.
- 10.10 Based on the small nature, effectively renovation works, it is not considered appropriate in this instance to request a constructions and logistics plan. Moreover a condition is not considered reasonable to request no blocking of the public highway as this is not located within the application site. Nonetheless other relevant legislation would control this issue.

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, and the

Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to conditions 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>Site Location Plan; SU-6001; A-2002; A-2001, SU-4002, SU-2001 & sheet number I-1105.</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	Illumination
	<p>CONDITION: the illumination of the signage should be restricted to the standards outlined in the Professional Lighting Guide 05 (2014).</p> <p>REASON: in the interest of public 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. 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	Tables and Chairs
	<p>No permission is granted for outside seating or tables. A license is required under the Highways Act.</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

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

B) Islington Core Strategy 2011

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
DM2.2 Inclusive Design
DM2.6 Adverts

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:

- **St Johns Grove Conservation Area**
- **Locally Listed Building**

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

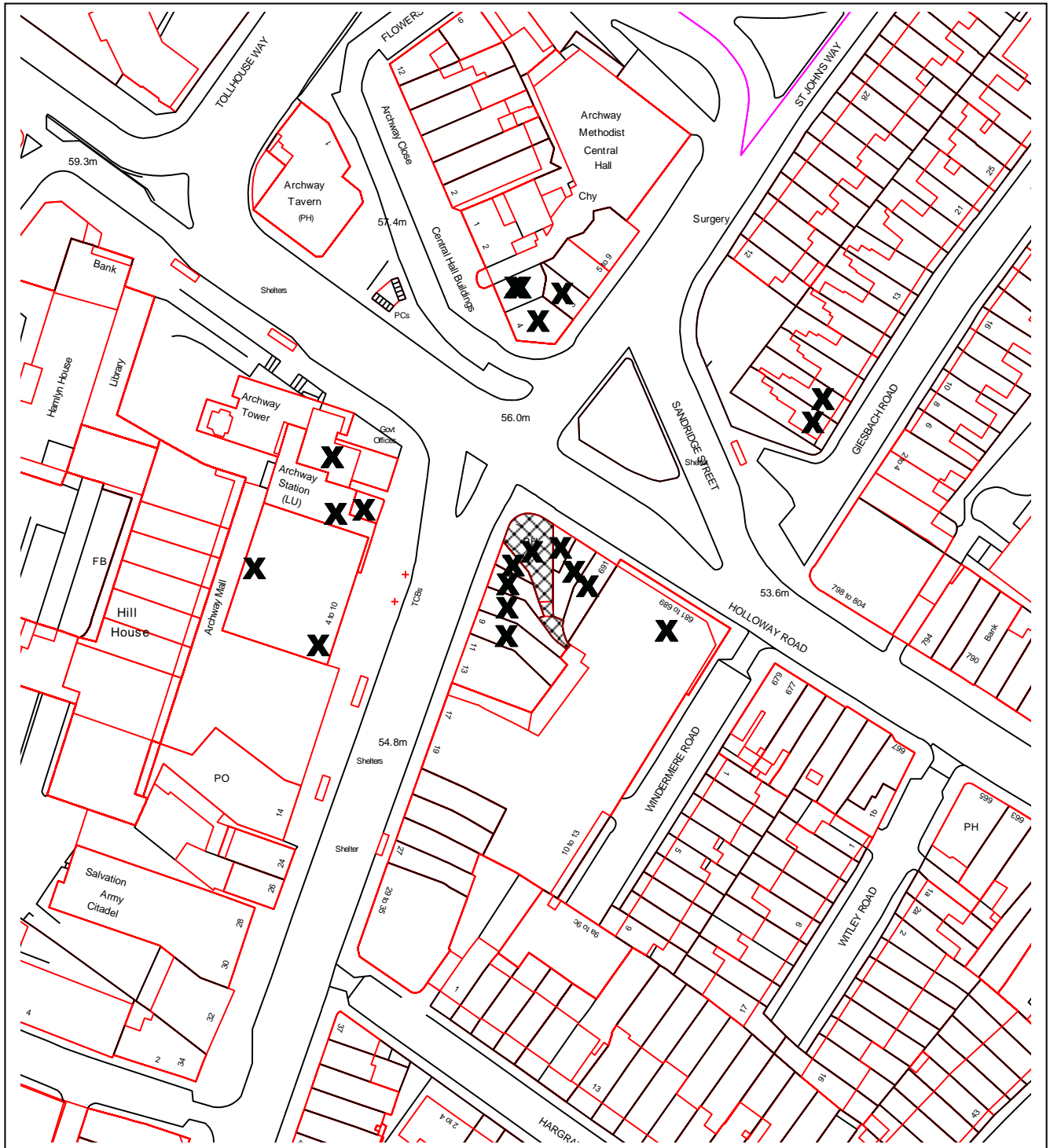
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- **Conservation Area Design Guidelines (2002)**
- **Urban Design Guide (2006)**

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Islington SE GIS Print Template



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P2015/5248/FUL

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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B		
Date:	8 th October 2016	NON-EXEMPT

Application numbers	P2015/2436/FUL
Application types	Full Planning
Ward	Junction Ward
Listed building	n/a
Conservation area	St John's Grove Conservation Area
Development Plan Context	St John's Grove Conservation Area Primary Retail Frontages Within 100m TLRN Town Centre Locally listed building Local Views
Licensing Implications	None
Site Address	1 Junction Road London N19 5QT
Proposals	Retrospective change of use of upper floors to form 2 x 2 bed residential units (C3 use) with separate internal residential access at ground floor level and installation of timber double glazed windows to front elevation. Proposed increase in the rear ground and first floor extensions overall roof height, reduction in depth of first floor rear element with a proposed roof terrace at rear first floor level and associated balustrades. Erection of roof structure at roof level to allow access to a proposed roof terrace area. Installation of windows and door to rear elevation. Removal of railings and introduction of brick parapet at the rear roof level.

Case Officer	Joe Aggar
Applicant	Treats Food Ltd
Agent	Kishor Vekaria

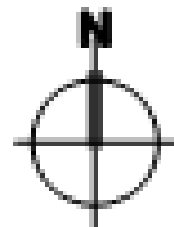
1 RECOMMENDATION

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

Subject to the conditions set out in Appendix 1;

Subject to completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

2. SITE PLAN (site outlined in black)



OS PLAN @1:1250

3. PHOTOS OF SITE/STREET

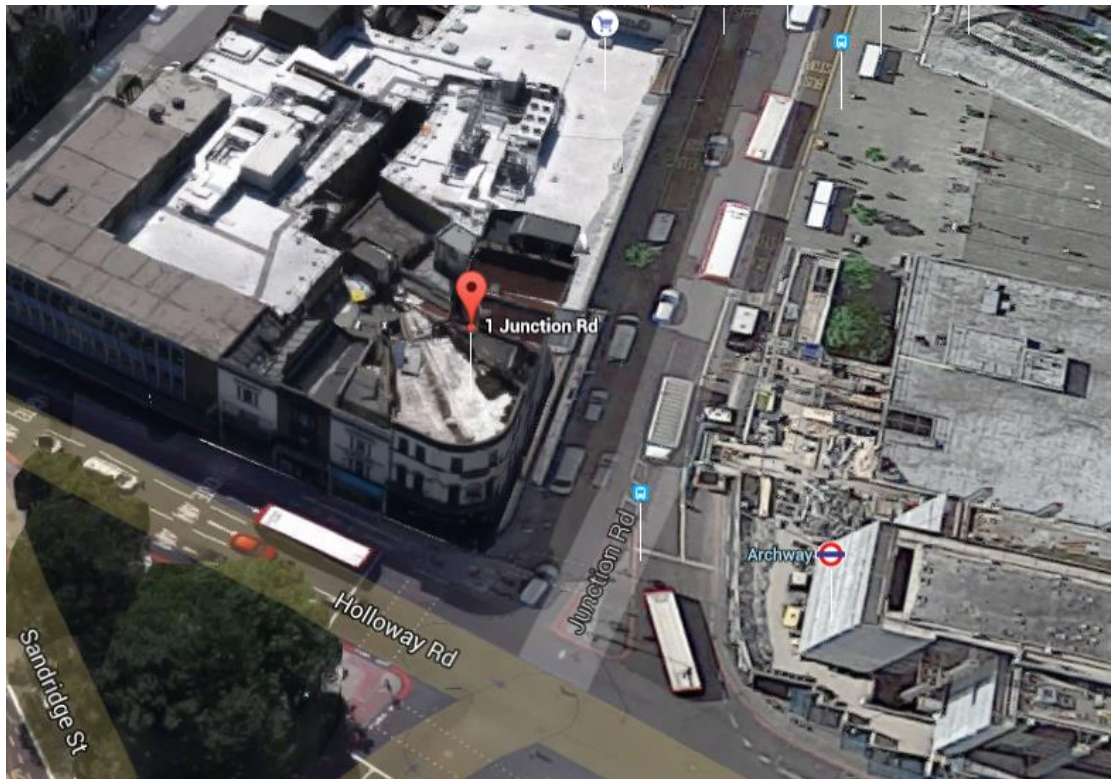


Image 1 - Aerial view of the site and surrounding



Image 2: Wider street view of the site.



Image 4 – View to the rear 1 Junction Road

4 SUMMARY

- 4.1 The application seeks the change of use of upper floors to form two, two bed residential units (C3 use) with separate internal residential access. The application also proposes ground and first floor rear extensions to increase the ground and first floor roof heights, proposed terrace at rear first floor level with balustrade and at roof level with roof structure to allow access to a new roof terrace. In addition the windows are proposed to be replaced to the front elevation with timber double glazed units and installation of windows and door to rear elevation plus the removal of railings and introduction of brick parapet at roof level.
- 4.2 From the site visit it is apparent works have commenced on aspects of the scheme. The residential staircase has been installed which provides separate access to the floors above. The upper floors have been converted in to two separate flats. The front windows at first and second floor have been replaced with double glazed timber sash windows. A stair enclosure at roof level has been erected however this is presently unauthorised and differs from the design of the proposed. The fenestration to the rear elevation has been altered.
- 4.2 The area is residential in character and the site is located within a Conservation Area.
- 4.3 The design of the proposed development is considered to be acceptable. The proposed alterations would not detract from the character and appearance of the application property and character and appearance of the conservation area. Several amendments have been made to reduce previous plans for larger extensions and alterations to the host property.
- 4.4 The proposal is not considered to prejudice the residential amenity of neighbouring properties insofar of loss of light, outlook or increased sense of enclosure and would not be contrary to policy DM2.1 of the Islington Development Management Policies June, 2013.

- 4.5 The proposal is considered to be acceptable and in accordance with the Development Plan policies and planning permission is recommended for approval with conditions and a legal agreement.

5 SITE AND SURROUNDING

- 5.1 The site consists of a curved corner three storey former public house with tiled ground floor stucco and upper floor windows arched at first floor and square at second floor. The building also displays a strong cornice and parapet. It is located on the corner of two 'high streets', Holloway Road and Junction Road. The building is half a storey higher than those directly adjacent. The site is located on the southern corner of the busy Archway Gyratory on the junctions of Holloway Road and Junction Road and is directly opposite Flowers Mews and is located in the district town centre of Archway.
- 5.2 The immediate area is dominated area by both the former 1960's office accommodation of Hamlyn House and Hill House, Archway Tower and the layout of the A1 gyratory road system.
- 5.3 The building is located with the St John's conservation area which is largely residential and many of the houses are mid-19th century, locally listed, with fine detailing and have special group value and well-balanced scale. Properties on Junction Road and the Archway Island site have commercial and office uses in addition to residential, and contribute to the this local shopping centre.

6 PROPOSAL (in Detail)

- 6.1 The upper floors, formerly ancillary to the use of the building as a public house (A4 use) are proposed to be converted into two self-contained residential units (C3 use). The gross internal area of the flats would be 100sqm and 76 sqm respectively. The flat roofs to the rear ground and first floors are proposed to be increased in height only. Private amenity space is proposed to the rear first floor for 'flat 01' and at roof level for 'flat 02'. To cater for access to the roof level a replacement roof structure is proposed. The windows to the front elevation are proposed to be replaced with double glazed timber sash windows. A window is proposed to the ground floor and double doors to the first floor.
- 6.2 Since the application has been received amended drawings have been received which omit the second floor extension and to alter the positioning of the roof structure and its design. These alterations are not considered to prejudice any interested parties and are considered an improvement, as such these have been considered as part of this application.
- 6.3 Works have also commenced on site and some aspects of the works are retrospective, including the window replacement residential access arrangements, internal conversion of the upper floors and alterations to the front elevation of the building.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 1 Junction Road, planning application re: P2015/5253/ADV for the '*erection of 2no. Projecting signs (internally illuminated) - 2no. 'White Wordmark' fascia signs (Halo Illuminated)*' is under consideration.
- 7.2 1 Junction Road, planning application re: P2015/5248/FUL for '*Alterations to shopfront including tiling of stall-riser in place of timber*' is under consideration.
- 7.3 1 Junction Road, planning application re: P2014/5087/COL for the '*Certificate of Lawfulness (existing) for use as a cafe (Use Class A3)*' was GRANTED 04/02/2015

ENFORCEMENT:

- 7.4 None

PRE-APPLICATION ADVICE:

- 7.5 1Junction Road, pre -planning application re: P2015/0416/MIN for the conversion of the upper floors to residential.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 73 adjoining and nearby properties at Archway Close, Giesbach Road, Junction Road, Windmere Road, St John's Way and Holloway Road.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 7th January 2016. A further period of consultation was carried out as amended drawings were received. This consultation period expired on the 19 May 2016. It is the Council's practice to continue to consider representations made up until the date of a decision. Members will be updated at committee of any additional responses received.
- 8.3 At the time of writing this report 6 responses have 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).
- A4 planning use with non-self-contained staff accommodation above (10.2 to 10.5)
 - Roof terrace will create noise and cause loss of privacy (10.18 to 10.20)
 - Concern over decorative front façade (no plans to change front façade only windows and parapet height)
 - Flats should be of a decent standard (10.26)
 - Air quality is in excess of EU max (10.27 to 10.28)
 - Changes should not be permitted which undermine adjacent grant aided properties (Not a planning consideration over and above design and conservation considerations see this section of the evaluation)
 - Drawings show arches removed (Not proposed to be changed)
 - corncicing on the upper floor windows removed (Not proposed to be changed)
 - Unsuitable site for housing (10.25 to 10.29)

Better Archway Forum:

- 8.4 Significant concerns about this application and believe that unless amended it would be both harmful and contrary to policy so should be refused.

Air Quality

It has been well established that the air quality on both Holloway Road and Junction Road is significantly in excess of the permitted EU maximum. Accordingly, no additional housing should be created here which relies on ventilation at the front of the building, as do the current proposals. (10.27 to 10.28)

We note that while the top floor has previously been housing, this does not appear to apply to the first floor so we believe that at least part of this scheme constitutes new housing, offering LB Islington the power to require amendments to achieve an improved living environment.

Façade

The building forms part of the St John's Conservation Area and is immediately adjacent to four frontages newly refurbished with grant funding by LB Islington. Changes should not be permitted to this building which would undermine the improvements to those neighbouring properties. Unfortunately it appears that this is what is proposed. (See 10.6 to 10.15)

External Consultees

- 8.4 None

Internal Consultees

- 8.5 Design and Conservation Officer: objects to the principle of the additional storey: the proposed elevations appear to show the 'blank' (recessed) windows being removed which are important features of this prominent corner Victorian pub. This might be an error but could you please request revised drawings that retain / show this important feature. Any proposal to remove them would cause unacceptable harm.

Otherwise the proposals are acceptable as the substantially set back balustrade to the roof and stair enclosure will not be visible. Officer considers current submission with amendments to be acceptable in design and conservation terms.

- 8.6 Pollution Team: concerns regarding sound insulation from external sources and the commercial unit below. Also the poor air quality. These are considered to be overcome subject to suggested conditions.
- 8.7 Policy Officer: no objection.

9 RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 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

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, 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 1 to this report.

Designations

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

St John's Conservation Area
Primary Retail Frontages
Within 100m TLRN
Within 100m SRN
Town Centre
Locally listed building
Local Views

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:

- Land Use
- Design, appearance and impacts on the Conservation Area
- Impact on the amenity of neighbouring residents.
- Quality of Accommodation
- Accessibility
- Small Sites Contributions
- Community Infrastructure Levy
- Other Matters

Land Use

- 10.2 The General Permitted Development Order (GPDO) (2015) provides that where a drinking establishment has been entered onto a list of assets of community value, or nominated as such, development will not be permitted development for a specified period. This building is not on classed as an asset of community value and therefore it is not necessary to assess the land use in regard to the GDPO.
- 10.3 A Certificate of Lawfulness (existing) was granted for a change of use from A4 (Drinking Establishment) to A3 (Restaurants and Cafes) on 04/02/2015 relating to the ground floor and basement. The ground and basement floors are currently in operation as café/restaurant, as such the lawful use is considered to be A. Policy DM4.10 (Public Houses) therefore is not applicable in this instance. The Certificate of Lawfulness (P2014/5087/COL) did not incorporate the upper floors. At the time, the first and second floors were non self-contained ancillary accommodation to the public house. Following the loss of the A4 use at ground and basement levels, there is no overriding policy or in principle justification to resist the change of use of the upper floors to 2 self-contained residential units and this change of use is considered acceptable in this instance.
- 10.4 The proposed separate residential access to the upper floors, bike and bin store would result in the partial loss of A3 floor space at ground floor level. The partial loss of this commercial space is not considered to harm the vitality and vibrancy of the town centre. There is no requirement to protect A3 space and the portion of space lost would not impact on the function of the remaining commercial unit. As such, the application would not warrant the refusal on this basis.

- 10.5 There has never been a formal change of use of the upper floors of the premises to self-contained residential unit/units from what is considered to be ancillary accommodation to the previous pub (A4) at ground floor. Therefore planning permission is required for the proposed C3 uses on the upper floors of the building. This is assessed further in 'Quality of Accommodation' section of this report.

Design and Conservation

- 10.6 The building is locally listed, and whilst this affords no statutory protection, it reflects the significance of the building to the conservation area. It is a good representative of the period, strong individual character special street value.
- 10.7 The St John's Grove Conservation Area Conservation Area is a designated heritage asset. The National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It is acknowledged the Local Authority has distributed grants to neighbouring buildings in order to improve their historic and visual appearance. However each application is assessed on its own merits.
- 10.8 Policy CS9 of the Council's adopted Core Strategy outlines general principles to protect Islington's built environment. It is supplemented by Policy DM2.1 of its Development Management Policies Development Plan Document (DPD), which sets out design criteria for new development and, more specifically, Policy DM2.3, which covers Heritage issues. Section B of Policy DM2.3 deals with Conservation Areas and carries forward the statutory requirement to give special consideration to preserving or enhancing the character or appearance of such areas and the advice on such matters in the National Planning Policy Framework ('the Framework').
- 10.9 The policies on conservation areas and heritage assets are in line with the requirement of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention be paid to the desirability of preserving or enhancing the character or appearance of the conservation area
- 10.10 The main external alterations include increasing the height the ground and first floor rear element by approximately 0.4m at first floor level and 0.2m at ground floor to increase the internal room height. The other external alterations include the replacement of the front windows alteration to the openings and fenestration to the rear elevation, replacement of roof structure at roof level, alteration to balustrade at roof level and terraces at rear first floor and roof level.
- 10.11 The proposed extensions at rear ground and first floor levels to increase their overall height are considered modest and would be subordinate to the host building and in terms of scale and form. The first floor rear element would also be reduced in depth by approximately a metre. As such the increase in height to the existing rear elements are considered to be acceptable. The proposals for rear, second floor extension has been omitted from the application, due to concerns over design and neighbouring residential amenity.
- 10.12 There was previously an existing roof structure on the application site. This has been replaced with an authorised access to the roof. The replacement roof structure proposed under the assessment of this application has been designed to angle so as to reduce its overall height. From ground level it is likely that there would be views to the roof structure notably from views looking north up Holloway Road and from Sandridge Street. In any event these would be severely restricted and are considered not so dominant as to harm the roofline of the building or damage the character and appearance of the conservation area.

- 10.13 The Council's Urban Design Guide (UDG), advises that window replacement should be applied universally across the elevation to ensure consistency, particularly on street frontages where the windows are visible from the public realm. The assessment of the windows is retrospective. The windows have been replaced with one over one sash windows at first floor and two over two timber sash windows at second floor.
- 10.14 The design of the window frames is reflective of the previous fenestration pattern. This is in line with policy DM2.1 of the DMP, insofar as it seeks new development to reinforce and complement local distinctiveness, and address architectural and design quality, including colour, type, source and texture of detailing and materials used.
- 10.15 Overall, the proposed external alterations would not have a harmful impact on the locally listed building or the wider conservation area in accordance with CS9 (Protecting and Enhancing Islington's Built and Historic Environment) of Islington's Core Strategy and DM2.1 and DM2.3 of the Development Management Policies and guidance contained within the Conservation Area Design Guidelines 2002 and Islington Urban Design Guide 2006.

Neighbouring Amenity

- 10.16 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.
- 10.17 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.
- 10.18 The densely developed nature of the area and the limited separation between the neighbouring residences and the proposal means that there will be some very limited impacts on neighbouring amenity. It is important to consider if the impact of the proposal are harmful as to refuse the application in terms of outlook, loss of light and sense of enclosure.
- 10.19 The rear of the site is entirely enclosed by properties of Junction Road, Holloway Road and Windmere Street. The ground floor of the adjacent properties and the properties to the rear are considered largely commercial. There are no habitual residential windows that can be identified whereby a harmful degree of overlooking would occur as a result of the proposed terraces above ground floor and at roof level. In any case, a high degree of mutual overlooking is common in densely built-up urban areas such as this from a mix of differing and surrounding uses. Given the level of mutual overlooking that already currently exists in the area, it is not considered this would warrant a justifiable reason for refusal of the application.
- 10.20 The private amenity spaces at rear first floor level and at roof level due to their residential nature would not be considered to generate an unacceptable level noise. The roof terrace has also been reduced in area since the planning application was originally submitted.
- 10.21 The proposed increase in the height of the rear ground and first floors are considered to be modest. There are a number of deep ground floor additions to the neighbouring properties. The second floor addition was removed to overcome concerns relating to a habitable window at no. 3 Junction Road. There are no neighbouring windows that are considered to adversely impacted in terms of outlook, sense of enclosure or sunlight and daylight as a result of the increase in height to the rear of the building at ground or first floor levels.

- 10.22 Overall, the proposed development is not considered to cause demonstrable harm to the amenities (including daylight, sunlight, outlook or increased sense of enclosure) of adjoining occupiers in accordance with policy DM2.1 of the Development Management Policies.

Quality of Accommodation

- 10.23 The proposed conversion of the upper floors would result in two, four person, self-contained residential units.
- 10.24 In terms of new residential development, as well as having concern for the external quality in design terms it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also be dual aspect. London Plan (2015) policy 3.5 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 10.25 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015 which post-dates the determination of the application by the Council. From this date Councils are expected to refer to the NDSS in justifying decisions.
- 10.26 A 2 bed, four person, flat should be a minimum of 70sqm. The proposal would exceed the floor area required by the above prescribed standards in the NDSS and Development Management Policies. The internal layouts of the proposed residential unit are considered to be acceptable and a satisfactory unit size has been provided considering the constrained nature of the site. Subject to conditions the proposal is considered to accord with DM3.3.
- 10.27 There were no noise or air quality assessments submitted for this site and no details of how the high ambient noise levels will be mitigated given the close proximity to Archway Gyratory. The acoustic design of the 2 flats is considered poor with all the main dwelling rooms (both bedrooms and the living room) at the front of the property facing onto the gyratory, although double glazing is proposed. There are also no details on how the noise from the A3 use will be mitigated for any upper floors residential. Attached conditions seek to ensure that adequate noise insulation measures are enacted between the ground floor commercial uses and the proposed upper floor flats.
- 10.28 However it is important to note that upper floor residential units are very much in existence on the upper floors of surrounding buildings all over and surrounding the gyratory. It is not considered unusual nor unacceptable in principle for the creation of additional residential units in this location subject to appropriate conditions to control noise measure and ventilation best practices to mitigate the high air pollution levels in the vicinity of the site.
- 10.29 The Development Management policy DM3.5 requires the provision of 5sqm on upper floors with an additional 1sqm for each additional occupant. The proposal provide two designated private amenity spaces and given the nature of the site and its constraints these are considered suitable for the accommodation provided and in accordance with policy DM3.5 this is not considered to warrant refusal of the application.

Accessibility

- 10.30 As a result of the change introduced by 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 wheelchair housing standards.
- 10.31 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 the basic Category 1 standards.
- 10.32 The nature of the conversion results in the upper floors not being easily accessed by wheelchair users and therefore consider that in these circumstances the standard of accessibility within the units does not justify the refusal of permission. It is recommended a condition be attached to aim to achieve Category 1.

Affordable Housing and Carbon Offsetting

- 10.33 The Affordable Housing Small Site Contributions document was adopted on the 18th October 2012. This document provides information about the requirements for financial contributions from minor residential planning applications (below 10 units) towards the provision of affordable housing in Islington. As per the Core Strategy policy CS12, part G and the Affordable Housing Small Sites Contributions SPD the requirement for financial contributions towards affordable housing relates to residential schemes proposing between 1 – 9 units which do not provide social rented housing on site.
- 10.34 The applicant has a signed and agreed Unilateral Undertaking in respect of the net increase of two units to secure a sum of £100,000 for the provision of affordable housing within Islington. . Carbon Offsetting would not be applicable in this instance as the proposal is not for a new build.

Highways

- 10.35 Islington policy identifies that all new development shall be car free. Car free development means 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. No parking provision is proposed and is ensured by condition.
- 10.36 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'. Subject to there being sufficient capacity, the secure and integrated location of the proposed cycle storage on the ground floor is acceptable. Policy DM8.4 of the Development Management Policies supports sustainable methods of transport and requires the provision of 1 cycle space per bedroom. Two cycle spaces are indicated on the drawings. One bicycle space short would not form a reason for refusal in this instance.
- 10.37 Four vertical bike stands have been provided. However it is considered appropriate in this instance to require further information by condition.

Community Infrastructure Levy

- 10.38 This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. The payments would be chargeable on implementation of the private housing.

Other Matters

- 10.39 The proposed front elevation drawing shows no loss of the blank windows or cornicing and this not proposed under the description of development.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The impact of the development on the character and appearance of the area as well as the residential amenity of the neighbouring occupiers and the quality of residential accommodation provided for future residents has been assessed and are considered to be acceptable.
- 11.2 The report has also assessed the impact on neighbours and concludes that the development would not have an adverse impact on the adjoining neighbouring properties' amenity in terms of loss of light and sense of enclosure.
- 11.3 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance with the Council's policies.
- 11.4 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

- 11.5 It is recommended that planning permission be granted subject to legal agreement set out in Appendix 1 – Recommendations.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

Small sites contribution for affordable housing provision within Islington Borough for a sum of £100,000.

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>PL01 Rev A; PL00 Rev B; PL07; PL03 Rev M; PL05 Rev I; PL04 Rev J.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: Details and samples of the proposed roof addition and balustrade at roof level shall be submitted to the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Sound Insulation
	<p>A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p style="text-align: center;">Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq,8\text{ hour}}$ and 45 dB $L_{max\text{ (fast)}}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16\text{ hour}}$</p>

	<p>Dining rooms (07.00 –23.00 hrs) 40 dB L_{Aeq}, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to safeguard future occupier's level of amenity.</p>
5	Sound Insulation
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed ground floor A3 use and upper floors 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: In order to safeguard future occupier's level of amenity.</p>
6	Ventilation
	<p>CONDITION: Prior to occupation of the of the residential units, full details of ventilation for the residential accommodation shall be submitted to and approved in writing by the Local Planning Authority. 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 order to safeguard future occupier's level of amenity.</p>
7	Car-Free development
	<p>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"; or</p> <p>(3) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: In the interests of sustainability and in accordance with the Council's policy of car free housing.</p>
8	Access
	<p>Notwithstanding the Design and Access Statement and plans hereby approved, the residential unit shall be constructed to Category 1 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (1).</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs</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 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.
2	Surface Water Drainage
	It is the responsibility of a 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 separate 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.
3	Signage
	Please note that separate advertisement consent application may be required for the display of signage at the site.

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 2016, 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 2016 - Spatial Development Strategy for Greater London

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS1 (Archway)

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy C12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.2 Residential Conversions and Extensions

DM3.5 Private Outdoor Space

Shops, Culture and Services

DM4.5 Primary and Secondary Frontages

DM4.10 Public Houses

Energy and Environmental Standards

DM7.4 Sustainable design standards

Transport

DM8.4 Walking and Cycling

DM8.5 Vehicle Parking

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:

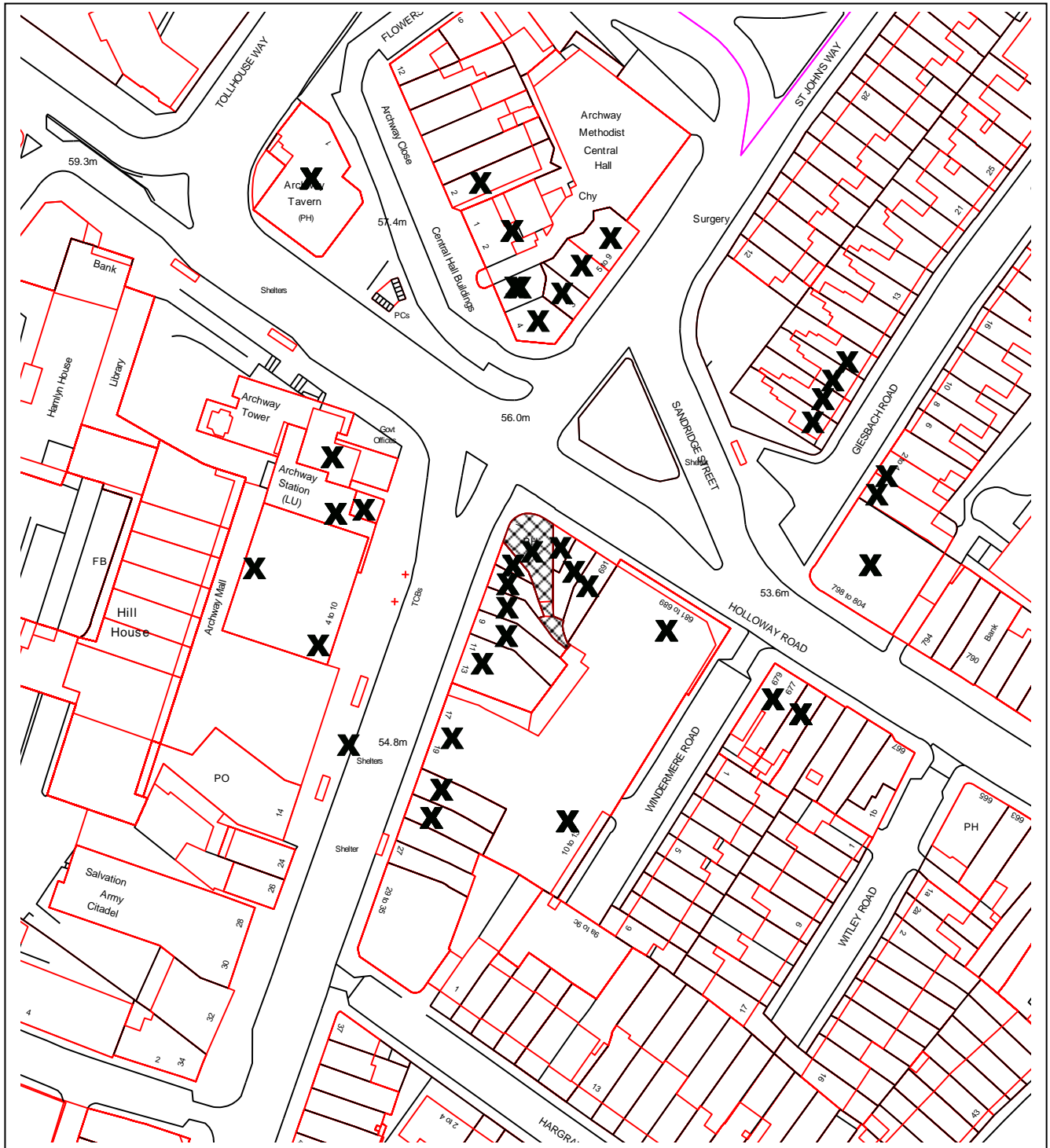
- St Johns Grove Conservation Area
- Primary Retail Frontages
- Within 100m TLRN
- Town Centre
- Locally listed building
- Local Views

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) | |

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 B		
Date:	3 rd October 2016	NON-EXEMPT

Application number	P2016/2865/FUL
Application type	Full Planning (Council's Own)
Ward	Caledonian Ward
Listed Building	No
Conservation Area	None.
Licensing Implications Proposal	N/A
Site Address	Car Park Area, Centurion Close, London, N7
Proposal	Redevelopment of the car park at Centurion Close involving the erection of a 4-storey building consisting of 8 x 2-bed flats for social rent with associated balconies and gardens, cycle and refuse storage and improvements to the public realm.

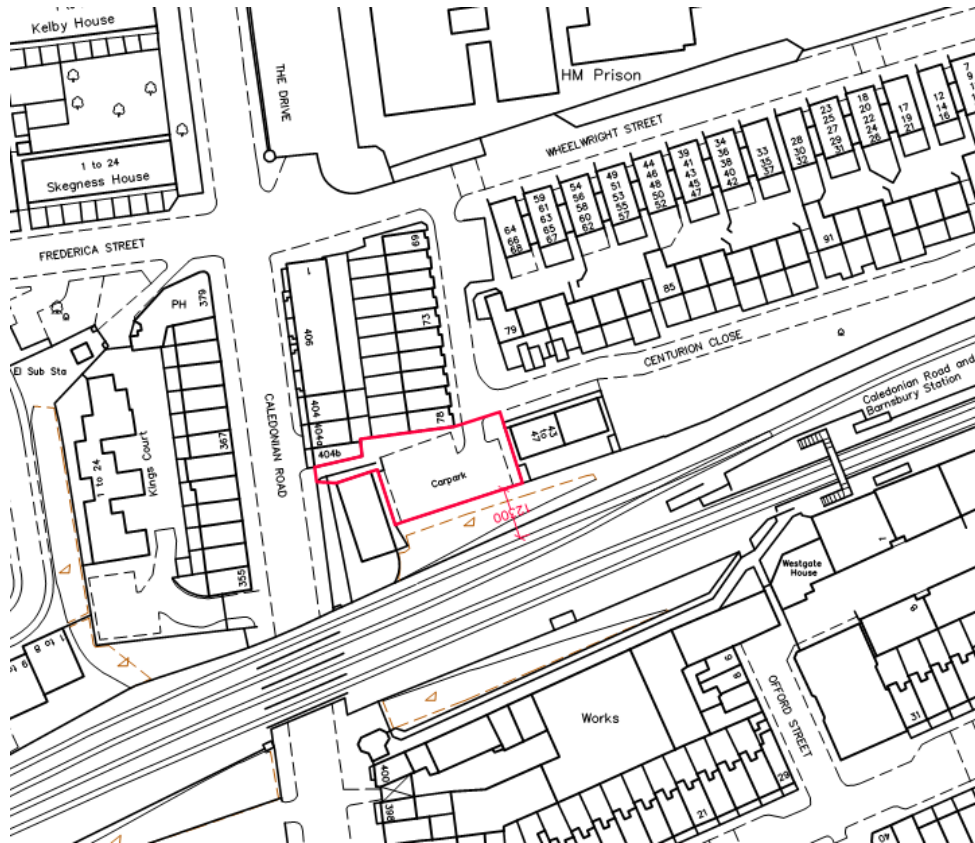
Case Officer	Stefan Sanctuary
Applicant	Islington Council
Agent	Islington Architects

1. 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 Directors' Agreement securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET

Image 1: Birdseye View of the site

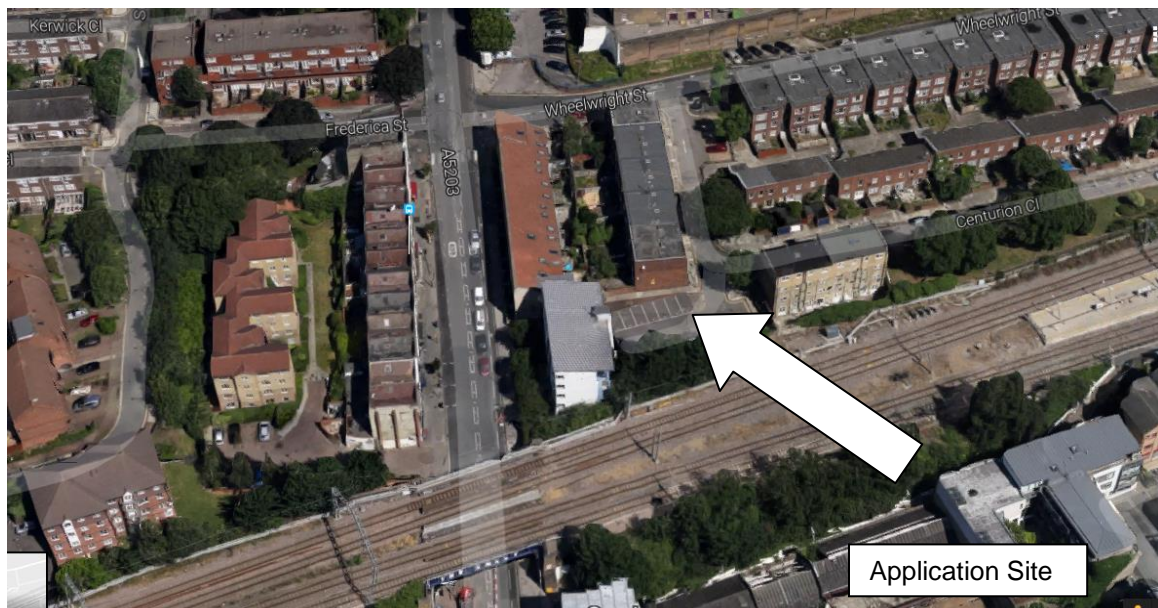


Image 2: View of subject site from Centurion Close looking south-west



Image 3: Looking west within application site



Image 4: Looking north within application site



4 SUMMARY

- 4.1 The application seeks permission for the redevelopment of the car park at Centurion Close involving the erection of a 4-storey building consisting of 8 x 2-bed flats for social rent with associated balconies and gardens, cycle and refuse storage and improvements to the public realm.
- 4.2 The main considerations are the impact of the development on the character and appearance of the area as well as the residential amenity of the neighbouring occupiers and the quality of residential accommodation provided for future residents. The loss of existing car parking spaces as well as the impact of movement across the site will also need to be considered.
- 4.3 The subsequent sections of the report consider the design and appearance of the proposal and how it responds to the existing context. The report also assesses the impact on neighbours and concludes that while the development would have an impact on the adjoining neighbouring properties' amenity in terms of loss of light and sense of enclosure, the impacts are not considered significant enough to warrant a refusal. Moreover, the substantial planning benefits of providing good quality social rented accommodation are considered to outweigh the negative impacts resulting from the development.
- 4.4 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits, in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance with the Council's policies.
- 4.5 Finally, the residential units will be solely used for social housing and secured by a Directors' Agreement. The proposal is thus considered to be acceptable and broadly in accordance with Development Plan policies.

5 SITE AND SURROUNDING

- 5.1 The application site comprises a car parking area, which is accessed via a vehicular entrance from Centurion Close. To the west, the site is bordered by Ponders Bridge House, a modern apartment block with access from Caledonian Road. To the north-west and north-east are the terraced houses of Caledonian Road and Century Mews, while neighbouring the site to the east is a four storey apartment building. The site is bordered by Network Rail railway lines to the south.
- 5.2 The area is characterised by relatively low-rise post-war residential properties as well as a significant amount of railway infrastructure. The immediate context offers little in the way of architectural or design quality and there are no heritage assets in the surrounding area.
- 5.3 The site is currently accessed via Centurion Close, a private estate road, which itself is accessed from Wheelwright Street. There is a potential route to the site from Caledonian Road which would provide pedestrian access, though this is currently fenced off.

6 PROPOSAL (in Detail)

- 6.1 The application involves the redevelopment of the car park at Centurion Close involving the erection of a 4-storey building consisting of 8 x 2-bed flats for social rent with associated balconies and gardens cycle and refuse storage and improvements to the public realm.
- 6.2 The proposal is for a brick building with overhanging balconies at 1st floor level and a set-back metal-clad top floor. The building's main entrance would be from Centurion Close, with access to cycle storage, plant and refuse storage provided in the space between the proposed building and Ponders Bridge House. A new landscaped area with further cycle storage is proposed providing a new pedestrian route along Ponder Street to Caledonian Road.
- 6.3 At ground floor level, the proposed building includes two 2-bed flats on either side of the main entrance and lift / stair core. The two flats have their own private entrance via a small front garden and both have access to private rear gardens. The lift and stair core provides access to the upper floors which each contain two 2-bed flats with private balconies or roof terraces. At roof level the proposed building includes solar panels and an area of green roof to address energy and sustainability requirements.

7 RELEVANT HISTORY

Planning Applications

- 7.1 There is no planning application history relevant to the development or the site.

Enforcement

- 7.2 None

Pre- Application Advice

- 7.3 The applicants sought pre-application advice on this proposal. The proposal has been informed by the advice provided at pre-application stage.

8 CONSULTATION

Public Consultation

- 8.1 A total of 87 letters were sent to occupants of adjoining and nearby properties on Centurion Close, Caledonian Road, Ponder Street and Ponders Bridge House on the 26th July 2016. A site and press notice was also displayed. The public consultation of the application expired on 25th August 2016 however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 No letters of representation were received from members of the public in response to the consultation.

Internal consultees

- 8.4 **Access Officer:** The following comments were made:

- The applicant is reminded that all new homes should be designed to meet the Category 2 of the National Housing Standard and the environment designed in line with the principles of inclusive design as set out in LPP 7.2 and DMP

2.2 and described in detail in our Inclusive Design SPD. *This would be subject to condition.*

- It is stated that stairs are 1000mm wide – this is insufficient. *The proposal has been amended to achieve this.*
- Provision should be made for safe drop off, the storage and charging of mobility scooters, accessible cycle parking etc. *This is now achieved and subject to condition.*

8.5 **Design & Conservation:** No objections have been raised to the proposal.

8.6 **Tree Preservation Officer:** No objections were raised by the tree preservation officer.

8.7 The **Energy Officer** made the following observations:

We recommend the application is not approved until further evidence has been submitted and approved covering:

- Cooling hierarchy / minimisation of overheating risk;
- Details on future-proofing of communal heating system for connection to a network;
- Confirmation of overall heating and hot water loads for the development;

We recommend a revised Sustainability Statement with appended feasibility studies is submitted. *A revised Sustainability Statement has now been submitted.*

8.8 **Transport Planning** raised no objection.

8.9 **Highways** raised no objection.

8.10 **Refuse and Recycling** provided support for the proposal and the refuse / recycling strategy.

8.11 The **Sustainability Officer** raised no objection.

External consultees

8.12 **Thames Water** were consulted and raised no objection subject to relevant conditions on waste and water infrastructure.

8.13 The **Crime Prevention Design Officer** was consulted and raised no objection.

8.14 **Network Rail** were consulted due to the proximity of the railway to the subject site. A number of conditions were recommended to safeguard the railway infrastructure during the construction and operation of the development.

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 along with the associated NPPG are material considerations and have been taken into account as part of the assessment of these proposals. Since March 2014 National Planning Practice Guidance for England has been published on line and has been considered as part of the assessment of these proposals.
- 9.3 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

Development Plan

- 9.5 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011 and Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.6 The relevant SPGs and/or SPDs are listed in Appendix 2.

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Land use;
 - Design and appearance
 - Neighbouring amenity impacts;
 - Quality of resulting accommodation and dwelling mix;
 - Transport and highways;
 - Sustainability
 - Accessibility;
 - Landscaping;
 - Section 106.

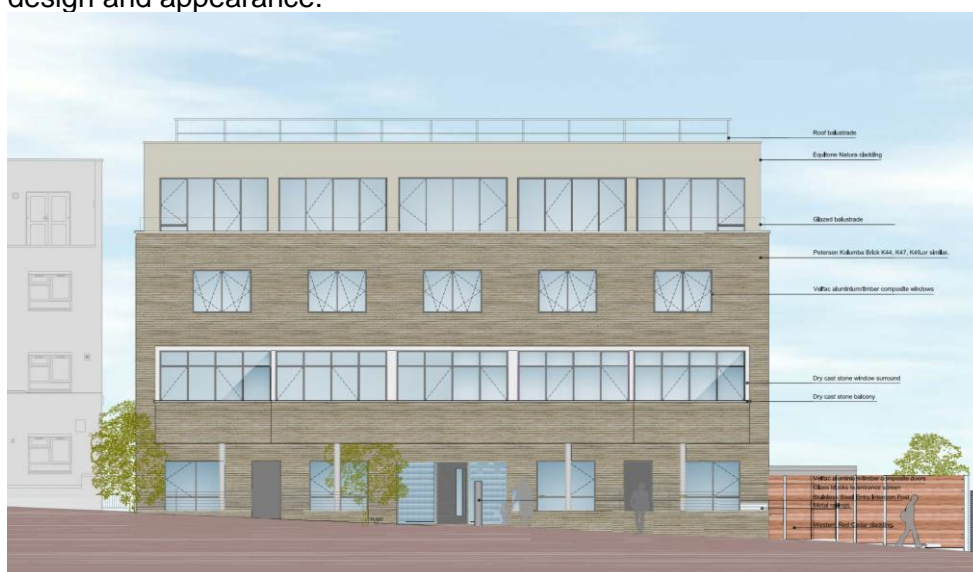
Land use

- 10.2 The site is within a residential area with a mixture of post-war apartments and terraced houses characterising the immediate vicinity. The car parking area on which the new houses are proposed was previously used by occupiers of the surrounding residential properties, though it is now vacant. The loss of this car parking area is not considered to be contrary to planning policy, in particular Development Management Policy DM8.5, which seeks for all new developments to be car free.

- 10.3 The principle of the proposal, which seeks to deliver 8 homes for social rent, would comply with Policies 3.3 (Increasing housing supply) 3.4 (Optimising housing potential) of the London Plan 2015, Policy CS12 (Meeting the housing challenge) of Islington's Core Strategy 2011 and Development Management Policy DM3.1 (Mix of housing sizes). The principle of the proposal is considered acceptable subject to complying with the remaining issues dealt with in this report.

Design and Appearance

- 10.4 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 of 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, developments are required to improve movement through the area and repair fragmented urban form.
- 10.5 The site is situated within a predominately residential area with very little by way of architectural or historical value in the surrounding context. Buildings in the vicinity are generally dark brick post-war buildings ranging from between three and five storeys in height. Within this context, the proposed 4-storey brick-built apartment building is considered appropriate.
- 10.6 The overhanging balconies with supporting pillars are not particularly contextual, but nor is it considered wise to reference the surrounding architecture. Because of the more generous floor-to-ceiling heights, the top parapet of the proposed building would slightly exceed that of the neighbouring 4-storey building, but the top floor would be sufficiently set back in order to lessen its impact.
- 10.7 The type of brick proposed (Petersen Kolumba) is considered to be of high quality, but the precise brick colour and shade would be reserved by condition in order to get the appearance of the building right. The area is characterised by somewhat drab and heavy architecture and materials and thus, it is important to achieve a warmer, possibly lighter, finish to the proposed building. Similarly, the precise detail of the remaining materials such as the stone surrounds, window frames, bronze cladding and glazed balustrades will be reserved by condition to achieve the most appropriate design and appearance.



Front elevation

- 10.8 The application proposes to open up the route from Centurion Close to Caledonian Road known as Ponder Street, which is currently fenced off. The proposal introduces new soft landscaping along this route as well as a cycle storage area, new lighting and new paving.



Landscape Layout

- 10.9 The success of this development will be dependent on the quality of materials proposed. Details of materials would be required by condition in the event that planning permission is granted. The proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character), 7.6 (Architecture) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 as well as Development Management Policy DM2.1.

Neighbouring 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 and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.11 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

Daylight:

- 10.12 The loss of daylight can be assessed by calculating the Vertical Sky Component (VSC) which measures the daylight at the external face of the building. Access to daylight is considered to be acceptable when windows receive at least 27% of their VSC value or retain at least 80% of their former value following the implementation of a development. Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.
- 10.13 All the surrounding properties have been tested to ascertain the potential loss of daylight and sunlight as a result of the proposed development. The closest neighbouring property is 43-47 Centurion Close, which would adjoin the proposed building to the east. This building does not have any windows in its flank elevation which faces the application site. All of its windows face north and south towards the railway and as such none of the windows would suffer any loss of daylight or sunlight as a result of the proposed development.
- 10.14 The nearest other residential building to the proposal is Ponders Bridge House. Though this building generally has its principal elevations facing Caledonian Road, some of its habitable rooms do face the development site. Of these, only two bedrooms at first and second floor level would experience a perceptible loss of daylight. The resulting VSC of these windows would be 64% and 73% of its former value respectively. However, as these rooms benefit from a secondary window facing away from the development, the resulting daylight distribution of the rooms would not be significantly impacted.
- 10.15 The terrace of residential properties immediately to the north of the application site, 73-78 Centurion Close, has also been tested for loss of daylight. Whilst the flank elevation of the end-of-terrace property (78 Centurion Close) which faces the application site is devoid of windows, the impacts on daylight of the front elevation of this terrace also needs to be considered. One of the windows serving a habitable room within 78 Centurion Close would receive 26% of their VSC value, which is 78% of its former value. The daylight distribution contour has also been calculated which shows a negligible impact on the daylight afforded to this room.
- 10.16 Finally, the windows of dwellings within 404-406 Caledonian Road have been tested. The results show that all windows would maintain good levels of daylight once the proposed development has been implemented.

Sunlight:

- 10.17 In terms of sunlight, a window may be adversely affected by a new development if a point at the centre of the window receives in the year less than 25% of the annual probable sunlight hours including at least 5% of annual probable sunlight hours during the winter months and less than 0.8 times its former sunlight hours during either period. It should be noted that BRE guidance advises that sunlight to a neighbouring property is only considered where the new development is located within 90 degrees of due south.

- 10.18 Good site layout planning for daylight and sunlight should not limit itself to providing good natural lighting inside buildings. Sunlight in amenity spaces between buildings has an important impact on the overall appearance and ambiance of a development. According to the BRE guidance, it is recommended that for a garden or amenity area to appear adequately sunlit throughout the year, at least half of the area should receive two hours of sunlight on the 21st March. If as a result of a new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on the 21st March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.
- 10.19 Of the windows within Ponders Bridge House resulting in a loss of sunlight, only windows serving hallways and bathrooms would suffer a noticeable loss. The situation within 73-78 Centurion Close is a little different and requires further attention. Whilst all of these properties would maintain the required annual probable sunlight hours, 3 of the 12 windows would lose their sunlight during the winter months. These properties currently receive sunlight during the winter months through a gap in the buildings that would be filled in by the proposed development. It should be noted that the sunlight currently received by these dwellings comes in at an acute angle and would only light a fraction of the room.
- 10.20 For the same reason that three of the windows serving habitable rooms within the terrace of 73-78 Centurion Close suffer a loss of sunlight, the gardens of 77 and 78 Centurion Close as well as 404a Caledonian Road would result in a significant loss of sunlight on the 21st March. Whilst it is clear that the development would impact the amenities of the occupiers of these properties, not to an extent that would warrant refusal of this application and not to an extent that outweighs the benefits of the proposal discussed elsewhere in this report.

Other impacts

- 10.21 In terms of privacy, the guidance within Policy DM2.1 states there should be a minimum distance of 18 metres between windows of habitable rooms in order to prevent overlooking. There are some windows within the front elevation of the proposed building which would breach this minimum distance. These windows would be some 10 metres from the nearest windows within 78 Centurion Close, however the angle between them is considered too acute to result in overlooking that would genuinely reduce privacy. That being said, in order to reduce potential overlooking it is recommended that privacy screens be erected around the protruding balconies at 1st floor level. The details would be required by condition.
- 10.22 The proposal introduces a new building on a site currently occupied by an at-grade car park, resulting in a change in outlook and potential sense of enclosure to surrounding properties. The rear façade of Ponders Bridge House would be located just 10 metres from the proposed flank elevation wall of the proposal. It is important to note that the rear ground floor of this building is used for commercial uses with the rear upper floor windows serving staircases, lobbies and non-habitable spaces which lessens any potential adverse impact on this building in terms of the potential loss of outlook or increased enclosure levels.
- 10.23 Towards the north eastern corner of the building facing Ponder Street there are upper floor rear windows which serve a bathroom and a bedroom of the upper floor units. However these bedroom windows are located on the corner of the property and have a wider outlook towards the side of the site towards Ponder Street and towards the application site. Bearing in mind these dynamics and window arrangements it is

considered that the impacts of the development on the existing units within Ponders Bridge would be acceptable.

- 10.24 However, the principal outlook from most of the neighbouring properties would not be altered as they do not face onto the subject site. The closest neighbouring property with windows facing onto the application site is Ponders Bridge House. However, the rooms that these windows serve also benefit from secondary windows which provide an outlook away from the development.
- 10.25 Overall, the proposal is not considered to result in any unacceptable impacts on residential amenity in terms of loss of daylight, sunlight, privacy or an increased sense of enclosure. The proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 of the Development Management Policies Plan 2013.

Quality of resulting accommodation and dwelling mix

- 10.26 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 (2015) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.
- 10.27 Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes and favours the provision of larger family-sized social rented units.
- 10.28 The proposed development consists of 8No. 2-bed dwellings. Whilst the dwelling mix is not precisely in line with stipulated policy which sets a higher target of 3- and 4-bed social housing, the mix proposed is considered to be an appropriate mix of large flexible accommodation suitable for families. Moreover, the dwelling mix has been based on current demand for housing, which shows that the most sought-after housing type are two-bed dwellings, rather than long-term Council aspirations.
- 10.29 The supporting text of policy DM3.1 within Development Management Policies states that '(t)here may be proposals for affordable housing schemes that are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations deviation from the required policy housing size mix may be acceptable. Under these circumstances no objection is raised to the proposed dwelling mix.
- 10.30 The proposed units are well laid out and would form attractive and high quality internal living environments with private amenity space afforded to all dwellings. All of the units would have good access to sunlight/daylight and would result in spacious internal layouts. The unit sizes range from 70.5sqm to 76sqm which exceeds the internal space standards set within Islington's Development Management Policies. The dwellings also have generous storage areas and dedicated refuse stores. A generous provision of cycle storage is also proposed on site.
- 10.31 The proposal would comply with policy DM3.5 of the Development Management Policies. Given the generous sizes of the units, including dual aspect design and inclusively-designed layouts, the proposal would provide a satisfactory living

environment for future occupiers of the units and would therefore comply with Development Management Policy DM3.4 (Housing Standards).

Highways and Transportation

- 10.32 The development would be car free as required by Core Strategy Policy CS10. Condition 8 of recommendation B would restrict future occupiers of residential units from obtaining a residents permit. The development would also involve removing all of the existing car parking spaces currently on the application site, though these are not currently in use.
- 10.33 New residential units are required to provide 1 cycle space per bedroom in accordance with policy DM8.4 of the Development Management Policies. The proposal provides cycle parking beyond the minimum standards set out in Appendix 6. A condition would be attached to planning permission requesting further details prior to the commencement of the development, to ensure that the cycle parking provided would be safe, convenient and secure.
- 10.34 Centurion Close is itself an estate road and not an adopted highway. As such, the public realm and landscaping proposals do not involve any works to highways and footways.

Accessibility

- 10.35 Proposals for residential development need to respond to London Plan Policy 3.8 and 7.2 which require for all new housing to be built to 'The Lifetime Homes' standard and to achieve the highest standards of accessible and inclusive design. Islington's Core Strategy Policy CS12 requires for all housing to comply with 'flexible homes' standards as set out within the Accessible Housing SPD.
- 10.36 The proposal has been amended since it was originally submitted and now includes a 1200mm wide staircase, which now meets inclusive design standards. The widths of proposed corridors and doors comply with our minimum standards and would ensure ease of movement within the dwellings.
- 10.37 The application proposes level access to the proposed new units and all of the 8No. new dwellings would meet Islington's Flexible Homes standard and Category 2 Housing, subject to planning condition. The proposal is in accordance with policy and meets inclusive design standards, in accordance with Core Strategy Policy CS12.

Landscaping

- 10.38 Development Management Policy DM6.5 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.
- 10.39 The development would result in the loss of one Wild Cherry tree on site. To compensate for this loss, the application includes a well-developed landscaping strategy including two replacement trees. New paving and a new green buffer is proposed along Ponder Street to create an improved and more welcoming route from

Centurion Close to Caledonian Road. The application also includes the provision of private gardens at ground floor level which would contribute to the proposal's landscaping proposal. Details would be reserved by condition in the event of permission being granted.

- 10.40 The proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and Woodlands) of the London Plan 2015 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Sustainability and energy reduction

- 10.41 The development will include solar PV panels and the use of green roofs and a series of energy efficiency measures which befits a modern new build development of this type and scale. Conditions are suggested to ensure these attributes including the submission of final details to ensure that the building achieves a total 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d.
- 10.42 The proposed sustainability credentials and details of the proposed development are considered to be acceptable and proportionate to the scale of the proposed development in this case.

Section 106

- 10.43 Any permission would be subject to a Directors' Agreement to ensure that the housing remains in social ownership (subject to Council's nomination rights) and is not disposed of on the private market (Appendix 1). The development is also subject to a contribution of £1,000 per new house towards off-setting carbon emissions, which would be secured by Directors' Agreement.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks permission for the redevelopment of the car park at Centurion Close involving the erection of a 4-storey building consisting of 8 x 2-bed affordable dwellings with associated balconies, cycle parking, refuse storage and improvements to the public realm.
- 11.2 The impact of the development on the character and appearance of the area as well as the residential amenity of the neighbouring occupiers and the quality of residential accommodation provided for future residents has been assessed. The design and appearance of the proposal as well as the quality of accommodation provided is considered acceptable and is supported.
- 11.3 The report has also assessed the impact on neighbours and concludes that while the development would have an impact on the adjoining neighbouring properties' amenity in terms of loss of light and sense of enclosure, the impacts are not considered significant enough to warrant a refusal. Moreover, the substantial planning benefits of providing good quality social rented accommodation outweigh any negative impacts resulting from the development.
- 11.4 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new

development shall be car free. The site also has sufficient space for cycle storage in accordance with the Council's policies.

- 11.5 Finally, the residential units will be solely used for social housing secured by Directors' Agreement. The proposal is thus considered to be acceptable and broadly in accordance with Development Plan policies.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions and Directors' agreement, the details of which are set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Director level agreement between the Service Director of the Council's Housing and Adult Services department and relevant officers in the local planning authority in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or in their absence the Deputy Head of Service:

1. Securing the Provision of three residential units for social housing
2. Contribution of £8,000 towards carbon off-setting

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<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	Approved Plans List: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Numbers: Location Plan LS001; CC_002 Rev A; CC_003 Rev B; CC_004 Rev B; CC_005 Rev A; CC_006; CC_007 Rev B; CC_008 Rev A; CC_009 Rev A; CC_010 Rev A; CC_011 Rev A; CC_012 Rev A; CC_013 Rev A; CC_014; Design & Access Statement dated July 2016; Daylight & Sunlight Assessment dated 20th June 2016; Tree Survey dated 10th June 2016; Site Investigation Report dated June 2016; Preliminary Ecological Appraisal dated July 2016 Landscape Layout SK_LA_100; 'Noise Impact Assessment for a proposed Residential Development' dated June 2016; Sustainable Design Statement dated 11th July 2016.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Samples (Details)
	<p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. These shall include:</p> <p>a) Samples of all facing brickwork types, including mortar and pointing;</p>

	<p>b) Window and door treatment (including sections and reveals); c) details and sample of roofing materials including cladding; d) boundary treatment; d) any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Cycle Parking Provision (Details)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The storage shall be covered, secure, provide for no less than 18 cycle spaces and include arrangements for cyclists with mobility impairments.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
5	Accessible Housing (Compliance)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, all residential units (shall be constructed to meet the requirements of 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>REASON: To achieve inclusive design in accordance with London Policy 3.8.</p>
6	Refuse / Recycling (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. SK_LA_100 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	Car free development (Compliance)
	<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>i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>
8	Privacy Screens (Details)

	<p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens on the 1st floor balconies shall be submitted and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents</p>
9	<p>Noise Control Measures (Details)</p> <p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p style="padding-left: 40px;">Bedrooms (23.00-07.00 hrs) 30 dB L_{Aeq,8 hour} and 45 dB L_{max (fast)} Living Rooms (07.00-23.00 hrs) 35 dB L_{Aeq, 16 hour} Dining rooms (07.00 –23.00 hrs) 40 dB L_{Aeq, 16 hour}</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment for future residents.</p>
10	<p>Vibration (Details)</p> <p>CONDITION: A scheme for anti-vibration treatment of the foundations and services shall be submitted to the Council for written approval prior to the commencement of the development, and implemented to the satisfaction of the Council to achieve the following internal noise targets:</p> <p>Internal vibration levels shall not exceed the category of “low probability of adverse comment” in Table 1 of Appendix A of BS 6472:2008.</p> <p>REASON: To mitigate the impacts of vibration on the amenities of future residents in accordance with Policy DM2.1.</p>
11	<p>Landscaping (Details)</p> <p>CONDITION: 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) soft plantings: including grass and turf areas, trees, shrub and herbaceous areas; b) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; c) hard landscaping; and d) 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</p>

	<p>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>REASON: In the interests of residential amenity and ecological value.</p>
12	Construction Management (Details)
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, vibration, air quality including dust, smoke and odour) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. 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: In order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>
13	Sustainability and energy efficiency
	<p>CONDITION: The dwellings hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d. No occupation of the dwellings shall take place until details of how these measures have been achieved have been submitted to and approved in writing by the local planning authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
14	Arboricultural Method Statement (Details)
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for 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 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: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
15	No Plumbing or Pipes (Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would</p>

	potentially detract from the appearance of the building and undermine the current assessment of the application.
16	Roof Top Plant (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90,Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
17	Solar Photovoltaic Panels (Details)
	<p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels on buildings at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Area of panels; and - Design (including elevation plans). <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
18	Green/Brown Biodiversity Roofs (Details)
	<p>CONDITION: Prior to any superstructure work commencing on the development details of the biodiversity (green/brown) roofs shown on CC_014 shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The green/brown roof shall be:</p> <ol style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80 -150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roofs should be maximised across the site and shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details as approved, shall be laid out within 3 months of next available appropriate planting season after the construction of the building it is located on and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats, valuable areas for biodiversity and minimise run-off.</p>
19	Contaminated Land (Details)

	<p>CONDITION: Prior to any superstructure works commencing on site details of the following works shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A programme of any necessary remedial land contamination remediation works arising from the "Ground Engineering" land contamination report dated June 2016 ref no C13815.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part a).</p> <p>REASON: In order to reduce the risks associated with contaminated land.</p>
20	No Impact Piling
	<p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.</p> <p>Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p> <p>REASON: To minimise the risks to water infrastructure.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Community Infrastructure Levy (CIL)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with</p>

	<p>the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/</p>
3	Directors Agreement
	Please note that this application is subject to a Service Level Agreement between directors to ensure that the residential units remain as social housing.
4	Water Pressure
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
5	Surface Water Drainage
	<p>It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p>
6	Network Rail
	<p>As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site.</p> <p>Network Rail strongly recommends the developer agrees an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx.</p> <p>The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:</p> <ul style="list-style-type: none"> - encroach onto Network Rail land - affect the safety, operation or integrity of the company's railway and its infrastructure - undermine its support zone - damage the company's infrastructure - place additional load on cuttings - adversely affect any railway land or structure - over-sail or encroach upon the air-space of any Network Rail land - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.15 Coordination of housing development and investment

5 London's response to climate change

Policy 5.3 Sustainable design and construction

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

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

Health and open space

DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Transport

DM8.5 Vehicle parking

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

London Plan

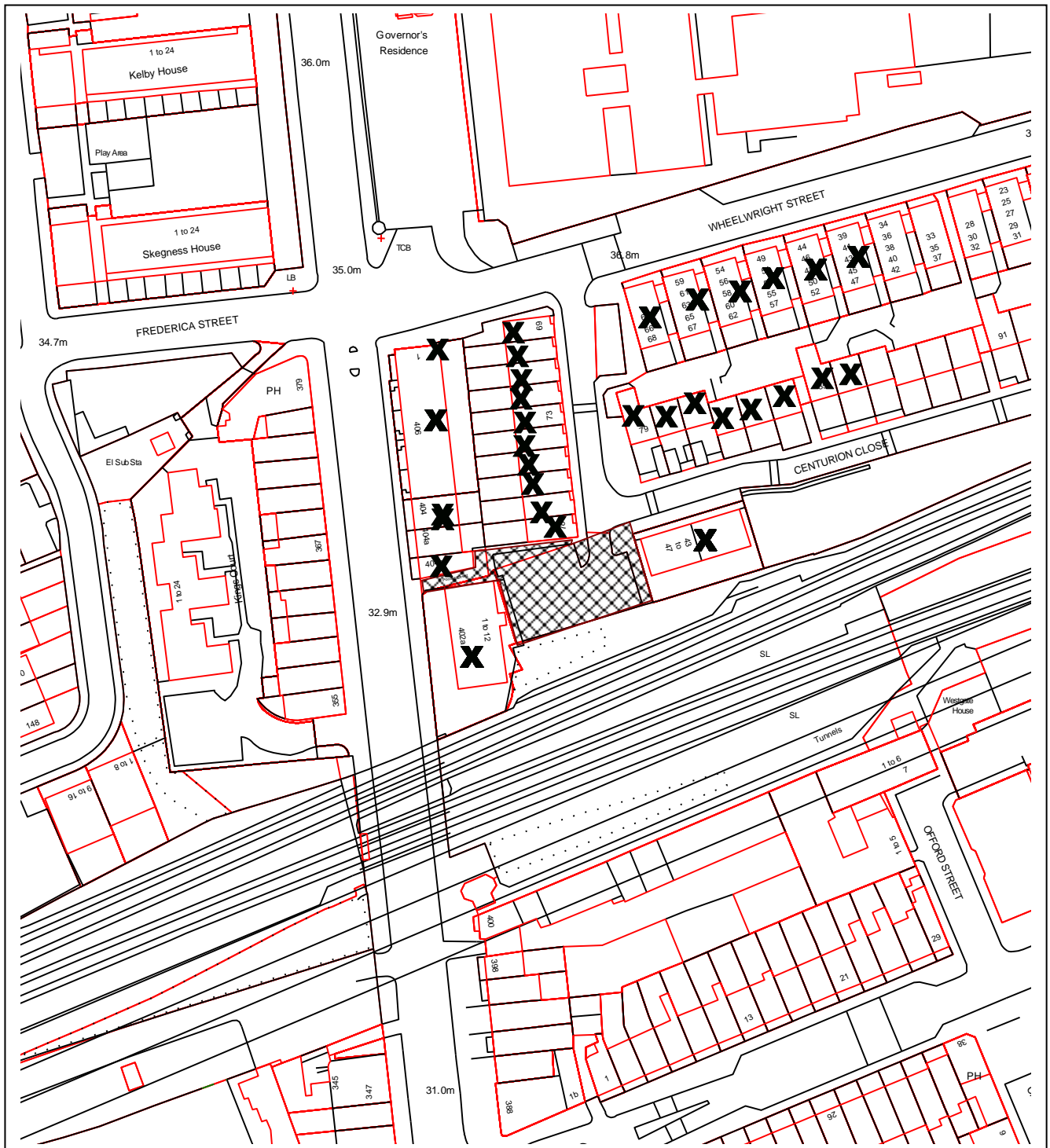
Accessible London: Achieving and

Inclusive Environment

Housing

Sustainable Design & Construction

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 B		
Date:	3 rd October 2016	NON-EXEMPT

Application number	P2016/0529/FUL
Application type	Full Planning Application (councils own)
Ward	Clerkenwell Ward
Listed building	Not listed
Conservation area	Not within a Conservation Area
Development Plan Context	N/A
Licensing Implications	None
Site Address	Flats 1 - 37, Mulberry Court Tompion Street London EC1V 0HP
Proposal	Replacement of the existing single glazed metal windows with aluminium framed double glazed casement windows.

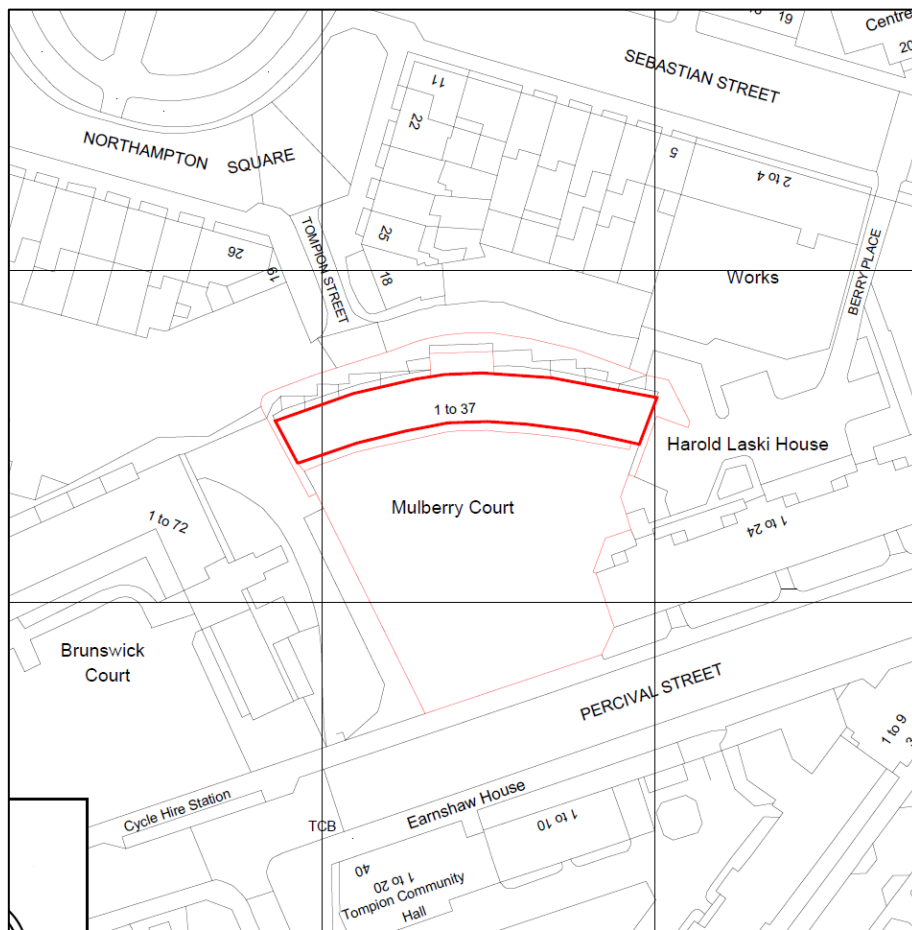
Case Officer	Ben Oates
Applicant	Breyer Group Plc - Ms Linda Harris
Agent	FES Group - Mr David Johnstone

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of the site from directly above the site



Image 2: Looking into the site in a Northerly direction



Image 3: View of front elevation from Tompion Street



Image 4: View of front elevation from Northampton Square



Image 5: View of rear elevation



Image 6: View of rear elevation



Image 7: Close up view of window style W14

4. SUMMARY

- 4.1 Planning permission is sought for the replacement of all existing single glazed metal framed windows currently installed within the building with double glazed aluminium framed casement windows. The key considerations in determining the application relate to the impact on the existing building and surrounding area, as well as sustainability.
- 4.2 The application is brought to committee because the building is owned by the Council. The application is the first submission on the application property for a full replacement of the windows. No objections were received by the public.
- 4.3 The application property is a 6 storey crescent shaped residential apartment building of post-war construction and is not listed or within a Conservation Area. The surrounding properties are mainly residential; however there is a large variety of built form, age and character.
- 4.4 The building currently contains metal framed windows, which is typical to housing estate buildings of this era, and therefore the main difference in their replacement would be the change from single glazed and double glazed units. Double glazed frames often need to be thicker to compensate for the increased weight of the additional glazing, which can impact on the external appearance of the building. Given the contemporary appearance of the existing building it is considered that the proposed replacement aluminium windows would not result in visual harm to the appearance of the building or to the character of the area nor views into the site from Northampton Square and its listed properties and Tompion Way.
- 4.5 The application is part of a wider Council program to upgrade the energy performance of buildings within Council ownership. Double glazed windows improve the insulation of each individual unit over and above that of the existing single glazed windows and therefore the proposal contributes towards reducing the carbon footprint of the building. Whilst there is a clear public benefit achieved in the proposal, it is considered that the proposed windows would be of an acceptable appearance. Therefore the application is supported and recommended for approval subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application property is a 6 storey crescent shaped residential apartment building of post-war construction and is not listed or within a Conservation Area. The building consists of a mixture of brick, painted render and metal cladding with metal framed windows, which together with the form and design of the building give it a contemporary appearance. Despite being 6 storeys in height the building is not considered to be prominent due to the high density of its location and presence of larger buildings nearby; particularly the 14 storey residential blocks to the west. Tompion Street is a quiet residential street that generally gains no through traffic due to its location and narrow, winding nature with car parking areas throughout. It is also well screened from Percival Street to the south by the mature trees within its amenity space at the rear. There are some partial views of the building from Northampton Square Garden to the north, which is within the Northampton Square Conservation Area, through the gap formed by the junction of Tompion Street and Northampton Square.
- 5.2 The surrounding properties are mainly residential; however there is a large variety of built form, age and character.

6. PROPOSAL (in Detail)

- 6.1 The application proposes the replacement of the all existing single glazed metal framed windows currently installed within the building with double glazed aluminium framed casement windows. The new aluminium framed units are of a more sophisticated design and would not increase the thickness of the window frames when viewed externally.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 07/04/2009 – Planning Permission (ref: P090275) granted for *Installation of boiler flues (replacement scheme) along with associated alterations and works.*
- 7.2 31/01/2012 - Planning Permission (ref: P112263) granted for *Renewal of the main entrance doors and upgrade of the access control system on Brunswick, Emberton & Wycliff Courts and installation of the estate wide Close Circuit Television System on Brunswick Close Estate. And associated works and alterations.*

ENFORCEMENT:

- 7.5 None.

PRE-APPLICATION ADVICE:

- 7.6 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on 22/02/2016. A site notice was displayed on 25/02/2016. The public consultation of the application therefore expired on 17/03/2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

Internal Consultees

- 8.4 Design and Conservation – No objection.

External Consultees

- 8.5 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 Policy and Guidance

- 9.1 The National Planning Policy Framework 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, 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:
- Impact on the character and appearance of the existing building and surrounding area; and
 - Sustainability.

Impact on the character and appearance of existing building

- 10.2 The proposed replacement aluminium framed casement windows would match the design of the existing windows with the exception that they would be double glazed rather than single glazed. Whilst the main concern is that double glazing usually requires thicker frames, the details submitted illustrate that the frame thickness of the proposed windows would be appropriately proportioned to the glazed window pane and would not be overly different to those existing in the building. Furthermore, given the contemporary appearance of the existing building it is considered that the proposed replacement aluminium windows would not result in visual harm to the appearance of the building or to the character of the area.
- 10.3 The application property is visible from Northampton Square to the north, which is within the Northampton Square Conservation Area. The Conservation Area is relatively small for the borough and is characterised by the late Georgian terraced houses that surround the Northampton Square Gardens. Mulberry Court is visible between a gap in the terraced houses formed by the junction of Tompion Street and Northampton Square. However it is considered that at this distance there would be no noticeable difference between the existing and proposed replacement windows; particularly given the front elevation is partially concealed by balconies. Therefore there would be no demonstrable harm to the character and appearance of the adjoining Conservation Area.
- 10.4 The design of the proposal is considered to be acceptable in accordance with the guidance provided under the Urban Design Guide 2006, policies DM2.1 and DM2.3 of the Development Management Policies 2013, policies CS8 and CS9 of the Core Strategy 2011 and the NPPF 2012.

Sustainability

- 10.5 The proposed double glazing would improve the insulation and thermal efficiency of each individual unit thereby contributing to reductions in carbon emissions and reducing energy costs. The proposed double glazing would enhance the sustainability of the 6 storey building, which contains 37 residential units, as it will improve the retention of heat in Winter and is therefore in compliance with policy DM7.2, which requires developments to be energy efficient in design and specification.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The details submitted illustrate that the frame thickness of the proposed windows would be appropriately proportioned to the glazed window pane and would not be overly different to those existing in the building. Furthermore, given the contemporary appearance of the existing building it is considered that the proposed replacement aluminium windows would not result in visual harm to the overall appearance of the building or to the character of the area. There is also a clear public benefit achieved in the proposal through the enhanced insulated offered by double glazed windows, which will improve the sustainability of the building.
- 11.2 As such, the proposed development is considered to accord with the policies In the London Plan 2015, Islington Core Strategy 2011, Islington Development Management Policies 2013 and the National Planning Policy Framework 2012 and as such is recommended for approval subject to appropriate conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>PD001, PD002, PD003, WS001, WS002, WS003, WS004 and WS005.</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 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 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 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.

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 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 8 – Enhancing Islington’s character
Policy CS 9 - Protecting and enhancing Islington’s built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.3 - Heritage
Policy DM7.1 - Sustainable design and construction
Policy DM7.2 - Energy efficiency and carbon reduction in minor schemes
Policy DM7.4 – Sustainable Design Standards

3. Designations

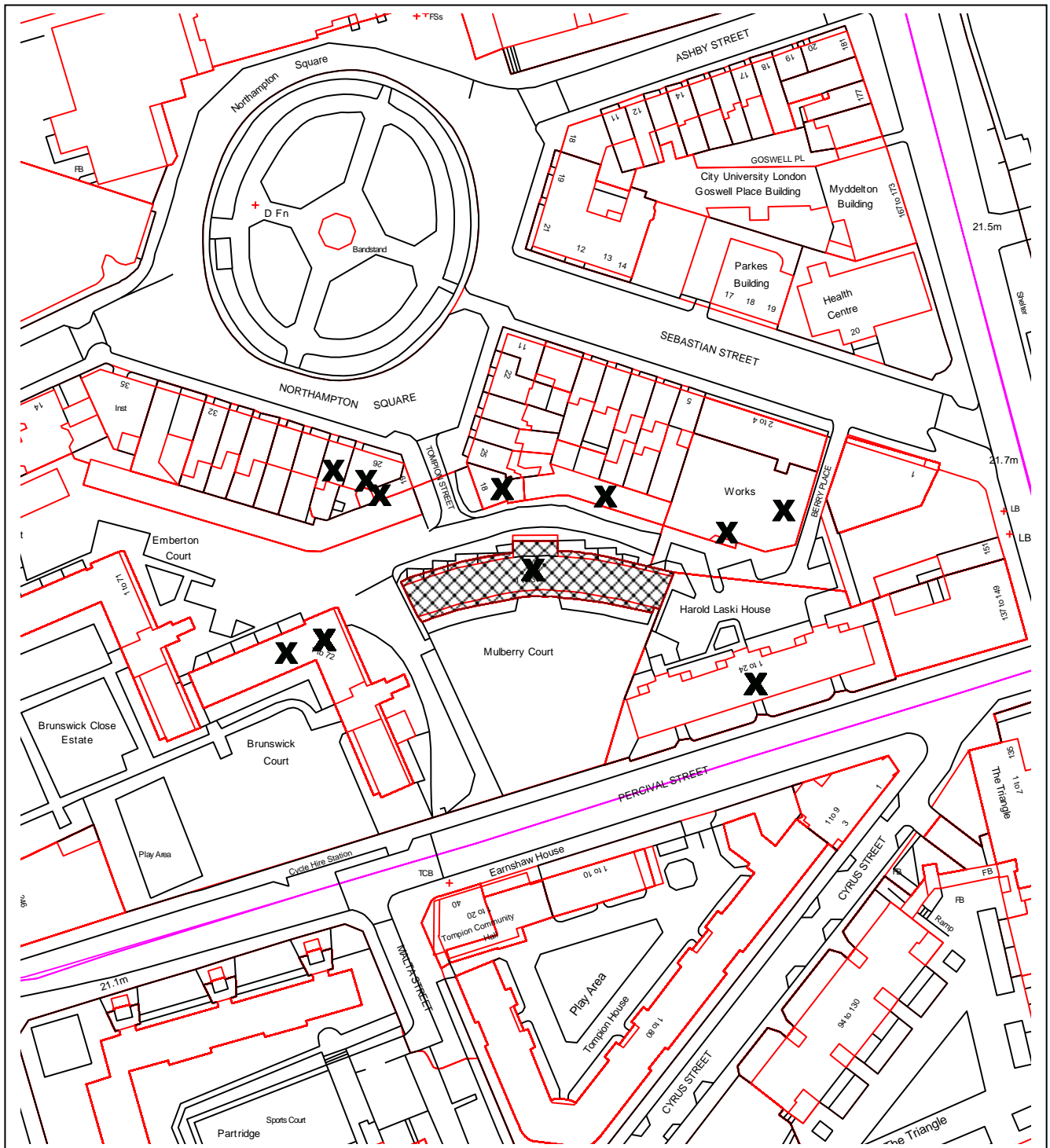
Central Activities Zone
Bunhill & Clerkenwell - Core Strategy Key Area
Bunhill & Clerkenwell - Finsbury Local Plan Area

4. SPD/SPGS

Islington Urban Design Guidelines 2006
Environmental Design SPD 2012

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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 B		
Date:	3 October 2016	NON-EXEMPT

Application number	P2016/2530/FUL
Application type	Full Planning Application
Ward	Highbury West
Licensing Implications	N/A
Development Plan	None
Listed building	Unlisted
Site Address	Herbert Chapman Court, Flats 1-8, Avenell Road, LONDON, Islington, N5 1BP
Proposal	Replacement of the existing single glazed metal windows with aluminium framed double glazed units. Replacement of the existing mineral felt roof covering with a high performance mineral felt covering.

Case Officer	Nathan Stringer
Applicant	Ms Linda Harris
Agent	FES Group

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 red)**



3. PHOTOS OF SITE/STREET



Image 1: Photograph of the Front of the Site



Image 2: Aerial Photo of the Rear of the Site

SUMMARY

- 3.1 Planning permission is sought for the replacement of the existing single glazed metal windows with aluminium framed double glazed casement units, and the replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering. The proposed replacement windows are similar in terms of function and appearance as the existing windows. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing flat roof form.
- 3.2 The proposed alterations to the building are considered to have a neutral impact on the character and appearance of the surrounding streets. The proposals would not give rise to any adverse impact on the amenity of neighbouring properties.

4. SITE AND SURROUNDINGS

- 4.1 The application site comprises a four-storey building on the east side of Avenell Road at the junction of Elphinstone Street. The property is a purpose built block of flats used for residential purposes and contains 8 self-contained flats.
- 4.2 The building is not Listed and is not within a conservation area. The surrounding area is predominantly residential in character.

5. PROPOSAL (IN DETAIL)

- 5.1 Planning permission is sought for the replacement of the existing single glazed metal windows with aluminium framed double glazed units, and the replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering. The proposed replacement windows are similar in terms of function and appearance as the existing windows. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing flat roof form.

6. RELEVANT HISTORY

PLANNING APPLICATIONS:

- 6.1 **831083** – Landscaping scheme and widening of pavement crossovers. Approved 11/10/1983.

ENFORCEMENT:

- 6.2 None.

PRE-APPLICATION ADVICE:

- 6.3 None.

7. CONSULTATION

Public Consultation

- 7.1 Letters were sent to occupants of 62 adjoining and nearby properties at Avenell Road and Elphinstone Street on 30th August 2016. The public consultation of the application therefore expired on 20th September 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 7.2 At the time of the writing of this report one response had been received from the public with regard to the application. The response did not raise any objections to the proposal, but questioned why timber window units, rather than aluminium units, are not required. Council considers that timber windows should not be required, as the building currently does not contain any timber windows (the existing metal windows are likely to be original). (See paragraph 9.3)

8. 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

- 8.1 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

- 8.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

9. ASSESSMENT

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

- Design
- Neighbouring Amenity
- Sustainability

Design

- 9.2 Islington's Planning Policies and Guidance help encourage high quality design which complements the character of the area. In particular, 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.
- 9.3 The existing building contains single glazed metal windows. The proposed replacement of the windows with double glazed aluminium units will have a neutral impact on the character and appearance of the building, as the proposed window units are of a similar appearance to the existing units. As such, it is not considered that these works would significantly alter the external appearance of the building. Bearing in mind the utilitarian appearance of the existing building and the acceptability of the replacement windows in this case, it is considered that aluminium replacement windows are appropriate in this case and there is no planning justification within this context to seek timber double glazed windows.

- 9.4 The existing building contains a flat roof with grey felt roof covering. The proposed replacement of the existing roof covering would have a neutral impact to the character and appearance of the building, as the proposed roof covering system is of a similar appearance to the existing, and will not require any rebuilding of the roof. As such, it is not considered that these works would significantly alter the external appearance of the building.
- 9.5 Given the above, the proposal is considered to be consistent with the aims of Council's objectives on design and in accordance with policies 7.6 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

Neighbouring Amenity

- 9.6 Policy DM2.1 of the Development Management Policies 2013 requires all new development to protect the amenity of nearby properties in terms of the loss of daylight, sunlight, outlook, privacy and overlooking.
- 9.7 The proposed replacement windows would not increase incidence of overlooking or have an adverse impact on the privacy of neighbours, as they would be placed in openings consistent with the existing windows on the building. Similarly, alterations to the roof covering would have no adverse impact on neighbour amenity, as the shape and size of the roof will not alter.
- 9.8 The proposal is therefore not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington's Development Management Policies 2013.

SUSTAINABILITY

- 9.9 The proposed double glazing would improve the insulation and thermal efficiency of each individual unit thereby contributing to reductions in carbon emissions and reducing energy costs. The proposed double glazing would improve the retention of heat in winter and is therefore in compliance with policy DM7.2, which requires developments to be energy efficient in design and specification.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 The proposed alterations to the windows and roof of the building are considered to be acceptable in terms of design and the impact on the character and appearance of the building. The proposed works would not give rise to any material impact on neighbour amenity, including in terms of the loss of daylight, outlook or privacy.
- 10.2 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 Management Plan and Supplementary Planning Documents and should be approved accordingly.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to **conditions** 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>Langley TA-20 Roofing System Specification, PD001, PD002, WS001 (Cross Sections) and WS001 (Proposed Window Schedule).</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans. 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	Roof Not Use as Amenity Space
	<p>CONDITION: The flat roof area shown on the hereby approved drawings shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>

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 2011 - Spatial Development Strategy for Greater London

- 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

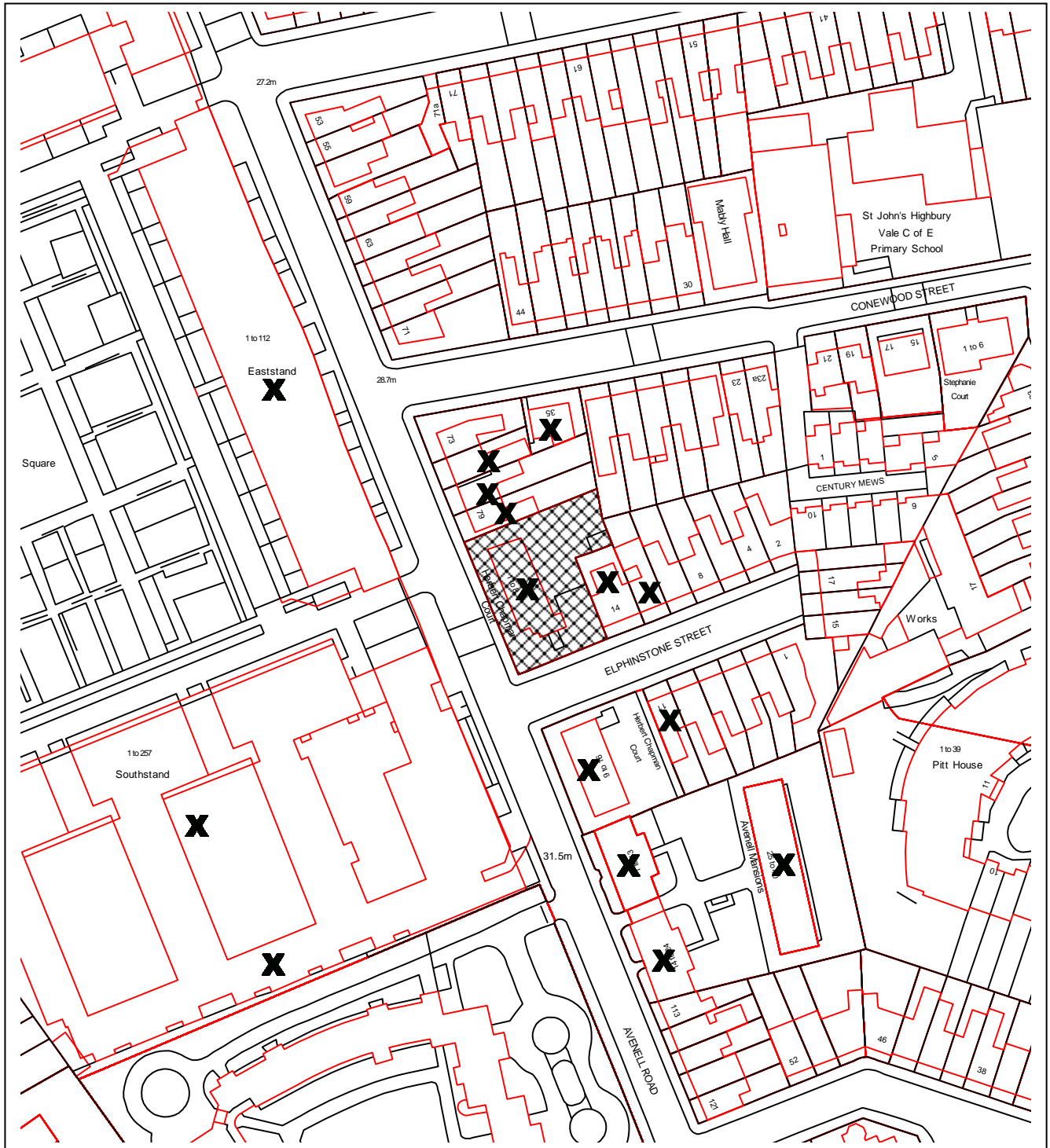
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Urban Design Guide

Islington SE GIS Print Template



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P2016/2530/FUL

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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 or B]		
Date:	3 rd October 2016	NON-EXEMPT

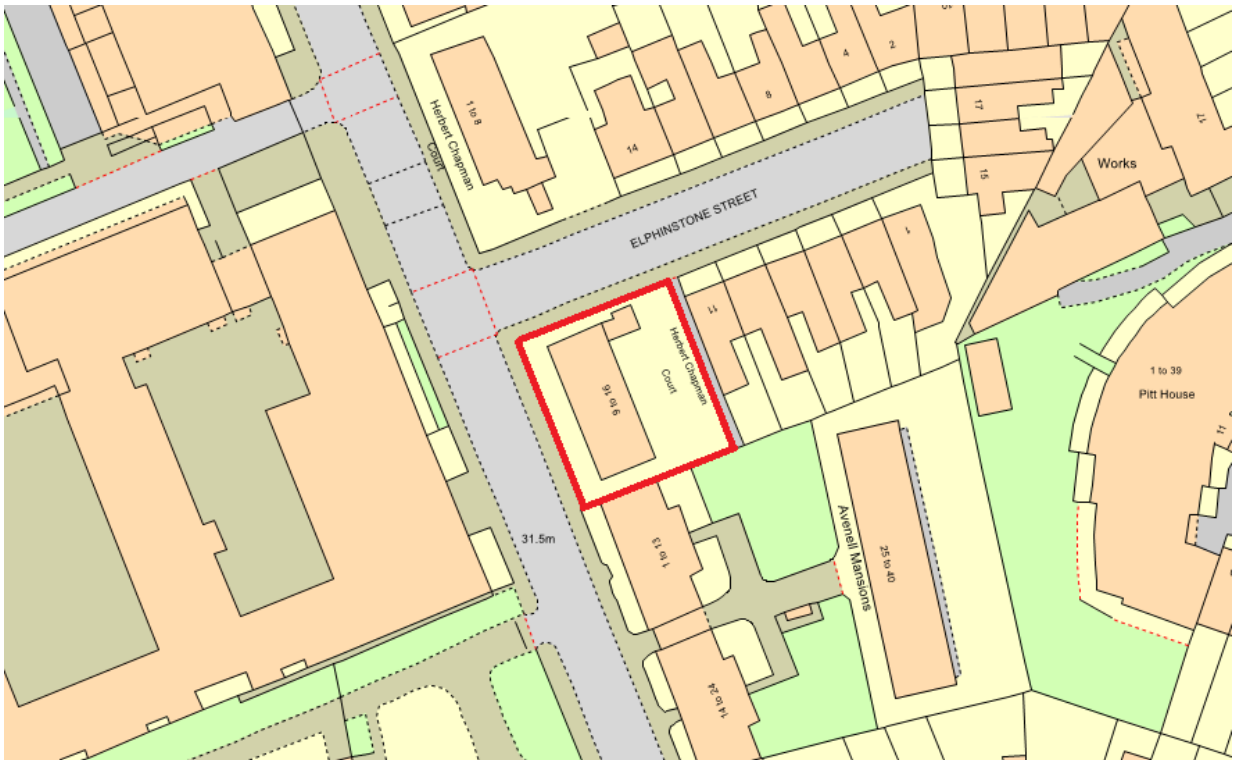
Application number	P2016/2531/FUL
Application type	Full Planning Application
Ward	Highbury West
Listed building	Unlisted
Development Plan	None
Licensing Implications	None
Site Address	Herbert Chapman Court, Flats 9-16, Avenell Road, LONDON, Islington, N5 1BP
Proposal	Replacement of the existing single glazed metal windows with aluminium framed double glazed casement units. Replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering.

Case Officer	Nathan Stringer
Applicant	Ms Linda Harris
Agent	FES Group

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 red)



3. PHOTOS OF SITE/STREET



Image 1: Photograph of the Front of the Site



Image 2: Aerial Photo of the Rear of the Site

Summary

- 3.1 Planning permission is sought for the replacement of the existing single glazed metal windows with aluminium framed double glazed casement units, and the replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering. The proposed replacement windows are similar in terms of function and appearance as the existing windows. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing flat roof form.
- 3.2 The proposed alterations to the building are considered to have a neutral impact on the character and appearance of the surrounding streets. The proposals would not give rise to any adverse impact on the amenity of neighbouring properties.

4. SITE AND SURROUNDING

- 4.1 The application site comprises a four-storey building on the east side of Avenell Road at the junction of Elphinstone Street. The property is a purpose built block of flats used for residential purposes and contains 8 self-contained flats.
- 4.2 The building is not Listed and is not within a conservation area. The surrounding area is predominantly residential in character.

5. PROPOSAL (IN DETAIL)

- 5.1 Planning permission is sought for the replacement of the existing single glazed metal windows with aluminium framed double glazed units, and the replacement of the existing mineral felt flat roof covering with a high performance mineral felt covering. The proposed replacement windows are similar in terms of function and appearance as the existing windows. The proposed roof system is similar in terms of its colour and appearance to the existing felt roof covering and does not require any rebuilding or alteration to the existing flat roof form.

6. RELEVANT HISTORY:

- 6.1 **831083** – Landscaping scheme and widening of pavement crossovers. Approved 11/10/1983.

ENFORCEMENT:

- 6.2 None.

PRE-APPLICATION ADVICE:

- 6.3 None.

7. CONSULTATION

Public Consultation

- 7.1 Letters were sent to occupants of 57 adjoining and nearby properties at Avenell Road and Elphinstone Street on 30th August 2016. The public consultation of the application therefore expired on 20th September 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 7.2 At the time of the writing of this report two responses had been received from the public with regard to the application. The first response received was in support of the proposal. The second response did not raise any objections to the proposal, but questioned why timber window units, rather than aluminium units, are not required. Council considers that timber windows should not be required, as the building currently does not contain any timber windows (the existing metal windows are likely to be original). (See paragraph 9.3)

8. 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

- 8.1 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

- 8.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Design
- Neighbouring Amenity
- Sustainability

Design

9.2 Islington's Planning Policies and Guidance help encourage high quality design which complements the character of the area. In particular, 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.

9.3 The existing building contains single glazed metal windows. The proposed replacement of the windows with double glazed aluminium units will have a neutral impact on the character and appearance of the building, as the proposed window units are of a similar appearance to the existing units. Bearing in mind the utilitarian appearance of the existing building and the acceptability of the replacement windows in this case, it is considered that aluminium replacement windows are appropriate in this case and there is no planning justification within this context to seek timber double glazed windows. As such, it is not considered that these works would significantly alter the external appearance of the building.

9.4 The existing building contains a flat roof with grey felt roof covering. The proposed replacement of the existing roof covering would have a neutral impact to the character and appearance of the building, as the proposed roof covering system is of a similar appearance to the existing, and will not require any rebuilding of the roof. As such, it is not considered that these works would significantly alter the external appearance of the building.

9.5 Given the above, the proposal is considered to be consistent with the aims of Council's objectives on design and in accordance with policies 7.6 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

Neighbouring Amenity

9.6 Policy DM2.1 of the Development Management Policies 2013 requires all new development to protect the amenity of nearby properties in terms of the loss of daylight, sunlight, outlook, privacy and overlooking.

9.7 The proposed replacement windows would not increase outlook or have an adverse impact on the privacy of neighbours, as they would be placed in openings consistent with the existing windows. Similarly, alterations to the roof covering would have no adverse impact on neighbour amenity, as the shape and size of the roof will not alter.

9.8 The proposal is therefore not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington's Development Management Policies 2013.

Sustainability

9.9 The proposed double glazing would improve the insulation and thermal efficiency of each individual unit thereby contributing to reductions in carbon emissions and reducing energy costs. The proposed double glazing would improve the retention of heat in winter and is therefore in compliance with policy DM7.2, which requires developments to be energy efficient in design and specification.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 The proposed alterations to the windows and roof of the building are considered to be acceptable in terms of design and the impact on the character and appearance of the building. The proposed works would not give rise to any material impact on neighbour amenity, including in terms of the loss of daylight, outlook or privacy.
- 10.2 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 Management Plan and Supplementary Planning Documents and should be approved accordingly.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to **conditions** 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>Langley TA-20 Roofing System Specification, PD001, PD002, WS001 (Cross Sections) and WS001(Proposed Window Schedule).</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans. 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	Roof Not Use as Amenity Space
	<p>CONDITION: The flat roof area shown on the hereby approved drawings shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>

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 2011 - Spatial Development Strategy for Greater London

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

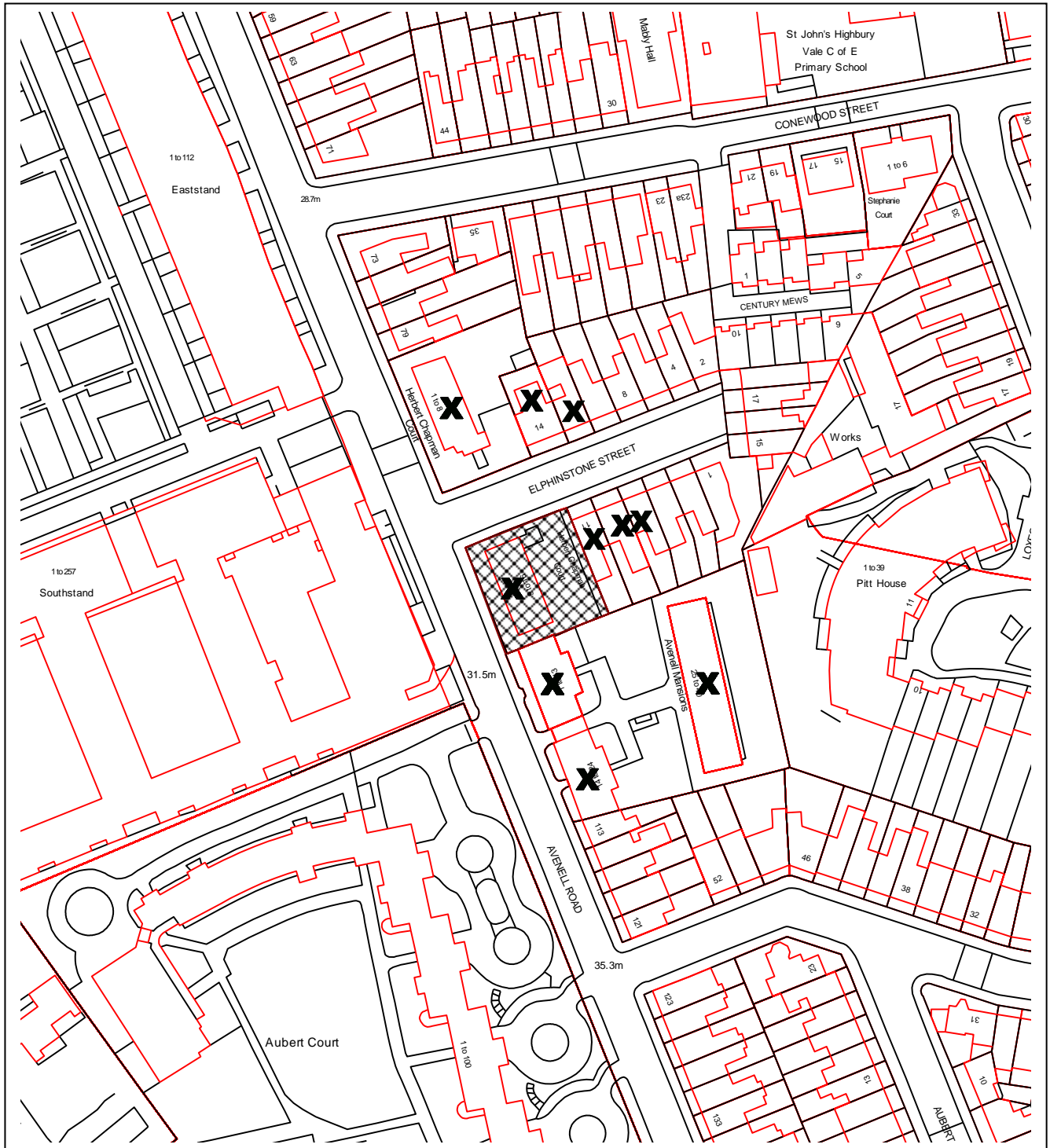
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Urban Design Guide

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 B		
Date:	3 rd October 2016	NON-EXEMPT

Application number	P2016/1791/FUL
Application type	Full planning application
Ward	Highbury East
Listed Building	Not Listed
Conservation Area	No
Licensing Implications Proposal	None
Site Address	St James House 28 Drayton Park Islington LONDON N5 1PD
Proposal	Erection of a roof extension to accommodate 3 self-contained residential units (3x2 bed), raising the buildings parapet level and private amenity space plus bike and refuse storage.

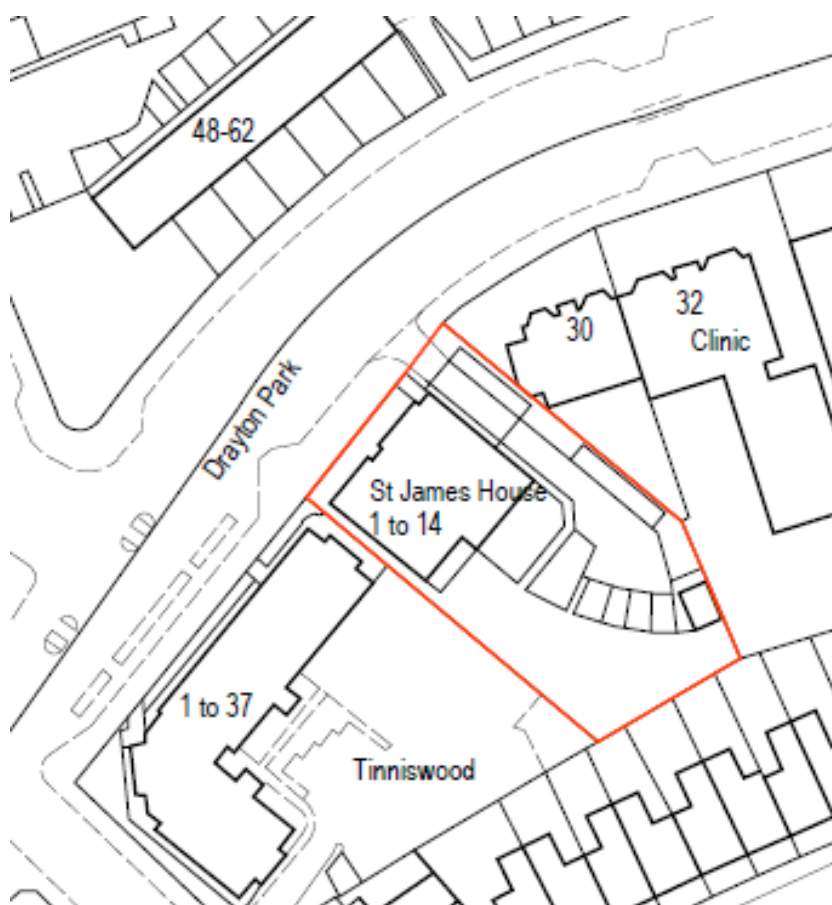
Case Officer	Daniel Jeffries
Applicant	Mr Ozmen Saffa
Agent	As above

1. RECOMMENDATION

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

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

2 SITE PLAN (SITE OUTLINED IN BLACK)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of site



Image 2: Side of St James House, 28 Drayton Park taken from north



Image 3: Front of St James House, 28 Drayton Park from west

4 SUMMARY

- 4.1 The application seeks permission for the erection single storey extension to the roof of the four storey building of 28 Drayton Park to provide 3 self-contained dwellings (3 x 2bed 3 person units) together with associated refuse stores and cycle storage facilities.
- 4.2 The principle of the development is considered acceptable with sufficient private amenity space provided. The area is residential in character and the site is not within a Conservation Area.
- 4.3 The single storey design, layout scale and massing of the proposed development is considered to be visually acceptable and would not dominate the host block of flats in this location, and has addressed the objections to the previously appealed scheme.
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov 2012). The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM9 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. Each of the proposed units are 2 bedroom developments.
- 4.5 Private amenity space is provided in accordance with the Council's requirements. It is proposed that the new build dwellings would be constructed to meet the standards set by the Code for Sustainable Homes.
- 4.6 The redevelopment of the site has no vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.
- 4.7 Consideration and weight has been given to a recent dismissed appeal decision and the Inspector's comments on a roof extension on the same property within the overall assessment of the planning merits of this case. 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 application site consists of the four storey flat roofed building on the southern side of Drayton Park, consisting of residential flats. The buildings is constructed using yellow stock brick and render elevations, incorporating Juliet balconies to the first floor level, and two recessed channels to the front elevation. The flat roof is surrounded by a concrete parapet wall. The host building is not a Listed Building nor is the site within a Conservation Area.
- 5.2 The site is accessed from the front via Drayton Park.
- 5.3 In general the area is predominately residential with a mixture of flats and larger residential dwellings, with some low level commercial uses. Adjoining properties to St James House are characterised by a variety of building heights with the majority rising to a height 3 and 4 storeys (30 Drayton Park) and the flatted development adjacent at 1 to 37 Tinniswood Close with some examples of 5 and 6 storeys further along the road close to the junctions with Horsell Road and Benwell Road.
- 5.4 The rear of the site is accessed by a secure gate along the side of the building allowing access to car parking facilities and bike and waste facilities.

6 PROPOSAL (in Detail)

- 6.1 The proposed development seeks planning permission for the construction of single storey roof extension to provide 3 self-contained dwellings (3 x 2bed 3 person), building up of the buildings main elevations parapet, front and rear roof terraces together with associated bin and cycle storage areas to the rear of the site.
- 6.2 The development would be situated on top of the existing four storey flat roofed building of 28 Drayton Park and would be accessed through the existing entrance core to the building with a relatively simple extension of the buildings existing staircase.
- 6.3 The proposed development would have a height of 2.5m above the existing flat roof, and a maximum height of 14.7m. The extension would have a mansard style, with a set away from the north east and south west elevations, by 1m, and the north west, by 1.925m, and south east elevations, between 0.95m and 1.75m. The extension is proposed to be finished in zinc, and would have uPVC double glazed windows.
- 6.4 Each residential unit would provide 2 bedroom accommodations with access to a roof terrace. The units would include separate dining/kitchen and living space. The proposal would also provide additional cycle storage and bin storage.

7. RELEVANT HISTORY

Planning Applications:

- 7.1 **P2015/0985/FUL** - Erection of three storey roof addition to provide 4 x 2 bedroom, 3 person and 2 x 3 bedroom, 5 person plus out door amenity space and associate balustrade, refuse and cycle parking, green roof and PV panels – **Refusal of permission** (Reasons: additional floors would introduce a visually dominant and incongruous form of development that in addition fails to respect the architectural character and detail of the host and adjoining buildings by virtue of its size and bulk; and substandard private amenity space) **20/05/2015.**

- 7.2 **P2015/4183/FUL** - Erection of a single storey and part two storey roof extension containing 2x2bed and 1x3bed self-contained units (C3) plus external amenity space and PV panels. – **refusal of permission** (Reason: inappropriate design, scale, massing, bulk, height and detailed finish would form a discordant and dominant feature when seen from both the public and private realms) **17/12/2015. Subsequent Appeal (Appeal Ref: APP/V5570/W/16/3142273) Dismissed 17/05/2016.**
- 7.3 **P2016/0227/FUL** - Erection of a single storey roof extension containing 3 x 2 bedroom self contained C3 units plus external amenity space, PV panels on roof, cycle and bin storage. – **refusal of permission** (Reason: inappropriate design, scale, and detailed finish would form a discordant and dominant feature when seen from both the public and private realms) **01/04/2016**
- 7.4 **Enforcement:**
- 7.5 None

Pre-application:

- 7.6 **Q2013/5000/MIN 28 Drayton Park, St James House:** advice given that “the provision of a single additional penthouse floor could be considered acceptable at the site, where this was set a significant distance back from the roof edges to ensure that it was not immediately apparent within the locality. With regard to the design and materials of such an additional floor, this should have a low profile and contemporary materials or lightweight materials would be acceptable.”

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on the 21st July 2016 providing residents with opportunity to comment on the proposed scheme. A Site Notice was also displayed to the front of 28 Drayton Park, on 30/06/2016, giving members of the local community the opportunity to comment on the proposal.
- 8.2 Twenty seven letters of objection were received. The issues raised are summarised below (with paragraph numbers stated in brackets stating where the issue is addressed)
- Design and visual appearance (10.8 to 10.12)
 - Density of the development is excessive (10.2)
 - Overshadowing (10.19)
 - Overlooking/Loss of Privacy (10.19)
 - Structural impact (10.26)
 - Concerns of noise during the construction phase (10.25)
 - Increased demand for residential parking (10.21)
 - Lack of information in relation sustainability and renewable energy (10.27)
 - Issues in terms of ownership (not a material planning consideration)
 - Lack of, and impact on existing communal space (10.28)
 - The lack of adequate recycling and waste storage (10.22)

Internal Consultees

- 8.3 **Design & Conservation:** raised no objections to the proposal.
- 8.4 **Access Officer:** raised concerns in relation to compliance with inclusive design standards.

External Consultees

- 8.5 **None**

9 REVELANT 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 The National Planning Practice Guidance is a material consideration and has been taken into account as part of the assessment of these proposals

Development Plan

- 9.3 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)

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

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Principle of the development,
 - Design, Character and appearance,
 - Standard of accommodation,
 - Accessibility,
 - Neighbouring amenity,
 - Highways and Transportation, and
 - The securing of necessary contributions towards affordable housing.

Land use

- 10.2 The application is for additional residential accommodation on top of the existing four storey building used as flats, within a predominately residential area. The Islington Development Management Policies (2013) document recognises the requirement for *'high density development is needed to accommodate the projected population growth within the borough'*. Given the location and use of the host building and the requirement it is considered the principle of providing additional residential accommodation within this location is acceptable, subject to other material considerations.
- 10.3 The principle of additional residential accommodation has never been raised as an issue by officers nor the Planning Inspectorate in recent refused and dismissed applications at appeal.

Design, Character and appearance

- 10.4 The host building has been subject to a number of previous planning applications for extensions to the roof of the building, to provide additional residential accommodation. It is noted that all of these applications have been refused on being of *'inappropriate design, scale, and detailed finish would form a discordant and dominant feature when seen from both the public and private realms'*.
- 10.5 The most recent of these applications, and most relevant, was for 'Erection of a single storey roof extension containing 3 x 2 bedroom self-contained C3 units plus external amenity space, PV panels on roof, cycle and bin storage' (ref. P2016/0227/FUL dated 01/04/2016). This decision was subject to an Appeal (Appeal Ref: APP/V5570/W/16/3142273) which was subsequently dismissed, concluding that the *'proposed roof extension would have a harmful effect on the street scene'*.



Image: Dismissed at appeal proposed front elevation.

10.6 This refused proposal would have provided an additional floor (the 4th floor) onto the roof and on top of that there would have been balustrades around a rooftop terrace. On that terrace there would be a small additional storey (5th floor). The extensions would be set back from the front elevation. The refused extension would have been predominately glazed with vertical roofslopes.

10.7 Paragraph 5 and 6 of the Appeal Decision states:

'I acknowledge that there are taller buildings nearby but given the proximity of the two buildings next door to the appeal site, the extensions would be visually overbearing in relation to them and would look incongruous between them' and that 'the extension, being opaque glass clad would be in sharp contrast to the more traditional facing materials and fenestration pattern of the parent building. However, such a contemporary approach to roof extensions is not uncommon and, in isolation, I do not find that the extensions would harm the host building itself. However, I must have regard to the relationship of the proposal to its surroundings'.

10.8 It is therefore considered that the above assessment confirms that the principle of extending the host building is acceptable, subject to an acceptable visual appearance of any proposed roof extension and if it adequately relates to the surrounding built form along Drayton Park.

10.9 In this instance, the main difference, in design terms, to this previously refused application is the proposals different scale, shape and the finishing materials. The maximum height of the proposal was 15.6m, above ground level, which includes the height of the single storey extension, being 2.9m, and the balustrades, being 1.1m. Therefore the new proposal would be a reduction in a maximum height by 0.9m. In addition, the shape of the proposal would be altered from a flat roof to a mansard shape, with angled sides and roofslopes. The proposal would also increase its set back from the eaves of the host building.

10.10 Therefore the design, scale, massing and finishing materials changes within this proposal have materially altered the proposed extension and offer a far more sympathetic addition to the host building and surrounding area. The proposed building up of the existing buildings parapet level helps also to lessen the bulk of the proposed extension.



Image: Proposed front elevation and contextual street scene within current proposal.

- 10.11 It is considered that these design alterations, in terms of its reduction in height, the set back from the eaves and the shape of the roofslope would help the proposal integrate with the host building, and those within the surrounding area. It is acknowledged that the extension would be larger than the existing roof heights at the immediately adjacent properties, however, it would be comparable in height with existing buildings along Drayton Park, including Terrace Apartments, which is a five storey building with similar roof terraces in existence. It also has recessed setbacks of the extended parapets and a sloping finished roof profile which further reduces its overall bulk and dominance. The council must demonstrate real visual harm when attempting to refuse applications on visual terms. It is considered that whilst views may be possible the design alterations to the previously refused scheme would ensure that it would be a less visually prominent addition to the host building and surrounding streetscape to ensure that it would dominate or form a discordant visual feature when seen from both the surrounding public and private realm.
- 10.12 The design of the proposal, including the use of dormer windows and the use of zinc cladding, is considered to be appropriate in this location. There are examples in the surrounding area where dormer windows have been used including at the adjacent properties, to the east, nos. 30 and 32. In addition these openings align with and are similar in terms of shape to the existing windows found on the floors below.
- 10.13 The proposed balustrades are considered acceptable given that they would replace an existing parapet wall of similar size which runs around the perimeter of the eaves of the building.
- 10.14 For the above reasons, it is considered that the application would respect the scale, form and character of the existing host building and the character of the surrounding area. The design of the proposed development is acceptable and complies with Core Strategy policy CS8, and Development Management policy DM2.1, & Islington's Urban Design Guidance 2006 because of its low rise curved form it would not appear dominant or incongruous from the surrounding properties.

Standard of accommodation

- 10.15 The three proposed self-contained residential units would contain 2 bedrooms with a separate roof terrace. These 2 bedroom 3 person units would have internal floor space of 62.2 square metres (for unit 15) and 61 square metres (for units 16 and 17) which would meet the criteria and include sufficient storage space.
- 10.16 Each unit would be dual aspect with a good internal layout. Each bedroom would meet the minimum floor space standards; while the living/kitchen and dining room combination would be a minimum of 25 square metres.
- 10.17 It is considered that the proposal would provide a good internal living environments and space standards. The double bedrooms would be a minimum of 12 square metres and single bedrooms would be a minimum of 8 square metres. Overall, the general layout, room sizes and internal floor space (including private amenity space) would meet the recommended guidance set in DM3.4 & DM3.5 of the Development Management Plan and would provide satisfactory living condition for future occupiers of the dwelling.

Accessibility

- 10.18 It is acknowledged that the Council's Inclusive Design Officer has raised concerns in relation to accessibility and adaptability. However, the proposed new units would be an extension to an existing block of flats, using the existing entrances to the host building, and the use of one wheelchair accessible lift, which is required for dwellings entered at fourth floor (fifth storey). A condition has been attached to ensure that the proposal achieve Lifetimes homes standards (category 2). The proposal is therefore considered acceptable given that the restrictions in terms of the scale of the extension, and the units would generally conform to accessible standards set within the Supplementary Design Guide (Inclusive Design) and would be contrary to Policy DM 2.2 (Inclusive Design) of the Development Management Plan 2013.

Neighbouring Amenity:

- 10.19 The proposed single storey extension would be above the four storey building located to the south of Drayton Park. Given, the proposal relates to a detached building, its elevated position, the set back from the eaves, and the shape of the extension, it is not considered to result in any significant loss of daylight/sunlight, overshadowing, outlook and enclosure levels to neighbouring properties. It is considered that the proposal would not result in any significant privacy issues, given the existing windows found on the host building.
- 10.20 The proposal would therefore not conflict with Policy DM2.1 of the Islington's Development Management Policies or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm on residential amenity.

Highways and Transportation:

- 10.21 The proposed units would not be eligible to apply for car parking permits in the area. The applicant has included cycle spaces for each unit to the side of the development in accordance with Development Management Policy DM8.4 (Walking and cycling). As such, it complies with the Council's transport policies. The applicants have proposed to provide an additional 10 bike stands to the rear of the site. The council's policies expect at least 6 spaces so this level of provision is welcomed.

Refuse facilities

- 10.22 Concerns have been received in relation to the recycling and refuse provision for the proposal. Within this application, the proposal includes x 1100Litre storage containers adjacent to the existing provision, and car parking spaces. It is considered that this additional provision would be acceptable as it would provide adequate refuse and recycling storage for the three additional units, over and above the current situation.

Small sites (affordable housing) and carbon Off-setting contributions

- 10.23 The development would require a contribution towards affordable housing in the Borough, in line with policy CS12 of the Core Strategy and the council's Supplementary Planning Document- 'Affordable housing- small sites' 2012.
- 10.24 A Unilateral Agreement has been signed and agreed with a payment of £150,000 secured towards affordable housing. A further contribution of £4,500 has been secured towards carbon off-setting. Therefore, the proposal complies with policy

Other issues

- 10.25 Disturbance from construction of the proposed development is not a material planning consideration. Furthermore, any noise or disturbance complaints received during construction of the proposal would be investigated by the Council's Environment Services team.
- 10.26 Concerns such as the structural impact, and ownership issues of the development are not material planning considerations. However, potential structural impact of the development is likely to be covered within the Building Regulations process. The development involves no basement works in this case.
- 10.27 Concerns have been raised in relation to the lack of information relating to sustainable and renewable energy. A condition has been attached to any approval relating to the submission of details prior to the occupation of the units, to show that the development would be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d. In addition the applicant has signed and agreed to a Unilateral Undertaking for payments for carbon offsetting for the development. By the use of these requirements, it is considered that the proposal would have an acceptable impact in terms of sustainable design.
- 10.28 The proposal is considered to provide acceptable level of private amenity space. However, given that the proposal relates to additional an existing block of flats, there is no requirement to provide any additional communal outdoor space. In addition the proposal is considered not to result in any impact on the existing communal space.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development is acceptable in design, scale, massing and visual terms and would form a sympathetic and contextual addition to the host building. The proposed design and setbacks would integrate well with the host building and would adequately address the surrounding built form in terms of height to ensure that the development would not appear as a dominant or discordant feature when seen from the surrounding public and private realm.
- 11.2 The proposed units offer a good standard of amenity for future occupiers.
- 11.3 The provision of additional refuse and bike facilities for the uplift of units is considered to be acceptable and proportionate bearing in mind the scale of the proposed development.
- 11.4 The proposal would not lead to any material adverse impact on adjoining resident's amenity levels in terms of loss of daylight/sunlight, nor any material loss of outlook or increase in enclosure levels.

Conclusion

- 11.5 It is recommended that planning permission be granted subject to the unilateral undertaking and the conditions as set out in Appendix 1 – RECOMMENDATION A.
APPENDIX 1 – RECOMMENDATIONS.

RECOMMENDATION A

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

1. A contribution of £150,000 towards affordable housing within the Borough.
2. A contribution of £3,000 towards carbon offsetting

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<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	Approved Plans List: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan; SE-1567-EX03; SE-1567-EX03A; SE-1567-04; SE-1567-05; SE-1567-EX05A; SE-1567-06; SE-1567-EX6A; SE-1567-07; SE-1567-EX07A; SE-1567-08; SE-1567-08A; SE-1567-09; SE-1567-10; z</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>

	Materials (Compliance)
3	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Roof ,materials b) glazing/screening details for proposed terraces including samples and drawings; c) final window treatment and finishes (including drawings); d) 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>
4	Accessible Homes Standards - (Compliance):
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, the dwelling 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>
5	Visual Screens (Compliance)
	<p>CONDITION: The visual screens to roof terraces shown on the drawings hereby approved shall be installed prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To prevent undue overlooking (oblique, backwards or otherwise) of neighbouring habitable room windows.</p>
6	Car Permits (Compliance)
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>REASON: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and</p>

	policy DM8.5 of the Development Management Policies.
7	Cycle Parking Provision (Compliance)
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be covered, secure and provide for no less than [6] bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
8	Sustainable design
	<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 dwellings 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 2013, and not exceed water use targets of 95L/person/day.</p> <p>REASON: In order to ensure the highest sustainability credentials are achieved within the development.</p>
9	Restricted use of roof terraces
	<p>CONDITION: The north and east sides of the proposed roof terrace as outlined in approved drawing 1551-PL-101_C shall only be used to access the residential units, emergency access and maintenance only and not for amenity or sitting out.</p> <p>REASON: To protect the amenity of adjacent residents of Worcester Point.</p>
10	CMP
	<p>CONDITION: A Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents together with means of mitigating any identified impacts. 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: In order to mitigate the impact of the development to nearby residents.</p>
11	Refuse provision
	<p>CONDITION: The dedicated refuse/recycling enclosure 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>

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>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	CIL Informative (Granted)
	<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>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.	Party Walls
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act"). Environmental Legislations and the Equality Act.</p>



Appeal Decision

Site visit made on 17 May 2016

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 June 2016

Appeal Ref: APP/V5570/W/16/3142273

28 St James House, Drayton Park, Islington, London N5 1PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ozmen Safa against the decision of the Council of the London Borough of Islington.
 - The application Ref P2015/4183/FUL, dated 1 October 2015, was refused by notice dated 17 December 2015.
 - The development proposed is one floor of 3 apartments to be built on top of the host building with a further room to be placed on top of this floor which affords access to the roof terrace.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the roof extension upon the character and appearance of the host building and the street-scene.

Reasons

3. Drayton Park is a road characterised by large-scale buildings of widely different design, age and materials. The appeal site is a large 4-storey block of flats. Buildings in the immediate vicinity of the site are generally of 3-4 storeys high although I accept that there are a few that are taller. Nevertheless, the appeal building is of a similar height to that of the building next door at No 30, and it is significantly taller than the building to the other side, Tinniswood.
4. The extension would add an additional floor (the 4th floor) onto the roof and on top of that there would be balustrades around a rooftop terrace. On that terrace there would be a small additional storey (5th floor). The extensions would be set back from the front elevation of the host building which would help to reduce their visual impact. However, notwithstanding the appellant's submitted street view diagram which shows narrow lines of vision, given my examination of the site, I remain unconvinced that the extensions would not be seen from the street. Even though the 5th floor would be substantially set back from the front it would be especially visible from the Tinniswood side, as the appeal site is on an angle to this building, allowing views of the roof.
5. The additional 2 storeys and the balustrades would add significant height to the building and they would project substantially above the two buildings on either side. I acknowledge that there are taller buildings nearby but given the

proximity of the two buildings next door to the appeal site, the extensions would be visually overbearing in relation to them and would look incongruous between them.

6. The extension, being opaque glass clad would be in sharp contrast to the more traditional facing materials and fenestration pattern of the parent building. However, such a contemporary approach to roof extensions is not uncommon and, in isolation, I do not find that the extensions would harm the host building itself. However, I must have regard to the relationship of the proposal to its surroundings.
7. The appellant has drawn my attention to other taller buildings in the area. I do not know the full circumstances surrounding these developments which are not typical of the heights of the buildings in closer proximity to those of the appeal site and have slightly different settings to it. In any event, they do not provide justification for me to allow further harm. I note the eco friendly green roof and solar panels but these features do not overcome the harm to the street-scene.
8. I therefore conclude that the proposed roof extension would have a harmful effect upon the street-scene. Consequently, I find conflict with Islington Core Strategy 2011 Policies CS8 and CS9; Islington Development Management Policies 2013 (DMP) Policy DM2.1 Policy DM2; London Plan, 2015, Policy 7.6 and the Council's Urban Design Guide 2006. In combination, these policies seek to protect the character and appearance of the public realm.
9. I have considered all other matters raised, including representations from interested parties, but none outweigh the conclusions I have reached and the appeal is dismissed.

Siobhan Watson

INSPECTOR

APPENDIX 3: 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

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

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

DM2.2 Inclusive Design

Energy and Environmental Standards

DM7.4 Sustainable design standards

5. Designations

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

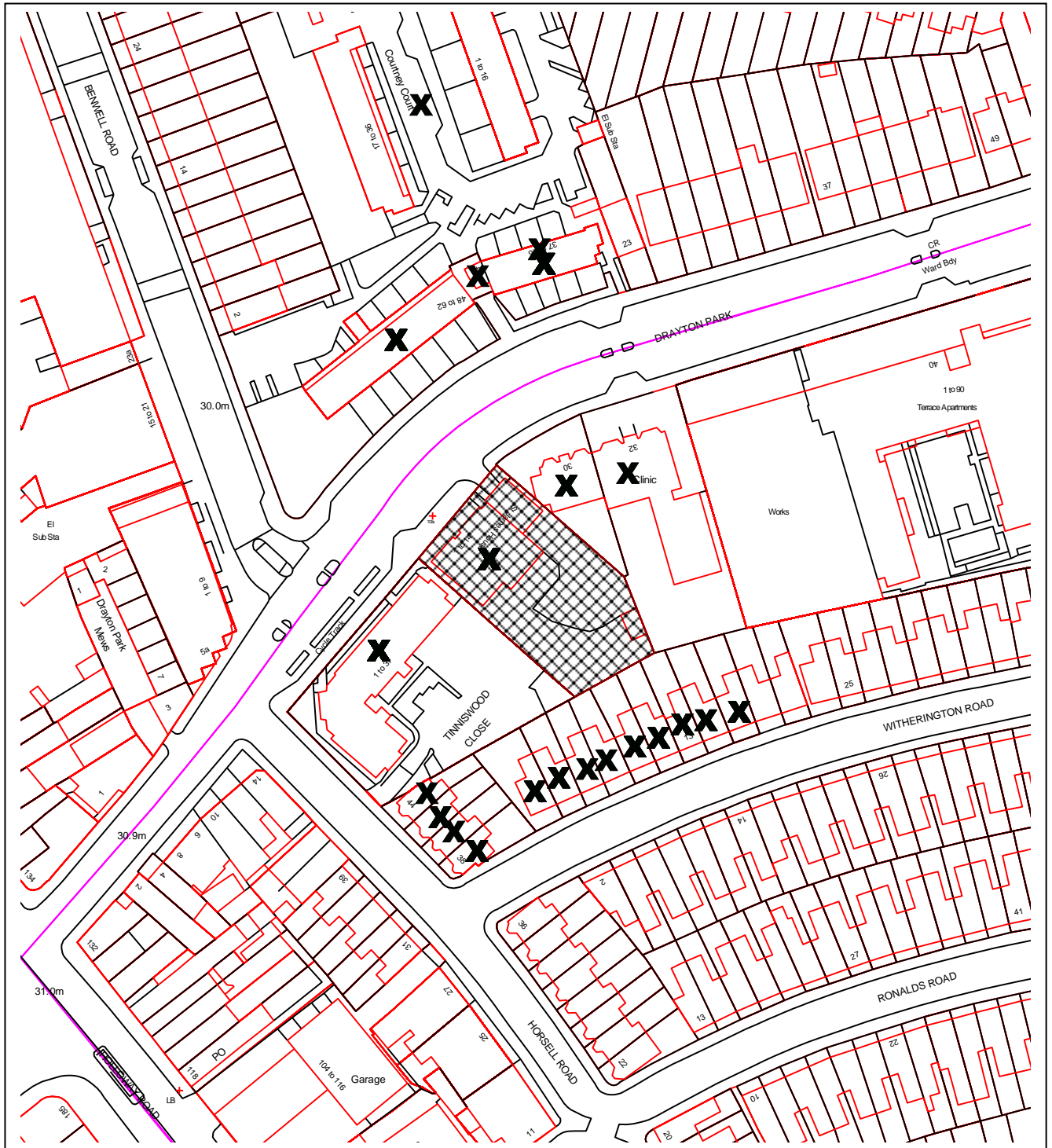
None

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan
- Conservation Area Design Guidelines (2002)
 - Urban Design Guide (2006)

Islington SE GIS Print Template



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PLANNING COMMITTEE ADDENDUM REPORT

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



PLANNING SUB COMMITTEE		
Date:	3 rd October 2016	

Application number	P2015/3131/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	Not Listed
Conservation area	N/A
Development Plan Context	Employment Growth Area
Licensing Implications	None
Site Address	Unit 10, Roman Way Industrial Estate, 149 Roman Way, London N7 8XH
Proposal	Retention of four boiler flues and seven silencers to the roof of the commercial unit.

Case Officer	Duncan Ayles
Applicant	Mr William Ray
Agent	N/A

1. RECOMMENDATION

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

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

2. REASON FOR DEFERRAL

- 2.1 This report follows the deferral of the item at the planning sub- committee on the 28th June 2016. The application was deferred by members so that officers could explore alternative options relating to the flue and silencers.

3. PLANNING HISOTRY

- 3.1 **81/670:** Redevelopment of vacant sites on land either side of Offord Street with a single storey light industrial development including the extinguishment of public rights of way of the existing road, and allocation of land for pedestrian access to Barnsbury British Railway Station.
- 3.2 This consent was granted subject to conditions, including an hours of use condition (4) and a noise condition (7).

4. ASSESSMENT OF THE APPLICATION

- 4.1 Following the previous committee officers undertook a more detailed planning history search regarding the existing use at the site, and this confirmed that the site is occupied pursuant to a planning consent granted in 1981, reference: 81/760. This consent has relevant conditions which restrict hours of use and noise emissions from the site.
- 4.2 The hours of use are controlled under the 1981 consent so that the use can only occur between the hours of 7 a.m. and 11 p.m. and not at all on Sundays or Bank Holidays. Given that this condition remains enforceable, it is considered that officers are not able to impose new or varying operating hours of use through the current application, which relates only to the retention of the flues and silencers, and the application is not seeking permission for the use of the building or the internal plant equipment themselves.
- 4.3 A condition on the 1981 consent also controls noise emissions from the use, limiting to no greater than 57 dB (A) measured at the south-eastern boundary of the site, and consequently it would not be appropriate to seek to control noise emissions from the site through the current application. The noise officer has commented that the noise emissions from the unit are likely to meet the requirements of condition 7 once the silencers proposed within the application have been fully installed. If the noise level stated within the condition is not met, the Local Planning Authority would be able to take enforcement action against the occupants of the unit.
- 4.4 There is also separate environmental controls and noise legislation to address any noise nuisances. However it is important to note that the flues and silencers in this case as proposed to be retained are considered to significantly reduce odours and noise emanating from the lawful use of the unit for light industrial uses.
- 4.5 The previous committee report noted that the flues themselves were not the source of noise, but that they mitigated against noise originating from within the unit by providing additional dampening relative to the previous situation whereby the internal plant vented directly to the outside of the unit. On this basis, it is considered that the proposed silencers would have a beneficial impact in terms of the impact of the use on neighbouring properties.
- 4.6 The proposal is therefore considered to be acceptable on the grounds of noise, and in accordance with policy DM 6.1 of the DM Policies 2013.

5. CONCLUSIONS

- 5.1 The original planning consent to the site contained hours of use condition and a condition controlling noise emissions from the unit. Due to the presence of these conditions on the original consent, it is considered inappropriate to impose similar conditions on the current application, which is for the silencers and flues only. The proposal is therefore considered to be beneficial in

terms of the impact on neighbour amenity, and is in accordance with policy DM 6.1 of the DM Policies 2013.

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

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Appendix 1

PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE B		
Date:	28 th June 2016	NON-EXEMPT

Application number	P2015/3131/FUL
Application type	Full Application
Ward	Barnsbury
Listed Building	Not Listed
Development Plan Context	Employment Growth Area
Conservation Area	N/A
Licensing Implications Proposal	None
Site Address	Unit 10, Roman Way Industrial Estate, 149 Roman Way, London N7 8XH
Proposal	Retention of four boiler flues and seven silencers to the roof of the commercial unit.

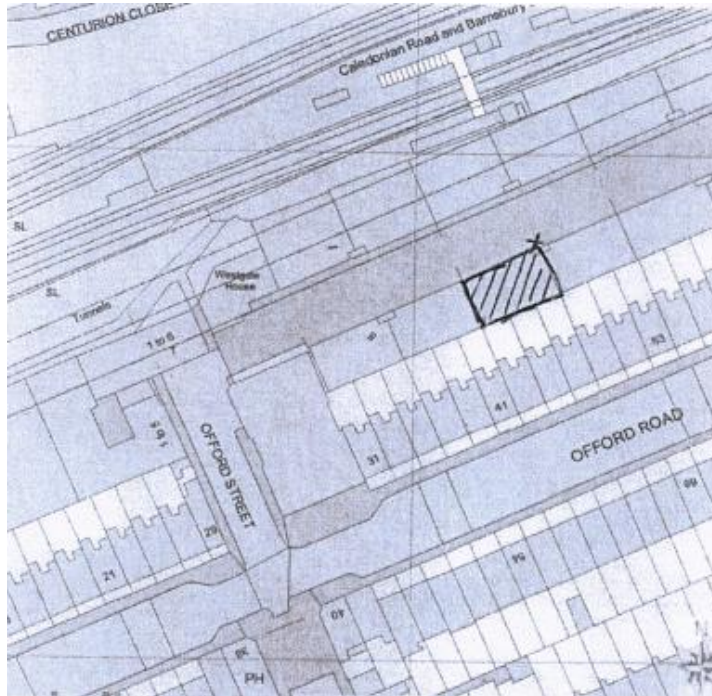
Case Officer	Duncan Ayles
Applicant	Mr William Ray
Agent	N/A

1. RECOMMENDATION

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

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

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET



IMAGE 1: Photograph of the site from the entrance to the roman way industrial estate to the east



Image 2: Photograph of the Silencers from the inside of the Roman Way Industrial Estate



IMAGE 3: Close up view of the silencers

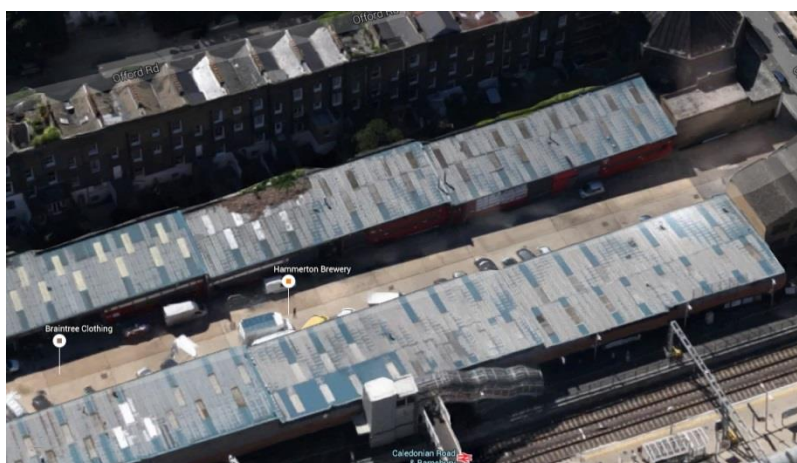


Image 4: Aerial View of the site.

4. SUMMARY

- 4.1 The application seeks approval for the retention of unauthorised roof silencers and boiler extract flues erected on the roof of a light industrial unit within the Roman Way Industrial Estate. The silencers have been erected as a means to mitigate against noise emissions from washing machine and tumble dryer equipment situated within the unit. The occupant of the unit is a commercial laundry business, and the unit has been the subject of several complaints from neighbours regarding noise pollution, particularly to residential properties immediately to the south of the application site.
- 4.2 The silencers are considered to be of an acceptable design given the character of the Roman Way Industrial Estate, and are not considered to give rise to any material impact on the character and appearance of the area. The silencers are also considered to be acceptable in terms of their impact on the amenity of neighbouring properties in terms of the loss of outlook, daylight and sunlight. Furthermore, as the silencers have reduced the amount of noise emitted from the unit, the application is considered to be beneficial on the grounds of noise emissions.
- 4.3 The proposed development is therefore considered to be acceptable and it is recommended that the application is approved subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is situated within unit ten of the Roman Way Industrial Estate, which is an industrial estate situated immediately to the west of Roman Way and to the south of the Caledonian Road and Barnsbury London Overground Station. The Roman Way Industrial Estate is comprised of single storey light industrial units which are accessed from a private access Road that connects Roman Way to the east with Offord Street to the west. The units within the estate incorporate large roller shutters, curtain walls and corrugated plastic roof. The units therefore have a utilitarian, industrial character, and are occupied by a range of light industrial and similar uses such including a garage and brewery.
- 5.2 The application site is located immediately to the north of a residential terrace at 31-79 Offord Road. The separation distance from the industrial units and the original rear elevation of the properties at Offord Road is 10 metres. The properties within this terrace are locally listed and date from the 1850s. The predominant land use to the south of the site is residential, comprising of a combination of residential flats and dwelling houses.

6. Proposal (in Detail)

- 6.1 The application seeks planning approval for the retention of seven silencers on the roof of a single storey industrial unit within the Roman Way Industrial Estate. The silencers comprise five units grouped within the centre of the roof, with a length of 315 mm, and two smaller units with a length of 250 mm grouped on the eastern side of the roof. The silencers are located directly on the roof of the unit, and are lower in height than the apex of the mono-pitched roof on the southern side of the unit. Planning permission is also sought retrospectively for the retention of four black plastic boiler flues.
- 6.2 The application is being made retrospectively as works to install the silencers have started but have not been completed. The silencers have been installed to reduce the noise emissions from the ventilation extracts associated with washing and tumble

drying equipment within the laundry operation use contained within the application unit.

- 6.3 For the avoidance of doubt the application does not seek permission either for the use of the premises as a laundry cleaning place, nor the noise-generating washing, cleaning and tumble dryer equipment within the unit. The lawful use of the premises is as B1 light industrial, and the Council's enforcement team have recently investigated the use and confirmed that the use existing use a B1 c use. The noise generating equipment including the washing machines and tumble dryers do not require the benefit of planning permission as they are internal equipment forming part of the lawful use of the unit.

7. RELEVANT HISTORY

- 7.1 **Enforcement:** E/2015/0121 and E/2014/0548: Two enforcement investigations were undertaken following complaints received in relation to noise pollution from the 'Super Laundry' business operating from unit 10, Roman Way. In both instances the enforcement investigation was closed with no action taken, as enforcement officers concluded that a material change of use had not occurred from the lawful B1 use, and that the business was not in breach of any planning conditions. The enforcement team confirmed that the silencers required planning permission and therefore advised that a retrospective application was submitted.

Pre-application Advice: None

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants on 66 nearby and neighbouring properties on the 18th November 2015. The public consultation therefore expired on the 11th December 2016. Reconsultations were undertaken on the 8th February and 4th April 2016 following the submission of amended plans, and on the 10th May following the receipt of an amended form with a new description of development.
- 8.2 At the time of the writing of this report, two objection letter and one petition was received signed by 11 neighbours (with the relevant paragraph numbers that provide responses to those issues indicated in brackets):
- Noise emissions from laundry use, especially given the nature of the adjacent properties at Roman Way which contain single glazing and the tonal/alternating of the noise emissions (paragraphs 10.16-10.20)
 - Impact that the silencers would have by facilitating longer opening hours (paragraph 10.21)
 - Design of the flues and impact on the character of the area (paragraphs 10.6-10.10)
 - Impact on Air Quality and odours (paragraph 10.23)
 - Lawful Use of the Property (paragraphs 10.2-10.3)

Internal Consultees

- 8.3 **Noise Officer:** There is a history of noise complains relating to the laundry use at the site, and the silencers were added to deal with noise pollution. Our Anti-Social Behaviour out of hours service visited the site in March of 2015, and judged that the noise was not a nuisance. Although the silencers have not been completely effective in reducing noise emissions from the unit, the removal of the silencers would increase overall noise emissions from the unit and the tonal element of the noise.
- 8.4 **Commercial Environmental Health Officer;** Noted one odour complaint in 2014 but no correspondence since. Officer satisfied with details subject to additional condition to control odours.

External Consultees:

- 8.5 **High Speed 1:** High speed one have no comment to make as our infrastructure is in a tunnel at this location.

9 REVELANT 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 The National Planning Practice Guidance 2014 is a material consideration and has been taken into account as part of the assessment of these proposals.

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, 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.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Principle of the development
 - Design and Impact on the Character and Appearance of the Area
 - Impact on the Amenity of Neighbouring Properties

Land Use

- 10.2 The application site is situated within an industrial estate immediately to the south of Caledonian Road and Barnsbury Overground station. The site is designated as an employment growth area under the adopted Policies Map. The Council have not adopted any specific policies that deal with minor alterations such as external flues to existing buildings within Employment Growth Areas. However, policy DM 5.1 confirms that the Council will encourage the intensification, renewal and modernisation of existing business floorspace within Employment Growth Area. Policy DM 2.1, which requires all new development to be of a high quality, is also relevant.
- 10.3 The lawful use of the premises is as a light industrial unit (B1 (c)), and the planning enforcement department consider the existing laundry use to fall under this use after two separate visits and investigations into the operation and use of the site for the commercial laundry use. The laundry use does not lead to any significant environmental or amenity impacts on neighbouring properties in terms of the emission of noise or emissions. It is noted that objections have been received from neighbours, alleging that a material change of use has occurred from the lawful use. For the avoidance of doubt, the application does not seek permission for the existing use at the site, and instead relates only to the silencers and boilers at roof level. Therefore, the acceptability of the existing is not an issue for determination within this application.

Design Impact of the development on the Character and Appearance of the Area

- 10.4 The application seeks permission for the retention of the external extract and silencing equipment situated on the roof of the building. These comprise seven separate extract silencers, including five larger units and two smaller units, and 4 smaller boiler flue extracts. Policy DM 2.1 requires all new development to be of a high quality and respond to its context. The Islington Urban Design Guide also provides guidance on roof top structures and confirms that external plan should usually be avoided.
- 10.5 The application site is situated within the Roman Way Industrial Estate, which is comprised of two large mono-pitched buildings comprising separate industrial units which front an access road that connects to Offord Street to the west and Roman Way to the west. To the north of the site is the Caledonian Road and Barnsbury Railway Station, and to the south is a residential area incorporating the Barnsbury Conservation Area. The Roman Way Industrial Estate has a utilitarian, industrial character derived from the functional appearance of the units within the estate and also the land uses within the area which are predominantly light industrial.
- 10.6 A number of the units within the estate incorporate a variety of different flues and extracts that project above the mono-pitched roofs including extracts and flues, alongside other external accretions such as air conditioning units and alarms. While it is considered that the extracts proposed within this application are slightly larger and more numerous than other flues in the estate, the flues are considered to be subordinate in scale to the unit. The detailed design and materials are also considered to accord with the industrial character of the Roman Way estate.

- 10.7 Furthermore, due to their modest size and position within the centre of the Industrial Estate, the existing silencers are not easily visible from public views either Offord Road on the western side of the industrial estate, or from Roman Way on the eastern side of the industrial estate. The visual impact of the flues as seen from public viewpoints is therefore limited to the Roman Way Industrial Estate, and will not impact on the character of the wider area, including the Barnsbury Conservation Area to the south. The flues will be visible from private viewpoints from the upper floor windows of the residential properties at Offord Road. However, as this is a private viewpoint it is not considered that the flues would be harmful to the character of the area.
- 10.8 Detailed guidance on the design of roof top development such as plant is set out within the Islington Urban Design Guide, within section 2.6.4. The Guidance confirms that roof structures that are not an integral part of the building should be avoided, and that this type of equipment should usually be integrated into the building itself. In this instance, however, the flues are situated on the roof of an industrial unit with an industrial estate and consequently are not out of context.
- 10.9 The proposed flues are constructed from stainless steel, which give the flues a shiny, reflective appearance. It is considered that the visual impact of the flues could be reduced by painting the exterior of the flues a dark, matt colour. A condition can be imposed on this permission to secure this.
- 10.10 Provided this condition is imposed, the design of the silencers is considered to be acceptable given the industrial character of the site and surroundings. The proposal is therefore considered to be in accordance with policies 7.4 (Local character), 7.6 (Architecture) of the London Plan 2015, policy CS8 (Enhancing Islington's character) of the Islington Core Strategy 2011, and policy DM2.1 (Design) of the Islington Development Management Policies 2013.

Impact of the Proposed Development on the Amenity of Neighbouring Properties

- 10.11 Policy DM 2.1 aims to protect the amenity of residential properties from overlooking, loss of daylight and sunlight, over dominance, sense of enclosure and outlook. This policy is full in compliance with the NPPF, which seeks to provide a good standard of amenity for all current and future occupiers of the land.

Loss of Outlook

- 10.12 The application site and building abuts the rear gardens of the residential properties at Offord Road to the south. These terraced properties contain relatively shallow rear gardens, and therefore the distance between the rearmost part of these properties, and unit 10 Roman Way, is relatively small at approximately 7 metres.
- 10.13 The application site is comprised of a mono-pitched roof with a shallow pitch of approximately 10 degrees. The proposed silencers situated on the roof are situated on the northern side of this roof, and the top of the silencers are approximately in line with the roof ridge of the unit itself. Consequently, while the silencers will be visible from the upper floor windows of the properties at Offord Road, they will not lead to any material loss of outlook, as the silencers would only be visible from views down from upper floor windows. In this context the flues are not considered to be visually dominant or intrusive when viewed from properties at the rear.

- 10.14 The proposed silencers are similarly not considered to lead to any adverse impact in the daylight and sunlight received by the properties to the south at Offord Road. The silencers are due north of these properties, and do not project above the highest part of the roof, which is closest to the residential terrace. Therefore, the silencers will not lead to the loss of any sunlight or daylight to habitable room windows.
- 10.15 The amenity impact of the roof silencers is therefore considered to be acceptable and in accordance with policy DM 2.1 in terms of the impact on the outlook, daylight and sunlight received by neighbouring properties.

Noise and Odour

- 10.16 The existing noise silencers on the roof were erected by the occupants of the premises as a noise mitigation measure following an investigation by the Council's Noise department in respect of noise emitted from the laundry use. Policy DM 6.1 of the Development Management Policies 2013 requires all new development to contribute to healthy environments, reduce environmental stresses and to ensure that noisy development does not give rise to a noise nuisance.
- 10.17 The Council's Acoustic Officer has been consulted with respect to the application. He has confirmed that, while the roof silencers have not completely mitigated against noise emissions from the unit to the residential properties at Offord Road, they have significantly reduced the amount of noise received by these properties and have also reduced the tonal element of the noise emissions from the unit.
- 10.18 The objectors to the application have provided an acoustic report to substantiate their objection to the scheme. The Council's acoustic officer has assessed this report and has reiterated his comment that the silencers have reduced both the overall sound level and the tonal element of the sound, and has also raised some queries in respect of the methodology used within the report, which uses the lowest background noise reading as the baseline for the assessment of the noise impact.
- 10.19 The council acoustic officer notes the resident's noise report measures one background noise level at potentially the quietest period of the 24 hour day as a representative background sound level. The new version of noise guidance contained within BS4142 does attempt to clarify the typical background sound level to be used and states "*For this purpose, the objective is not to simply to ascertain a lowest measured background sound level, but rather to quantify what is typical during particular time periods*".
- 10.20 The Acoustic officer considers this report to assess the lowest background noise constraint being overly conservatively when applied in this case. It is considered that the applicant's noise report is an accurate and reasonable account of the potential noise impacts of the development in which to assess the case against. It is noted that using differing background noise levels (higher or lower baselines) can significantly impact the noise results and levels in both a positive and negative way. The council must take a reasonable approach in assessing noise details against a reasonable and realistic background level. The current application seeks permission for the silencers only. The existing extract system located within the unit itself produces noise which has been subject of complaints by adjoining residents/users. The proposed silencers are designed to minimise the noise from the existing units located within the unit. The acoustic officer is satisfied that subject to conditions and ongoing monitoring by the noise team that the development can function without a material adverse impact on the amenity levels in terms of noise pollution on adjoining

residents/users in this case. The Acoustic officer will be present at the committee meeting on the 28th June to answer any noise enquiries in relation to this application.

- 10.21 Objectors to the scheme have accepted that the silencers have reduced noise emissions from the unit, but have argued that this has facilitated longer opening hours. The fact that the silencers would reduce noise emissions and complaints is considered to be a positive outcome of the development which can be given weight in favour of the application rather than against. The council will investigate the previous opening hours of the unit from historical records and update members as to what control the council can realistically enact on operating hrs in this case and update committee accordingly.
- 10.22 The proposed roof silencers are therefore considered to be beneficial in terms of their impact on the amount of noise received by neighbouring properties, although it is acknowledged that noise emissions have not been completely reduced. The proposal is therefore considered to be in accordance with policy DM 6.1 of the Development Management Policies 2013.
- 10.23 Respondents to the public consultation have raised the impact of the proposed works on air quality and odour pollution within the area. However, the application seeks consent for the physical silencers and boiler flues on the roof flue, and not the machinery within the unit itself. It is considered that the proposed boiler flues and silencers will significantly improve the odour controls and air quality issues over what may arise if the lawful use still operated without these mitigating features not being in place. A further odour control condition is also suggested by the environmental health officer which has been attached to the suggested conditions number 3. As a further fail safe there remain separate noise and odour controls available to the council under environmental health legislation to control any unacceptable noise or odour nuisances into the future as the use continues to operate.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The existing silencers and boiler flues are considered to be acceptable in terms of their design and impact on the amenity of neighbouring properties in respect of the impact of outlook, sunlight and daylight. Furthermore, while it is acknowledged that the silencers have not completely mitigated the noise emissions from the unit, they have significantly reduced the amount of noise received by neighbouring properties to acceptable overall levels and this can be further secured through detailed conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

	Approved Plans List: (Compliance)
1	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[Roof and Ducting Detail (Received 31/03/2016), Site location Plans, Proposed Unit Layout, Pre-Existing Arrangement, Planning Statement]</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
2	<p>Painting of Silencers</p> <p>A scheme for the painting of the silencers hereby approved shall be submitted to the Local Planning Authority for approval within 2 months of the date of this notice. The scheme shall be carried out in accordance with the details approved within 2 months of the date of the Local Planning Authority's written approval.</p> <p>The approved details shall be maintained thereafter to the satisfaction of the local planning authority.</p> <p>REASON: In order to protect the character and appearance of the area.</p>
3	<p>Odour controls</p> <p>Notwithstanding the plans hereby approved, the flue/stack shall discharge the extracted air no less than 1.0m above the roof eaves of the building to which it is affixed. The flue shall be fitted with fine filtration or Electrostatic Precipitation followed by carbon filtration (carbon filters rated with 0.1 second resistance time) or alternatively fine filtration followed by counteractant/neutralising system to achieve the same level as above.</p> <p>The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or replacement shall be easily accessible.</p>

List of Informatives:

	Positive statement
1.	<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.</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.

The NPPG is also a material consideration in the determination of this application.

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

7 London's living places and spaces

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS13 Employment Space

C) Development Management Policies June 2013

DM2.1 Design

DM 6.1 Healthy Development

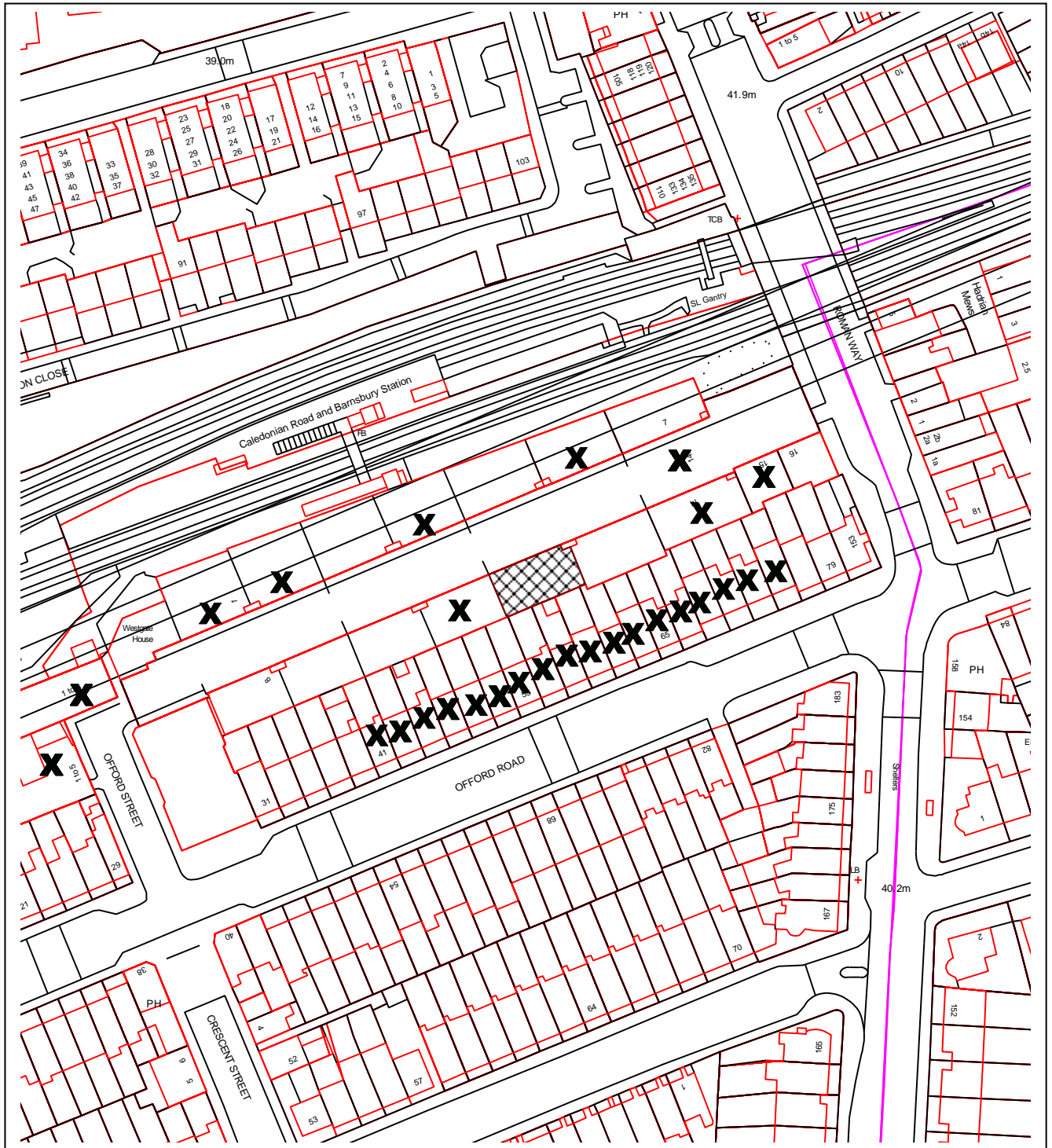
4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Islington Urban Design Guide

Islington SE GIS Print Template



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