



AGENDA FOR THE PLANNING SUB COMMITTEE A

Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **8 September 2016 at 7.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Zoe Lewis
Tel : 020 7527 3044
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Despatched : 31 August 2016

Welcome:

Members of the public are welcome to attend this meeting.

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

Committee Membership


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

Wards

Substitute Members

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

Quorum: 3 councillors



A. Formal Matters **Page**

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business
6. Minutes of Previous Meeting 1 - 4

B. Consideration of Planning Applications **Page**

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10.	St Aloysius College, 32 Hornsey Lane, London, N6 5LY	167 - 190
11.	Wells House, 5 Wells Terrace, Islington, N4 3JU	191 - 208

C. Consideration of other planning matters

D. Urgent non-exempt items (if any)

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

E. Exclusion of press and public

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

F. Confidential/exempt items

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee A, 1 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.

Public Document Pack Agenda Item A6

London Borough of Islington

Planning Sub Committee A - 18 July 2016

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 18 July 2016 at 7.30 pm.

Present: **Councillors:** Martin Klute (Chair), Tim Nicholls (Vice-Chair), Paul Convery, Una O'Halloran and David Poyser
Also Present: **Councillors:** Jilani Chowdhury, Claudia Webbe and Rowena Champion

Councillor Martin Klute in the Chair

- 188** **INTRODUCTIONS (Item A1)**
Councillor Klute welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.
- 189** **APOLOGIES FOR ABSENCE (Item A2)**
There were no apologies for absence.
- 190** **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
There were no substitute members.
- 191** **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 192** **ORDER OF BUSINESS (Item A5)**
The order of business would be B4, B3, B6, B5, B1, B2, B7, B8.
- 193** **MINUTES OF PREVIOUS MEETING (Item A6)**

RESOLVED:
That the minutes of the meeting held on 7 June 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 194** **(LAND LOCATED BETWEEN ST JOHN STREET AND WHISKIN STREET) ST JOHN STREET, LONDON, EC1 (Item B1)**
Single panel – 6 Sheet Advertisement Display Freestanding Internally Illuminated Panel

(Planning application number: P2016/0448/ADV)

In the discussion the following point was made:
 • The location of the panel was considered.

RESOLVED:
That planning permission be granted subject to the conditions and informative set out in Appendix 1 of the officer report.

195 **(LAND ON WEST SIDE OUTSIDE FINSBURY LIBRARY) ST JOHN STREET, LONDON, EC1V 4NB (Item B2)**

Single panel – 6 Sheet Advertisement Display Freestanding Internally Illuminated Panel

(Planning application number: P2016/0450/ADV)

In the discussion the following point was made:

- The location of the panel was considered.

RESOLVED:

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

196 **45 ARLINGTON SQUARE, LONDON, N1 7DT (Item B3)**

The construction of a basement underneath the rear garden (as amended), together with an additional linking staircase from the lower ground to the new basement level. The conversion of existing vaults into a utility room and wc.

(Planning applications: P2015/3235/FUL and P2015/3383/LBC)

In the discussion the following points were made:

- The planning officer advised that the basement policy had been introduced since the application was received. At the time of validation a Structural Method Statement was not required but a condition should be added to require one now that the basement policy was in place. Adjoining residents should be consulted on this and the statement would have to be agreed prior to construction.
- The quality of habitable space was considered.
- The basement would meet the policies of having at least 1 metre of soil on top of the basement construction and the basement not being below more than half of the garden.

RESOLVED:

That planning permission and listed building consent be granted subject to the conditions and informative set out in Appendix 1 of the case officer report with the additional condition regarding a Structural Method Statement outlined above.

197 **BARNARD PARK, COPENHAGEN STREET, ISLINGTON, LONDON, N1 0NL (Item B4)**

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

(Planning application number: 2016/1109/FUL)

In the discussion the following points were made:

- The planning officer advised that Sport England had objected to the application so if the sub-committee decided to grant the application, it would be put forward to the Secretary of State to determine if it should be called in.
- Concern was raised that if the village green area was not included in the calculations, there would be a 70% reduction in sports provision in the park.
- The planning officer advised that the sports pitch and village green had both been included in the 36% reduction in overall sports provision in the park figure included in the officer report. Informal sports would take place on the village green.
- The committee did not agree with the view that the village green could be held to be a sports facility for the purposes of assessing the loss of existing sports facilities.

Planning Sub Committee A - 18 July 2016

- The planning officer advised that the proposed pitch would be of a higher quality than the existing one and the overall the park's facilities would be improved.
- Extensive consultation had taken place with park users, community groups and young people.
- The applicant advised that the design of the park had been led by consultation.
- The Football Association had submitted a letter suggesting they might be interested in investing in a full sized pitch. The applicant raised concern that a full sized pitch would be dominant in the park and the consultation was in favour of having a less dominant pitch.
- Concern was raised that the village green would not be used much for informal sports if it was also been used for leisure e.g. picnics.
- A member stated that the current pitch at 8,990 sqm was larger than a full sized pitch of 7,140 sqm so reducing it to a full sized pitch would reduce its dominance. Alternatively other sized pitches could be considered. It was suggested that, in line with the advice contained in the letter of objection from Sport England, a 9 a side pitch would be of most use to local schools.
- Concern was raised that the Cally pitch located 0.2 miles away was closed and there were no plans to upgrade it.

Councillor Poyser proposed a motion to defer consideration of the application to enable more consideration to be given to different size football pitches - based on Sport England comments on pitch sizes, and the balance of sports and leisure use. This was seconded by Councillor Nicholls and carried.

RESOLVED:

That consideration of the planning application be deferred for the reasons outlined above.

198

CLARENDON BUILDINGS, 25-27 HORSELL ROAD AND 11 RONALDS ROAD, LONDON, N5 1XL (Item B5)

Internal reconfiguration of the existing floorspace, and construction of rear extension at basement, ground and first floor levels to comprise office (B1 Use Class), conversion of second floor to residential and additional floor of residential within existing roof profile. The building will contain B1 office space at basement, ground and first floor levels, with 7 residential units (C3 Use Class) over upper floors.

(Planning application number: P2015/1655/FUL)

In the discussion the following points were made:

- The planning officer confirmed that the applicant had agreed to pay the full £350,000 affordable housing contribution and not £300,000 as stated in Recommendation A of the officer report.
- The planning officer advised that there was no requirement for the provision of affordable workspace as this was a minor application for a refurbishment and not a rebuild.
- The application was policy compliant.
- Small businesses would use the space.

RESOLVED:

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

199 **GARAGES - QUEMERFORD ROAD, LONDON, N7 9SG (Item B6)**

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

(Planning application number: P2016/0840/FUL)

In the discussion the following points were made:

- The Structural Methods Statement was listed as an approved document.
- The materials to be used were discussed. The building would be of a brick construction with glazing and timber doors.
- The design of the building was considered.
- A member raised concern that the house would be behind a wall and the wall would be higher than the existing wall.

RESOLVED:

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

200 **PAVEMENT ON THE EAST SIDE OF ESSEX ROAD (CLOSE TO JUNCTION WITH NEW NORTH ROAD), ESSEX ROAD, LONDON, N1 3AP (Item B7)**

Installation of Free Standing Internally Illuminated Advertisement Display Panel (6 sheet) on pavement on the east side of Essex Road close to the junction with New North Road.

(Planning application number: P2015/4873/ADV)

In the discussion the following point was made:

- The location of the panel was considered.

RESOLVED:

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

201 **RAILWAY BRIDGE EAST OF 233 SEVEN SISTERS ROAD, LONDON, N4 2HY (Item B8)**

Public art work to the Railway Bridge.

(Planning application numbers: P2016/2039/FUL and P2016/2040/ADV)

RESOLVED:

That planning permission and advertisement consent be granted subject to the conditions and informative set out in Appendix 1 of the officer report.

The meeting ended at 10.15 pm

CHAIR

COMMITTEE AGENDA

1 1 Crowfield House
125 Highbury New Park
Islington
LONDON
N5 2DU

2 22A Arlington Way
Islington
London
EC1R 1UY

3 37C and 37D Mildmay Grove North, London, N1 4RH

4 Holloway Road (land near junction with St John's Grove), Holloway Road, London, N19 3EN

5 Hornsey Lane Estate - Caroline Martyn House, Enid Stacey House, Mary McArthur House and Keir Hardie House, Hazellville Road, London, N19

6 Islington Education Service Laycock Building
Laycock Street
Islington
London
N1 1TH

7 Pavement area in Old Street opposite Mallow Street, London, EC1V 9LT

8 Playing Field, Armoury House,
City Road
London
EC1

9 Seven Sisters Road (north side) opposite Medina Road
Seven Sisters Road London N7 7PU

10 St Aloysius College, 32 Hornsey Lane
London
N6 5LY

11 Wells House
5 Wells Terrace
Islington
N4 3JU

1 1 Crowfield House
125 Highbury New Park
Islington
LONDON
N5 2DU

Ward: Highbury East

Proposed Development: Replacement roof covering and installation of free standing edge protection balustrades.

Application Number: P2016/2540/FUL
Application Type: Full Planning Application
Case Officer: Duncan Ayles
Name of Applicant: Ms Linda Harris

Recommendation:

2 22A Arlington Way
Islington
London
EC1R 1UY

Ward: Clerkenwell

Proposed Development: Replacement of existing part single/part two-storey office building with a part single/part two-storey building over a proposed basement to provide additional B1 Office Space .

Application Number: P2016/0524/FUL
Application Type: Full Planning Application
Case Officer: Thomas Broomhall
Name of Applicant: The One Off - Mr Richard Collier

Recommendation:

3 37C and 37D Mildmay Grove North,London, N1 4RH

Ward: Mildmay

Proposed Development: Demolition of existing two storey building and erection of part two, part three storey building containing 4 residential self-contained units (2x1bed, 1x2 bed and 1x3 bed) with amenity space plus B1 office space at ground floor level and associated cycle storage space and refuse storage, alterations to boundary wall.

Application Number: P2015/4193/FUL
Application Type: Full Planning Application
Case Officer: Joe Aggar
Name of Applicant: Ms Gillian Singer

Recommendation:

4 Holloway Road (land near junction with St John's Grove), Holloway Road, London, N19 3EN

Ward: Junction

Proposed Development: Installation of Free Standing internally illuminated advertisement display panel (6 sheet) on pavement on the south side of Holloway Road close to the junction with Mercers Road.

Application Number: P2015/5134/ADV
Application Type: Advertisement Consent
Case Officer: Daniel Power
Name of Applicant: Islington Public Realm, Mr M. Holland

Recommendation:

5 Hornsey Lane Estate - Caroline Martyn House, Enid Stacey House, Mary Mcarthur House and Keir Hardie House, Hazellville Road, London, N19

Ward: Hillrise

Proposed Development: Replacement of existing single glazed timber/plastic coated windows with double glazed UPVC windows.

Application Number: P2015/0890/FUL

Application Type: Full Planning (Council's Own)

Case Officer: David Nip

Name of Applicant: Islington Council

Recommendation:

6 Islington Education Service Laycock Building

Laycock Street

Islington

London

N1 1TH

Ward: St. Marys

Proposed Development: Erection of post mounted sign - 2 off White aluminium 76mm posts with Composite Panel & channel 1500mm x 800mm with applied digital print and anti graffiti laminate .

Application Number: P2016/1013/ADV

Application Type: Advertisement Consent

Case Officer: Joe Aggar

Name of Applicant: Ms Marcia Price

Recommendation:

7 Pavement area in Old Street opposite Mallow Street, London, EC1V 9LT

Ward: Bunhill

Proposed Development: Installation of a Freestanding Self-Illuminated Advertisement Display Panel (6 Sheet) on the pavement of north side of Old Street opposite Mallow Street.

Application Number: P2015/3961/ADV

Application Type: Advertisement Consent

Case Officer: Daniel Power

Name of Applicant: Mr Martin Holland

Recommendation:

8 Playing Field, Armoury House,

City Road

London

EC1

Ward: Bunhill

Proposed Development: Erection of a marquee (temporary structure) on land adjacent to the playing fields of Armoury House (along the south boundary of the site) in order to facilitate the hosting temporary social events. The marquee would be in situ for no more than 120 days per calendar year with both a winter and summer site layout plan included. (ADDITIONAL DETAILS RECEIVED - Late Night Operations Plan)

Application Number: P2016/1146/FUL

Application Type: Full Planning Application

Case Officer: Eoin Concannon

Name of Applicant: Ms Rowan Bennett

Recommendation:

**9 Seven Sisters Road (north side) opposite Medina Road
Seven Sisters Road London N7 7PU**

Ward: Finsbury Park

Proposed Development: Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on grass verge outside of Seven Sisters Road opposite Medina Road.

Application Number: P2015/3963/ADV

Application Type: Advertisement Consent

Case Officer: Daniel Power

Name of Applicant: Islington Public Realm

Recommendation:

**10 St Aloysius College, 32 Hornsey Lane
London
N6 5LY**

Ward: Junction

Proposed Development: Erection of three storey building to provide additional educational facilities to existing school and the construction of an external staircase.

Application Number: P2016/0867/FUL

Application Type: Full Planning Application

Case Officer: Sandra Chivero

Name of Applicant: Built-Off Site Ltd. - Mr Jamie Goodwin

Recommendation:

**11 Wells House
5 Wells Terrace
Islington
N4 3JU**

Ward: Finsbury Park

Proposed Development: Change of use from A1 to mixed off licence and bar use (Sui Generis)alteration to shopfront.

Application Number: P2016/1213/FUL

Application Type: Full Planning Application

Case Officer: Duncan Ayles

Name of Applicant: Mr Cameron McKeown

Recommendation:

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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	8 th September 2015	NON-EXEMPT

Application number	P2016/2540/FUL
Application type	Full Planning Application (Council's own)
Ward	Highbury East
Listed building	Not Listed
Conservation area	Highbury New Park
Development Plan Context	Local Cycle Route Within 50m of Sotheby Road Conservation Area
Licensing Implications	None
Site Address	Crowfield House, 125 Highbury New Park, London, N5 2DU
Proposal	Replacement roof covering and installation of free standing edge protection balustrades.

Case Officer	Duncan Ayles
Applicant	Linda Harris (Breyer Group)
Agent	David Johnstone (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 black)



3. PHOTOS OF SITE/STREET



Image 1: Aerial Photo of the Front of the Site



Image 2: Aerial Photo of the Rear of the Site

4. SUMMARY

- 4.1 Planning permission is sought for the replacement of the existing felt roof covering with an elastomeric membrane roof system. 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. The application also seeks approval for the erection of freestanding safety balustrades set in from the edges of the building.
- 4.2 The proposed alterations to the roof are considered to have a neutral impact on the character and appearance of the Highbury New Park Conservation Area. The proposals would not give rise to any adverse impact on the amenity of neighbouring properties.

5. SITE AND SURROUNDING

- 5.1 The application site comprises of an irregularly shaped five storey building located on the east side of Highbury New Park at the junction with Balfour Road. The property is a purpose built block of flats used for residential purposes and contains 50 self-contained flats.
- 5.2 The building is not listed however the site is located in the Highbury New Park Conservation Area. The surrounding area is predominantly residential in character.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for the replacement of the existing felt roof with a grey elastomeric roof covering. The application also seeks consent for the installation of freestanding roof edge protection with a height of 1.1 metres, which would be set back 1.1 metres from the edge of the roof. The edge protection systems are comprised of two separate railings with tubular uprights.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P022134** - Installation of replacement UPVC windows. Approved 01/11/2002.

P2015/2430/FUL: Installation of new domestic fire protection system. The works includes the installation of a water storage tank, fire booster pumps, controllers and appropriate pipework being situated at the rear of the block of flats at Crowfield House: Approved.

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

- 7.3 None

8. CONSULTATION

Public Consultation

- 8.2 Letters were sent to occupants of 234 adjoining and nearby properties at Balfour Road and Highbury new Park on 04th July 2016. A site notice and press advert were displayed on 14th July 2016. The public consultation of the application therefore expired on 4th August 2016 however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 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 Officer:** The proposed replacement of the roof covering is acceptable on design grounds as this wouldn't alter the external appearance of the building. Given the set-back proposed, the safety balustrading would not be unacceptably visible and is considered to be appropriate to the character of the building.

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

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

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Highbury New Park Conservation Area.
 - Local Cycle Route
 - Within 50m of Sotheby Road Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Design and Conservation
- Amenity

Design and Conservation

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. It is also considered that policy DM2.3 is important in this application to ensure all development continues to preserve and enhance the character and appearance of the Conservation Area.
- 10.3 The application site is located in the Highbury New Park Conservation Area. Although the site itself is not of the same high quality design as other buildings within this Conservation Area, it is important to ensure that any new development continues to preserve and enhance the character and appearance of the Conservation Area and should ensure that these works would not be visible from the street scene.
- 10.4 The existing building contains a flat roof with a grey felt roof covering. The proposed replacement of the existing roof covering will have a neutral impact on the character and appearance of the conservation area, 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.
- 10.5 The Islington Urban Design Guide contains guidance on the design of roof top features such as railings and plant, confirming that these features should generally be avoided.
- 10.6 The application is supported by sightline drawings which demonstrate that the railings would not be visible from up to 19 metres away, taken at a height of 1.7 metres. This means that the balustrades would not be visible from the western side of Highbury New Park and the northern side of Balfour Road. However, the balustrades would be visible from the eastern side of Highbury New Park, particularly in longer distance views up and down the road. Viewed from this location the balustrade would appear as a modest feature that would not materially harm the appearance of the building. The irregularity of the building façade also means that the building does not contain a straight roofline that would be broken by the balustrades.
- 10.7 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.3.

Neighbouring Amenity

- 10.7 Policy DM 2.1 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.

- 10.8 The proposed alterations to the roof covering would have no adverse impact on neighbour amenity, as the shape and size of the roof will not alter. Similarly the balustrades would not lead to any loss of daylight or outlook to neighbouring properties, due to their set back and because they do not face any habitable room windows.
- 10.9 The application documents indicate that the balustrades are proposed to allow maintenance access and are not to allow the use as an amenity space. Given that the erection of balustrades onto the roof could allow this area to be used as a terrace, it is recommended that a condition is imposed to ensure that this does not occur.
- 10.10 The proposal is therefore not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed alterations to the roof of the building are considered to be acceptable in terms of design and the impact on the character and appearance of the Conservation Area. 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.
- 11.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.3 It is recommended that 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>Freestanding Roof Edge Protection Specification, Langley TA-20 Roofing System Specification, PD004, PD003, PD001 and PD002.</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 and within the Design and Access Statement. 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>
	Roof Not Use as Amenity Space
4	<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>
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	<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>
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APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 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

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

DM2.3 Heritage

3. Designations

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

- Highbury New Park Conservation Area.
- Provisional Article 4.2 Area
- Local Cycle Route
- Within 50m of Sotheby Road Conservation Area

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

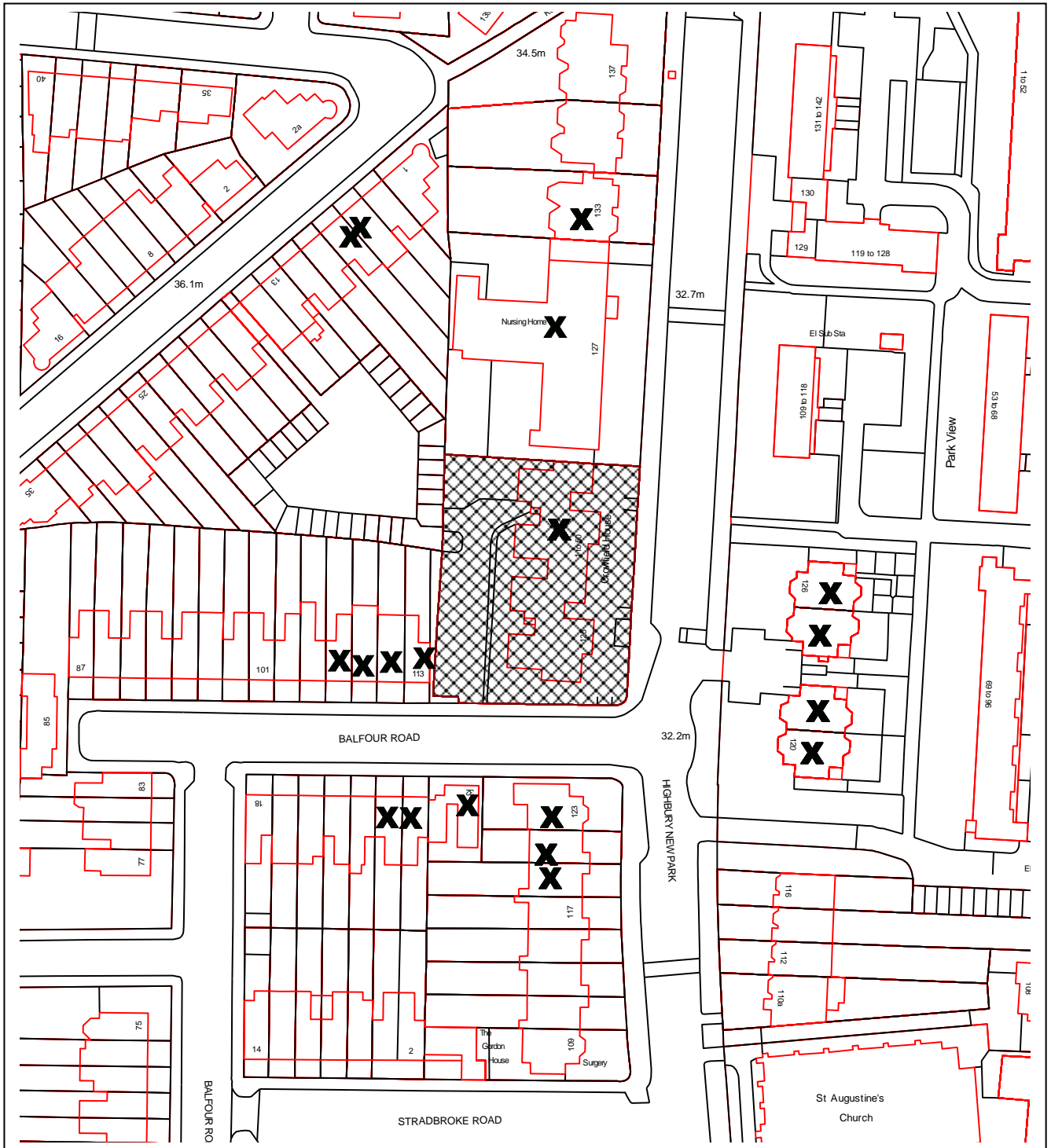
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Urban Design Guide (2006)

Conservation Area Design Guidelines (2002)

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	8 September 2016	NON-EXEMPT
Application number	P2016/0524/FUL	
Application type	Full Planning Application	
Ward	Clerkenwell	
Listed building	Unlisted	
Conservation area	New River Conservation Area	
Development Plan Context	Central Activities Zone (CAZ), Angel Town Centre, Angel & Upper Street Core Strategy Key Area, Article 4(2) New River Conservation Area	
Licensing Implications	None	
Site Address	22A Arlington Way, Islington, London, EC1R 1UY	
Proposal	Demolition of existing part single/part two-storey office building and erection of a part single/part two-storey building and basement level excavation to provide additional B1 Office floorspace.	
Case Officer	Tom Broomhall	
Applicant	Mr Richard Collier	
Agent	Mrs Elisa Lam - Amin Taha Architects Ltd	

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 hatched in black)**



3. PHOTOS OF SITE/STREET

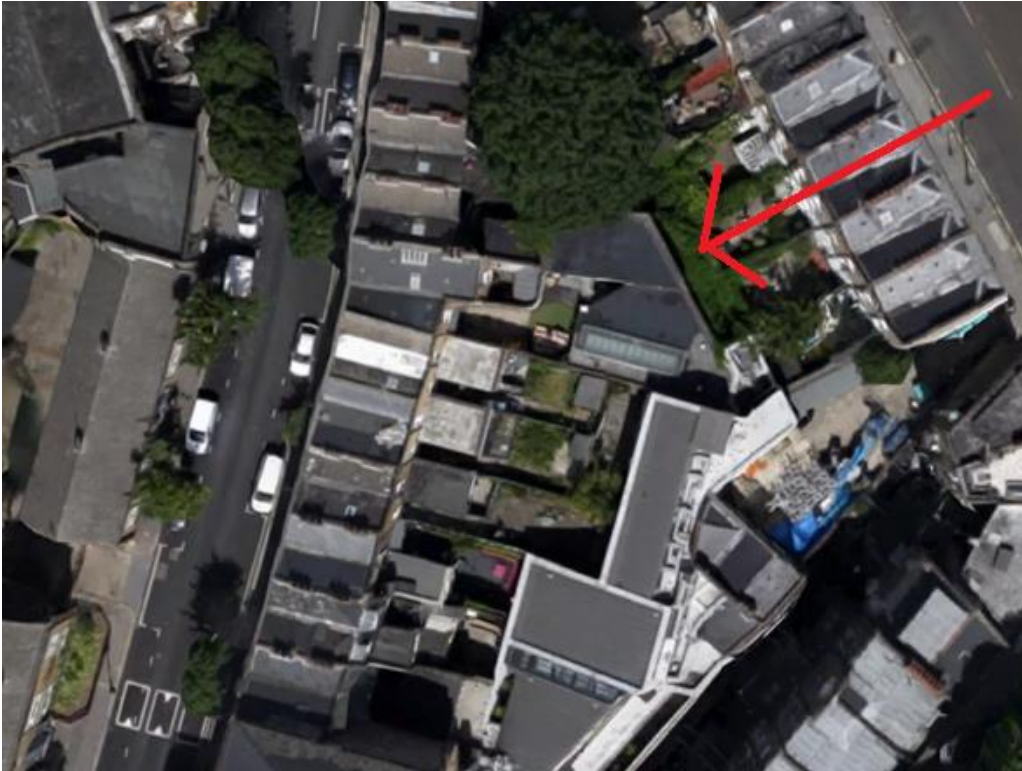


Image 1: Aerial view of the site from directly above the site

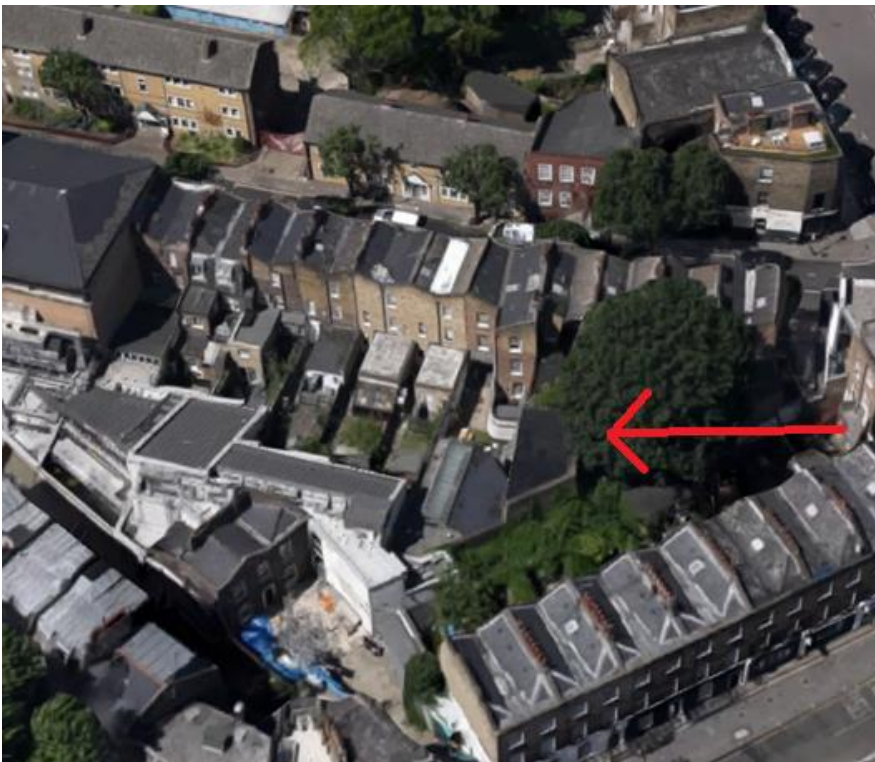


Image 2: Looking into the site in an Westerly direction



Image 3: View of existing part single/part two-storey building



Image 4: View looking east of flat roof over existing single storey element of the building

4. SUMMARY

- 4.1 Planning permission is sought for the demolition of the existing part single/part two-storey office building and erection of a part single/part two-storey building and basement level excavation to provide an uplift of 125.3 square metres of B1 Office floorspace across the site.
- 4.2 The application is brought to committee because of the number of objections received.
- 4.3 The main issues arising from the application are the impact of the design and appearance of the new building on the character and appearance of the New River Conservation Area, the impact on the setting of neighbouring Grade II Listed Buildings, the impact of basement development, and the impact on the amenities of the adjoining and surrounding residential properties.
- 4.4 It is considered that the proposed development would be acceptable in visual terms and would have no harmful impact on the setting of neighbouring Grade II Listed Buildings or on the character and appearance of the surrounding New River Conservation Area. The proposed basement excavation would have no adverse effects on the existing landscaping and biodiversity value of the site. As such, the proposed development raises no concerns with reference to sustainability, energy efficiency and trees. The impact on the amenities of the adjoining and surrounding properties is considered to be acceptable.
- 4.5 The proposal is therefore considered acceptable and it is recommended that the application is approved subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site contains a modern part single/part two-storey building, which is located to the rear of properties along Arlington Way, St John Street and Rosebery Avenue. The site is not visible from the public realm and it is accessed via a narrow undercroft from Arlington Way. The building is currently in B1 office use.
- 5.2 The site is surrounded by Grade II listed buildings, which include a three-storey terrace (Nos. 18 – 27) Arlington Way and three storey over basement terraces at St John Street (Nos. 383 – 399).
- 5.3 The site is located within the Article 4 New River Conservation Area and forms part of Angel Town Centre and the Central Activities Zone (CAZ). The surrounding area is characterised by mixed uses, comprising commercial, office and residential properties.

6. PROPOSAL (IN DETAIL)

- 6.1 The application comprises the demolition of the existing part single part two-storey office building and erection of a part single part two-storey office building with a height, scale and massing which is marginally below that of the existing building. The replacement building would remove the existing sloping glazed roof of the single storey building and sit no higher than the existing parapet walls on the perimeter of the site. The replacement building would have a marginally larger massing and footprint within the centre of the site, by reason that it would include a new canopy extension at the ground floor entrance. The new glazed canopy would adjoin with the existing boundary wall of the rear of 22 Arlington Way and sit at a level below the height of the

top of the wall. The building's facades would combine stock brick and perforated bronze panels.

- 6.2 The new building would contain a two part green roof over the two storey element and half the remaining single storey roof, with glazing over the remaining central part of the single storey building. The existing side courtyard (south side of the site) would be retained as a garden with soft landscaping.
- 6.3 The application also proposes single storey basement level excavation within the footprint of the new building at a depth of 3 metres to create additional office floorspace.
- 6.4 The proposal is car free and proposes the creation of five cycle parking spaces in the access way.
- 6.5 During the course of the application additional information was submitted to address concerns raised by the Sustainability Officer and Building Control Officer. An additional proposed works survey drawing was provided indicating the position of soft landscaping, external boundary walls to be retained and underpinning. The submitted Construction Method Statement has been revised to accurately reflect the single level and entirely commercial basement excavation, a Flood Risk Assessment has been submitted and a drawing indicating the operation of mechanical ventilation has also been provided.

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 992071 - Retention of studio/office use with alterations to front courtyard including provision of timber decking to floor, balcony, and white fabric canopy. Approved on the 28/02/2000.
- 7.2 P2015/1090/FUL - Demolition of existing building and the construction of a new building over lower basement, basement, ground and first floor levels to provide business floor space (Class B1a) and one self-contained residential unit (Class C3). Withdrawn on the 24/11/2015.
- 7.3 P2014/4982/FUL - Demolition of existing building and the construction of a new building over lower basement, basement, ground and first floor levels to provide business floor space (Class B1a) and one self-contained residential unit (Class C3). Withdrawn on the 02/02/2015.

Pre-Planning Application:

- 7.4 Q2013/0585/MIN – Pre-application for a material change of use from B1 to a mixed use comprising B1 and C3 uses involving excavation works to construct a two-storey basement. Pre-application advice completed on the 05/04/2014.

Enforcement:

None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 56 adjoining and nearby properties at Arlington Way, St John Street and Rosebery Avenue, on the 4th April 2016 and site and press notices were displayed on 7th April. The public consultation of the application therefore expired on the 28th April 2016. However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 A total of six letters of objection were received in response to the consultation. The following issues were raised (and paragraph numbers responding to the issues are included in brackets).
- (i) Development would result in an over-development of office space [para. 10.3]
 - (ii) Development would have a harmful effect on the New River Conservation Area [para. 10.12 and 10.13].
 - (iii) Development would affect the natural light to neighbouring properties at 383-389 St John Street [para. 10.18].
 - (iv) Development would affect the residential amenities of neighbouring residents in terms of noise [para. 10.19].
 - (v) Development would not meet sustainability design guidelines [para. 10.22].
 - (vi) Development would lead to an increase in traffic to the area [para. 10.26].
 - (vii) Development would damage the party walls and foundations of neighbouring properties [para. 10.18]

External Consultees

- 8.3 Historic England – No comments.

Internal Consultees

- 8.4 Design and Conservation Officer: Requests full details of all materials so that the appropriateness can be fully assessed and a condition ensuring no underpinning to adjoining listed structures. No objections subject to these conditions.
- 8.5 Sustainability Officer: No objections to the Structural Report and Flood Risk Assessment subject to conditions regarding details of Green Roof, Landscaping Plan and Construction Method Statement.
- 8.6 Tree Officer: No objections.
- 8.7 Inclusive Design Officer: Initial objections raised by reason that no step free access was provided between the ground floor and the basement and first floor level. However, drawings have been amended and a lift for disabled access would be provided between all three office floor spaces.
- 8.8 Acoustic Officer: No objection

8.9 Building Control 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 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) / Documents (SPD)

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

Designations

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

- New River Conservation Area
- Angel Town Centre
- Central Activities Zone
- Mayor's Protected Vista

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Basement Excavation
- Design and Conservation
- Neighbouring Amenity
- Sustainability
- Transport
- Inclusive Design
- Trees

LAND USE:

- 10.2 The proposal maintains the existing B1 office use and would result in the uplift of approximately 125.3 square metres of floor area of B1 office floorspace. The site falls within a Town Centre and policy DM5.1 of the Islington's DMP (2013) is particularly relevant. Policy DM5.1 encourages the intensification and modernisation of existing business floorspace. Given that the scheme maximises the existing B1 use within the site, the proposed development is acceptable in pure land use terms.
- 10.3 Objections were received concerning an over-intensification of existing B1 floor space. However the additional floor area would be positioned at basement floor level, existing access would remain unaltered and given the small scale nature of the office use, whilst in a tightly constrained site, the proposed uplift in floorspace would not lead to unreasonable levels of disturbance to neighbouring residents.

BASEMENT EXCAVATION:

- 10.4 The proposed single storey basement level excavation at a depth of 3 metres covers the entire area of the existing building's footprint and an additional area of approximately 15 square metres across the front of the existing single storey building within the site.
- 10.5 The Basement Development SPD sets out that on commercial and mixed use redevelopment schemes with proposed basements, the extent of basement development should be commensurate to the site context and building design. Sites within commercial areas such as the Central Activities Zone often contain buildings built up to the boundary. Any basement component of the scheme should be designed to avoid adverse impacts to sensitive sites, building, trees and other structures that may be affected by the construction of the proposed development. Areas of landscaping proposed should be designed as deep soil landscaping with natural drainage and no basement or other impermeable structure underneath. The SPD also sets out that basements should generally not exceed 1 storey in depth, and not exceed 3m floor to ceiling height.
- 10.6 The extent and depth of the proposed basement excavation is considered to be proportionate in scale to the existing above ground portion of building without unduly intensifying the use of a site and therefore meets the requirements of the SPD.
- 10.7 The information provided in the Structural Report and Flood Risk Assessment is considered to demonstrate that the proposals would not result in adverse structural impacts on the surrounding buildings and accords with the requirements of the Basement Development SPD.

DESIGN AND CONSERVATION:

- 10.8 The site is considered sensitive, by reason that it is positioned between Grade II listed terrace Buildings at Arlington Way and Rosebery Avenue and its location in the New River Conservation Area. The New River Conservation Area Design Guidance states how the Council will only consider redevelopment of more recent buildings within the area if the building improves the appearance of the area.

- 10.9 From the surrounding area, the replacement building will appear marginally reduced in bulk and massing. The proposal therefore follows the advice that was given at pre-application stage (Ref. Q2013/0585/MIN), which mentions that, any additional massing and height to the existing building would be resisted, by reason of the sensitive character of the site and its proximity to listed terraces on both sides.
- 10.10 In terms of particular design, policies DM2.1 and DM2.3 of the Islington's Development Management Policies (2013) support any form of development that reinforces or complements the immediate setting, in terms of particular architectural language, surrounding heritage assets, spatial patterns and overall character of a site. The proposed building would have simple geometric lines and would introduce modern materials consisting of perforated metal screening, which would remain sensitive to the immediate setting, by virtue of the modest height of the proposed building. As advised by the Design and Conservation Officer, the introduction of a green roof would be welcomed, as this would give the impression of a garden rather than a built form when viewed from the upper floor levels of neighbouring buildings at Arlington Way and St John Street.
- 10.11 Overall, the proposed development would be acceptable in terms of design and scale and would be consistent with policies CS8 and CS9 of Islington's Core Strategy 2011, policies DM2.1 and DM2.3 of Islington's Development Management Policies (June 2013) and the New River Conservation Area Design Guidelines.
- 10.12 Objections were received concerned that the proposal would have a harmful effect on the New River Conservation Area. However given that the building would be reduced in height from the existing and the proposed first floor element would sit on the same position as the existing first floor element, the proposed replacement of the building would appear marginally reduced in bulk from outside of the site. The part single part two-storey building would remain subservient to neighbouring listed terraces and would have no dominating impact when viewed from both sides of the site.
- 10.13 Consideration is also given to the secluded character of the site, the proposed development would be compatible with the enclosed setting and would be seen as an unobtrusive form of development within this part of the New River Conservation Area. Whilst the development would introduce a modern geometric design with finishing in bronze panels, the replacement of the building would not be harmful to the sensitive character of the site and its proximity to listed terraces. As a result the visual appearance would not harm the character and appearance of the conservation area or harm the integrity and setting of neighbouring listed terrace buildings.

NEIGHBOURING AMENITY:

- 10.14 The replacement building will appear marginally reduced in terms of visual bulk, massing and height from the adjoining and surrounding properties. The increased massing would be located at ground floor level in the centre of the site below the adjoining boundary wall of no. 22 Arlington Way and hidden from views outside of the site. As a result the proposed replacement building would have no harmful impact on neighbouring amenity in terms of loss of outlook or sense of enclosure.
- 10.15 A Daylight and Sunlight Report has been submitted with the application, which relates to the previously submitted scheme which proposed larger bulk than the current application. This report assesses the effects of the proposed replacement building on the windows of neighbouring residential properties. The report concludes that the

larger building would have had no harm on sunlight/daylight and all neighbouring windows comply with the BRE recommendations. As such the marginal reduction in height and massing from the existing building would not therefore have an unacceptably harmful impact on levels of daylight and sunlight of the neighbouring properties and is therefore acceptable in this regard.

- 10.16 The building would have no external windows, as the proposed scheme involves a glazed roof element on the centre of the building, which would include an atrium that would provide internal illumination at ground and basement floor levels. In the absence of external windows, the proposed building would have no ability to overlook the rear gardens and windows of neighbouring residential properties. The retention of the existing courtyard as a garden space is welcomed.
- 10.17 Therefore the proposed replacement building would have no material impact on the residential amenities of neighbouring properties at St John Street, Rosebery Avenue and Arlington Way and is acceptable in accordance with policy DM2.1 of the Islington Development Management Policies.
- 10.18 Objections have been received concerning the impact of, damage to and raising of party walls on daylight to adjoining and surrounding properties on the rear of St John's Street. However as shown on drawing number 202-1005 the existing internal party walls would be retained and underpinned only if necessary. As noted, the site does not directly adjoin the rear gardens of properties at St John Street.
- 10.19 An objection has been received concerned that the courtyard would generate noise. However the courtyard only has 24 square metres in floor area. Given that there is no change to the existing B1 office use on the site, it is considered that the proposed open space and increase in the intensity of the use would not cause unreasonable levels of disturbance and harm neighbouring amenity in terms of noise.
- 10.20 Due to the above considerations, the proposed development would not harm the amenities of neighbouring occupiers and would be consistent with policy DM2.1 of the Islington's Development Management Policies (2013).

SUSTAINABILITY:

- 10.21 The site is not within a Local Flood Risk Zone and the proposed basement extension would measure 3 metres in depth. Given that the existing courtyard at the side would be retained as a garden and that the scheme would introduce a green roof, the proposal is considered in principle acceptable and raises no objections from the Sustainability Officer. Although the site is not within a Local Flood Risk Zone, the submission includes a Flood Risk Assessment that confirms that the development would not result in substantial risk of flooding.
- 10.22 An objection was received expressing concern that the proposed development would not meet sustainability design guidelines. However the proposed basement would not result in a significant loss of the site's open space/open aspect, by reason that the proposed replacement building would have a similar footprint as the existing and the basement would not occupy original garden/unbuilt area within the site. Furthermore consideration is given to the proposal retaining the side garden area and incorporating a green roof. As a result the proposed building would not harm the existing landscaping and biodiversity value of the site and its surrounding setting.

- 10.23 Planning permission is therefore recommended subject to conditions requiring a Construction Management Plan, a Landscaping Plan and details of the proposed Green Roof, in order to ensure that all aspects in connection to biodiversity, ground water flow, drainage and ground movement are covered.

TRANSPORT:

- 10.24 The site has a Public Transportation Accessibility Level (PTAL) of 6a, which is classified as 'excellent'. The site is within walking distance to Angel Tube Station and numerous bus routes. The proposed development would not include the provision of off street parking and the development is car free.
- 10.25 The scheme includes the provision of five cycle parking spaces in accordance with policy DM8.4 (Walking and Cycling) which is designed at an acceptable standard and conveniently located at entrance level.
- 10.26 An objection has been received concerned that the proposal would result in an increase in traffic. However the redevelopment of the site does not provide additional vehicle parking on site. Consideration is given to the sustainable location of the site in a central location with excellent transport links. As a result there is no evidence to suggest that the proposals would result in an increase in existing levels of traffic. As a result the proposal is acceptable in accordance with policy DM8.5 of the Islington Development Management policies.

INCLUSIVE DESIGN:

- 10.27 The proposed building would provide level access at ground floor level and an accessible WC and office space at entrance level. The stepped lateral links between the ground floor and the floors above and below did not provide (initially) step-free alternatives.
- 10.28 Due to these concerns, the plans were amended and the scheme would now contain a lift that would provide disabled access between the three proposed floor levels. In light of the modifications, the Inclusive Design Officer raises no objections against the proposed development and the scheme is consistent with policy DM2.2 of the Islington's Development Management Policies (2013).

TREES:

- 10.29 The Arboricultural Impact Assessment has been reviewed by the Tree Officer, who considers that the details are sufficient to conclude that any impact on adjacent trees would be minimal. As advised, the development would be acceptable and would cause no undue harm on landscaping or trees.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks permission for the replacement of a part single part two-storey building that would have similar massing, height and position as the existing building. The proposed basement excavation works to form a lower ground floor extension would not harm the site's open space, landscaping and drainage margins of the site.

- 11.2 The proposed office accommodation would provide an adequate layout and access to sunlight/daylight and would be in accordance with the Council's objectives and planning policies. The principle of extending existing B1 office use on the site is considered acceptable and consistent with policy Core Strategy Policy CS13 (Employment Spaces).
- 11.3 The impact on neighbours has been assessed and the development would not harm the amenities of neighbouring residents in terms of loss of daylight or outlook, enclosure or privacy.
- 11.4 The proposal is considered to be acceptable in accordance with the Islington Development Plan Policies and Supplementary Planning Documents.

Conclusion

- 11.5 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 (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 and documents:</p> <p>202-100 (Rev. E), 202-200 (Rev. F), 202-201 (Rev. F), 202-400 (Rev. F), 202-401 (Rev. F), 202-511 (Rev. B), 202-1000 (Rev. M), 202-1001 (Rev. M), Proposed First Floor Plan 202-1002 (Rev. K), Proposed Roof Plan 202-1002 (Rev. D), 202-1005 (Rev. M), 202-1200 (Rev. J), 202-1201 (Rev. H), Proposed South Elevation 202-1503 (rev. E), Comparative South Elevation 202-1503 (rev. E), Comparative West Elevation dated 29.01.16 ref: 202-1504 (Rev. E), Comparative West Elevation – Existing West Elevation Proposed West Elevation dated 29.01.16 ref: 202-1504 (Rev. E), Comparative North Elevation 202-1505 (Rev. E), Comparative North Elevation – Existing North Elevation Proposed North Elevation 202-1505 (Rev. E), Comparative East Elevation 202-1506 (Rev. E), Comparative East Elevation Existing East Elevation Proposed East Elevation 202-1506 (Rev. E), 202-1507 (Rev. E), 202-1508 (Rev. E), 202-1509 (Rev. E), 202-1510 (Rev. E), 202-1201 (Rev.I) – MLM 14/07/16 SJS Arlington Way Ventilation Scheme, Design and Access Statement (dated February 2016), Heritage Statement (dated October 2014), Daylight and Sunlight Report (dated 05 November 2014), Arboricultural Impact Assessment (dated 24 February 2015), Planning Statement Energy Assessment (dated 04 November 2014), Construction Method Statement (Ref. J2828-Doc-01 Revision P1), Flood Risk Assessment (ref: J2828-Doc-02 Revision P1), Letter from Amin Taha Architects Ltd dated 20.05.16 ref: 202/3.1.4/EL</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 (Details)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) perforated metal screening; b) Reclaimed Stock Brick; c) Privacy Glazing; 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	<p>Green Biodiversity Green Roof (Details)</p>
	<p>CONDITION: Details of the biodiversity green roof shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> d) biodiversity based with extensive substrate base (depth 80-150mm); e) laid out in accordance with plan 202-1002 hereby approved; and f) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
5	<p>Landscaping (Details)</p>
	<p>LANDSCAPING (DETAILS): A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) An updated Access Statement detailing routes through the landscape and the facilities it provides; b) Existing and proposed underground services and their relationship to both hard and soft landscaping; c) Proposed trees: their location, species and size; d) Soft plantings: including grass and turf areas, shrub and herbaceous areas; e) Hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and i) Any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p>

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
6	Construction Method Statement (Details)
	<p>CONDITION: No development works shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. measures to control the emission of dust and dirt during construction v. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity.</p>
7	Non-Standard Condition (compliance):
	<p>CONDITION: Notwithstanding the approved floor plans, a lift should be installed in order to provide disabled access between the approved three floor levels. These details should be in accordance to un-numbered floor plans for basement, ground and first floor levels, which illustrate the proposed position of the lift.</p> <p>REASON: In the interest of securing the provision of an appropriate office floor space that secures disabled access to different floor levels.</p>
8	Details of glazed canopy
	<p>CONDITION: Details of the exact position, extent and external materials of the proposed glazed canopy shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of associated works on site.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity.</p>
9	No underpinning to any listed structures
	<p>CONDITION: No underpinning shall take place to any of the adjoining or adjacent listed structures as a result of the proposed works.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>

Informative:

1	<p>Positive Statement:</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in accordance with the NPPF.</p>
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APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 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 5.3 Sustainable Design and Construction
- Policy 5.10 Urban Greening
- Policy 5.12 Flood Risk Management
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.19 Biodiversity and Access to Nature
- Policy 7.21 Trees and Woodlands

B) Islington Core Strategy 2011

- Policy CS5 (Angel and Upper Street)
- Policy CS8 (Enhancing Islington's Character)
- Policy CS9 (Protecting and Enhancing Islington's Built and Historic

Environment)
Policy CS13 (Employment Spaces)

C) Development Management Policies June 2013

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM5.1 New Business Floorspace
DM6.5 Landscaping, trees and biodiversity
DM8.4 Walking and Cycling

3. Designations

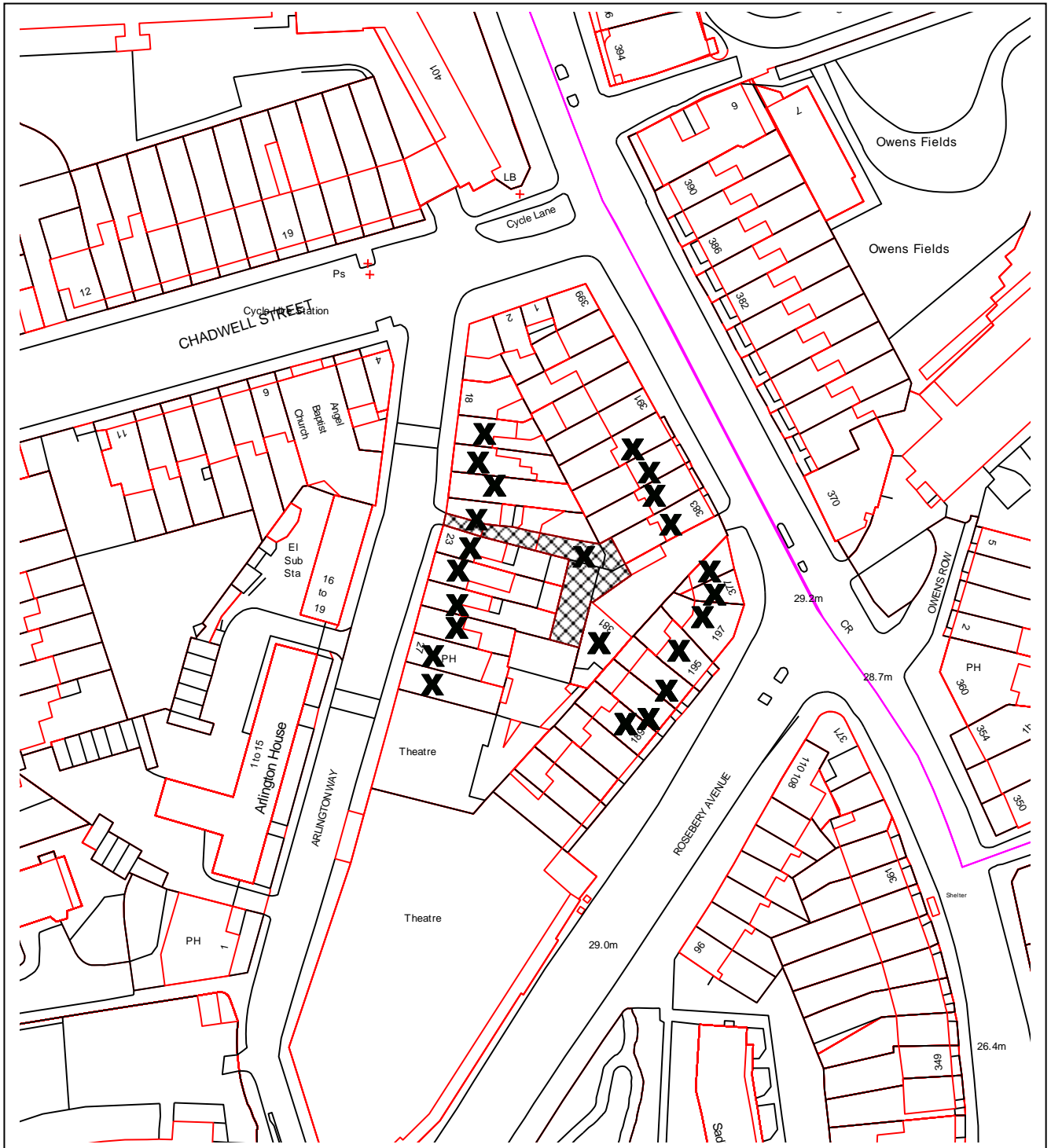
The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013: Hillmarton Conservation Area

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan
- Conservation Area Design Guidelines – New River
- Urban Design Guide
- Basement Development SPD

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	8 th September 2016	NON-EXEMPT

Application number	P2015/4193/FUL
Application type	Full Planning
Ward	Mildmay
Listed building	No
Conservation area	Newington Green
Development Plan Context	Newington Green Conservation Area Cycle Route (Local) Rail Safeguarding Area Rail Safe Guarding – Channel Tunnel Link
Licensing Implications	None
Site Address	37C and 37D Mildmay Grove North, London, N1 4RH
Proposal	Demolition of existing two storey building and walkway and erection of part two, part three storey building containing 4 residential self-contained units (2x1bed, 1x2 bed and 1x3 bed) with amenity space and B1 office space at ground floor level and associated cycle storage space refuse storage, alterations to boundary wall, erection of staircase and alteration to window of 37C Mildmay Park.

Case Officer	Joe Aggar
Applicant	Ms Gillian Singer

1. RECOMMENDATION

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Aerial photograph showing the front of 37C and 37D Mildmay Grove.



Image 2: Aerial photograph showing the front of 37C Mildmay Grove.



Image 3: view looking east along Mildmay Grove North



Image 4: view looking to the front of 37 Mildmay Grove North

4. Summary

4.1 There is an extant permission on the site for a similar development (P121617). This full planning application seeks to vary elements of the previous approval. The main

amendments include the removal of the basement and lightwells, a reduction in B1 office space and reconfiguration of the ground floor residential unit.

- 4.2 This application seeks the demolition of existing two storey building known as 37d and the walkway structure. No. 37d is two storeys in height. The ground floor is currently in use as an office (B1 use) and the first floor is currently used as a self-contained flat. No. 37c is considered to be in use as a residential dwelling. The application proposes the erection of part two, part three storey building containing 4 residential self-contained units (2x1bed, 1x2 bed and 1x3 bed) with amenity space plus 81sqm of B1 office space at ground floor level with a new stairway to the rear of 37c and associated cycle storage space and refuse storage, alterations to boundary wall.
- 4.3 Although the proposal would result in the loss of 5.3sqm of office floorspace, it is recognised that the loss is relatively minor, while a qualitative improvement will be secured. Taking this on balance, there is no policy objection to this new proposed development. Furthermore, the area is residential in character and the site is located within The Newington Green Conservation Area.
- 4.4 The design, layout scale and massing of the proposed development is considered acceptable. The external appearance of the property is considered acceptable and results in a compact development that sits comfortably without detracting significantly from the character and appearance of the conservation area.
- 4.5 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan (2015) for the proposed residential units.
- 4.6 The proposal is considered not to prejudice the residential amenity of neighbouring properties insofar as loss of light, outlook, sense of enclosure and disturbance in line with policy DM2.1 of the Islington Development Management Policies June 2013 and the proposal is car free.
- 4.7 The proposal is considered to be acceptable and is in accordance with the Development Plan policies and planning permission subject to conditions is recommended.

5. SITE AND SURROUNDING

- 5.1 The application site is located to the north of Mildmay Grove North close to the junction of Mildmay Park. The application site contains two buildings, no 37d and 37c. No. 37d lies on the east side of the site and is two storeys in height high and fronts onto Mildmay Grove North. This property is set back from the established building line. It has a crossover and onsite parking to the front of the building. Directly opposite the site is the sunken railway line. This creates a visual buffer between the formal terraces located on Mildmay Grove North and Mildmay Grove South.
- 5.2 The eastern boundary of the site directly adjoins the rear gardens of 49 and 51 Mildmay Park and the northerly boundary of the site adjoins the rear garden of number 53 Mildmay Park. The upper floor is currently in residential use (1x1 bed flat). The ground floor is in commercial use as office (B1 use) space. No. 37c lies on the west side of the site, is three storeys high and in residential in use. It is attached to 37d via a covered walkway and adjoins the residential property at 37j Mildmay Grove North. No. 37c is accessed from Coloney Mews.

- 5.3 The site is located within the Newington Green Conservation Area and the buildings are not listed. The surrounding area is largely residential in character. It has a mixture of architecture, including Georgian, contemporary and Industrial style buildings.

6. PROPOSAL (IN DETAIL)

- 6.1 The application site contains two buildings. The majority of the proposal relate to No 37d, a two storey building, which is currently in use as commercial space on the ground floor and self-contained flat on the first floor. This building is proposed to be demolished and replaced with a part two, part three storey building containing 4 residential self-contained units (2x1bed, 1x2 bed and 1x3 bed) with amenity space plus 81sqm of B1 office space at ground floor level. The application also proposed associated cycle storage space and refuse storage plus alterations to boundary wall.
- 6.2 To the rear of no.37c is a walkway structure that appears to connect the two buildings on the application site. This is proposed to be removed and a spiral replacement staircase erected. A rear second floor window at no. 37c is proposed to be altered to a college style window.
- 6.3 There is an extant permission on the site for a similar development (P121617). This full planning application seeks to vary elements of the previous approval. This includes the removal of the basement and lightwells, reduction in B1 office space and reconfiguration of the ground floor residential unit. The scale and design of the ground, first and second floors match that of the extant scheme.
- 6.4 The application has been referred to the planning sub-committee due to the level of objections received.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 The following is the application history is considered relevant:
- 7.2 37D Mildmay Grove North, planning application re: P2015/1481/PRA for the '*Prior Approval for change of use of office space [B1a] on the first floor to residential use [C3] to provide one 1 x bed residential unit*' was APPROVED. (Decision attached as appendix 4).
- 7.3 37C and Ground & First Floor 37D, Mildmay Grove North, London N1 4RH, (Previously known as 37C & 37D, Mildmay Grove North, London N1), planning application re: P2015/0069/S73 for the '*Material minor amendment to Planning application P121617 dated 22 January 2014 to remove the basements (B1 use). At ground floor, add door to west facade, duplex apartment to be changed to 1-bed apartment, light wells omitted and replaced with landscaping (south side), east facade slot window replaced with two larger windows. First floor, internal alterations to layout, second floor, internal alterations to layout, Roof, PV located on the roof and roof lights removed*' was WITHDRAWN.
- 7.4 37C & 37D, Mildmay Grove North, planning application re: P121617 for the '*Demolition of existing two storey office building and erection of three storey plus basement building to house 4 residential units (1x1bed, 2x2 bed and 1x3 bed) and 80sq B1 unit.*' was APPROVED on 22/01/2014. This proposal seeks to amend this approval. (Decision attached as appendix 3).

- 7.5 37C Mildmay Grove North, planning application re: P991545 for the 'Conversion to create one x 1 bedroom and one x 2 bedroom flat including single storey ground floor extension, roof terrace with stair enclosure and removal of existing external steel staircase and w.c.'s' was APPROVED on 12/10/1999.
- 7.6 37C Mildmay Grove, planning application re: P930156 for the 'Erection of building of four storeys one of which is principally a void to provide a work-home (combined residential/B1 Business Use) and involving a roof terrace and integral garage.' was APPROVED on 28/9/93.

ENFORCEMENT:

- 7.7 37C Mildmay Grove North, enforcement reference re: E/2012/0022 for the 'unauthorised works to the property in addition to P121617'. Closed 23/11/2012.

PRE-APPLICATION ADVICE:

- 7.8 37D, Mildmay Grove North, planning application re: R120596. The broad principles of a redevelopment of the site for mixed use residential/ B1 were established. The applicant was reminded that any loss of B1 floorspace would be contrary to Council policy. The level of amenity for the rear bedroom was raised as a concern, as was the need to address the impact of the development on the amenities of the neighbouring occupiers along Mildmay Park.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 46 adjoining and nearby properties at Colony Mews, Mildmay Grove North, Mildmay Park and railway land from Mildmay Park to Newington Green on the 15 December 2015. A site notice and press advert were also displayed. Consultation expired on the 7th January 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 writing this report 9 responses have been received from the public with regard to the application including the South Mildmay Tenants Co-operative. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).
- Undue noise, dust and dirt and damaged gardens (10.43)
 - Overlooking (10.23-10.24)
 - Antisocial behaviour of tenants on proposed terraces (10.25)
 - Contravenes conservation area guidelines (10.13-10.14)
 - Roof terraces should not be granted permission (10.13)
 - Noise levels (10.25)
 - Loss of light (10.22)
 - Unpleasant smell from bin store (10.44)
 - Loss of views (10.43)
 - overshadowing (10.22)

Internal Consultees

- 8.3 **Design and Conservation:** The Newington Green Conservation Area extension has been designated since the approval of P121617. Roof terraces visible from the street

or public views will likely not be permitted. The scale of the development is undesirable but not so harmful as to justify refusal.

- 8.4 **Planning Policy:** there are no policy objections to the proposed new development.
- 8.5 **Tree Preservation Officer:** there are no arboricultural reasons to recommend refusal.
- 8.6 **Highways:** 'Drop off bay' not required for the new office as unloading and loading could be carried out on the stretch of double yellow lines outside the building. The crossover should be removed, this secured via a financial contribution by the applicant.

External Consultees

- 8.9 **Network Rail:** acceptable subject to conditions and informatives.

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 201 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, 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.

Designations

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

The main issues arising from this proposal relate to:

- Land Use
- Design, appearance and impact on the Conservation Area

- Impact on the amenity of neighbouring residents.
- Quality of Accommodation
- Small Site Contribution and Carbon Offsetting
- Community Infrastructure Levy
- Highways
- Trees
- Other Matters

Land Use

- 10.1 The application site consists of two buildings, a two storey building front Mildmay May Grove North and a three storey building fronting Colony Mews to the west. The site is not located in an Employment Growth Area or Town Centre. The site is within the Newington Green Conservation Area. The proposal includes the demolition of the existing two storey building which presently comprises an office use at ground floor and residential unit at first floor level known as 37d. The lawful planning use of no. 37c is not definitive from the relevant planning history. The floor plans show the building as one residential dwelling. The purpose in assessing this application is not to establish the lawful use of the property. However, it is clear that it is in use as a single family dwelling and has been since 2002, based on VOA records. Furthermore, the loss of this element of the site has been established by the extant permission.
- 10.2 A similar planning permission was granted permission in January 2014 (P121617) at planning committee to that as proposed under this application. The purpose of this revised application is for the reduction to the commercial floorspace, primarily through the removal of the previously approved basement element (P121617). This area included office space and part of the living accommodation to a self-contained unit.
- 10.3 Since the granting of planning permission P121617, a prior approval application (P2015/1481/PRA) was granted for prior approval to convert approximately 83sqm of office space to a one bed flat at first floor level of no. 37d Mildmay Grove North. As a result there has been a reduction in the amount of commercial space. The existing internal floor space of the commercial unit at ground floor level is 86.3sqm. The new total gross internal floorspace is 81sqm, resulting in the loss of 5.3sqm of B1 floor space.
- 10.4 The policy priority for employment floorspace is to secure uplift, or at least avoid net loss in redevelopment. The council supports new employment floorspace throughout the borough, as set out in policy DM5.1. Policy DM5.2 seeks to resist the net loss of employment floorspace throughout the borough, not just in Town Centres and Employment Growth Areas. The loss of 5.3sqm of office floorspace is approximately 6% of the total existing B1 floor space. However, it is recognised that the loss is relatively minor, while a qualitative improvement will be secured. Taking this on balance, there is no policy objection to this new proposed development.

Design and Appearance

- 10.5 The Newington Green Conservation Area is largely made up of late Georgian and early Victorian terraces. There are also important commercial uses in the area which contribute to its character. Against that contextual background, it is necessary to set out the policy approach to development and works.
- 10.6 On Mildmay Grove North and Mildmay Grove South the mid nineteenth century terrace groups comprise three storeys over basement. This immediate area is characterised by different forms of development including the mews to the rear. The

site is highly prominent when viewed from Mildmay Grove North. Policy CS9 of Islington's Core Strategy (CS), 2011 and Policies DM2.1 and DM2.3 of Islington's Local Plan: Development Management Policies (LP), 2013, accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance the significance of heritage assets, which include Conservation Areas (CA), through development which makes a positive contribution to local character and distinctiveness.

- 10.7 These policies carry forward the statutory requirement that special regard be given to preserving or enhancing the character or appearance of Conservation Areas and the advice in the National Planning Policy Framework ('the Framework') as to the treatment of development that affects heritage assets.
- 10.8 The Islington Urban Design Guide (IUDG) states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonise with their setting. They should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.
- 10.9 Approved scheme P121617 represents a fallback position of very considerable weight previously approved at planning committee. In effect, the principal aspect of the current scheme which differs in design terms from the approved scheme is the omission of lightwells and basement. The massing, bulk and design would be similar to that of the approved. However, the scheme as a whole also needs to be considered given the designated extension to the conservation area and the duty to have special regard to conservation area.
- 10.10 The Council has supplemented these national and local development plan policies by adopting special policies that will operate within the Newington Green Conservation Area (CADG). The council will encourage the removal of intrusive or poor quality twentieth century buildings and extensions where such proposals conserve and enhance the significance of the conservation area. Removal of intrusive or poor quality twentieth century buildings and extensions is likely to be a public benefit. It is considered the extant building at no. 37d and situation on site is not of good quality and therefore the proposal to bring the site forward for redevelopment is welcomed.
- 10.11 When considering demolition, all opportunities should be taken to enhance the significance of the conservation area. The council will require new buildings to be of high quality contextual design so that they conserve or enhance the conservation area's significance.
- 10.12 The NPPF states 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'
- 10.13 A contemporary approach has been taken distinct from the Victorian terraced dwellings. The elevations of the building are characterised by floor to ceiling windows and brick which provides a contextual and robust appearance within the conservation area. The scheme is considered acceptable in terms of the scale and mass of the proposed building and in terms of the relationship with adjoining buildings and the immediate area. The proposed new building is similar height to no.37j and steps back and down toward the properties on Mildmay Park to the east. The CADG states balconies will not be granted if visible from the street. The proposal includes a

balcony and a terrace which can be considered contrary to guidance in the strictest terms. However, these are integral to the design and offer private amenity space for any future residents. Also consideration is given to the weight of the extant scheme which offers the same design. This represents a strong fallback position. Given the similar nature of the scheme as proposed to the approved scheme, the proposal is considered acceptable.

- 10.14 The replacement building would at the least preserve the character and appearance of this conservation area and would comply with policy 7.8 of the London Plan, policies CS8 and CS9 of the Core Strategy, policies DM2.1 and DM2.3 of the Council's Development Management Policies 2013 and guidance in the CADG and IUDG.

Neighbouring Amenity

- 10.15 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.

Sense of Enclosure and Outlook

- 10.16 The main properties to consider in terms of amenity are the residential properties to the east and west. In particular the rear windows of no. 49 and 51 Mildmay Park which would face directly onto the proposed building and the side elevational windows of 37j and 37c Mildmay Grove North.
- 10.17 The previous extant decision (P12617) granted in January 2014, is a material consideration and carries substantial weight. The previously approved scheme was part three, part two storeys in height. This represents the same mass, bulk and height as proposed under this application. The previous scheme was not judged to impinge on the living conditions of Nos. 49 and 51 Mildmay Park or 37c or 37j in terms of outlook or sense of enclosure.
- 10.18 The ground floor of the proposed building would extend to the eastern boundary and further south of the site. This boundary is shared with the rear gardens of the properties at 49 and 51 Mildmay Park. The gardens are approximately 11m deep. The proposed building would have an additional storey compared to the existing building at second floor level. The first floor would be set back from the eastern boundary and the second floor would be set back further again. At second floor level there would be a distance of approximately 16m between the second floor and the rear elevations of the properties along Mildmay Park. The scheme would be two storeys on the boundary with these properties and the building line would be brought forward to the southern edge of the site. Whilst this massing would be appreciably extended from the existing building in situ this is not considered to cause undue sense of enclosure or outlook.
- 10.19 No. 37c which forms part of the application site is distinctly separate. The floor plans show the building is used as a single residential unit. No. 37c's rear elevation would directly face the western boundary of the new building proposed at 37d. No.37J is a separate residential dwelling. From views to the east of these properties the mass and bulk would be increased to three storeys and the building would have a larger footprint than existing. However there would be a 5m gap maintained and as such this is not considered to unacceptably harm the outlook from these properties.

Sunlight/Daylight

- 10.20 A Daylight and Sunlight Study dated 09th February 2012 has been submitted which relates to the previous scheme. Nonetheless this is relevant in terms of daylight to properties on Mildmay Park. The BRE assessment details that all of the rooms in these properties would continue to have acceptable levels when assessed in terms of Vertical Sky Component. None of windows would have reductions in VSC in excess of 20% in compliance with the BRE Guidelines.
- 10.21 In terms of light to 37j, there are first and second floor habitable rooms on the easterly elevation facing the proposed building. The VSC as proposed for both these rooms is over 27%, which complies with BRE guidelines and is evidence that the occupiers of 37j would not notice a significant difference to light levels within either room. It is stated by one objector at 37j that two further windows are not shown in the results to the side elevation of the property. These have been identified in the objections as serving a stairwell, corridor and bathroom. These are not habitable rooms and therefore are not taken into consideration within the assessment. There would be no loss of amenity to the areas served by these windows.
- 10.22 Overshadowing has been raised as an objection. However, the results of the daylight and sunlight assessment and taking into account the previous decision, which is extant as a material consideration there is not an unacceptable impact as to warrant the refusal of this application on such grounds.

Overlooking

- 10.23 To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. There are proposed windows to the north, east and west elevations to the proposed building at 37d which gives the potential for overlooking. The windows to the north and east elevation are opaquely glazed. This mitigates overlooking to properties on Mildmay Park and over private amenity spaces. It is noted there is a terrace at second floor level with views looking east over the rear elevations of Mildmay Park. It is considered appropriate to attach a condition relating to screening to ensure there is no loss of privacy.
- 10.24 The new building at 37d would be in close proximity with those at 37c and 37j. The most impacted property would be 37c, the rear of which would face directly onto the western elevation the new building at 37d. One of the second floor rooms to 37c is a bathroom. This is not habitable and consideration is given only to habitable rooms. The other second floor window has been altered to a college style window to overcome views, details of which have been reserved by condition. At first floor level to no. 37c there is a kitchen and living area. As such, screening details are recommended for the first floor western elevational window of the proposed new building to overcome any overlooking to no. 37c.

Noise

- 10.25 The proposal is largely residential led with the inclusion of office space. A development of this nature is not considered to cause sufficient noise in terms of increased numbers of people or activity as to warrant refusal of the application and is conducive to the surrounding area. A condition is attached to the use of the office relating to operating hours and deliveries to ensure no harm arises. In any event, the Council take noise problems seriously, and if there were excess noise levels generated these can be dealt with under noise and environmental health regulations.

- 10.26 Overall, the application would not warrant refusal in terms of neighbouring amenity. The proposed development 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.

Quality of Accommodation

- 10.27 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.
- 10.28 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 and are a material consideration.
- 10.29 The proposal would provide four additional units, three of which would meet the minimum requirements in terms of gross internal area at 43sqm, 54sqm and 63sqm. The 3b5p at 82sqm would fall short of the required gross internal area of 86sqm. In terms of that family unit this would conflict with the NDSS. However, the space standards should be applied with a degree of flexibility in a manner that recognises their overall aims and objectives. This unit provides a family unit with useable and well laid out space. Also any future occupiers would have the benefit from outdoor amenity space which increases the overall floor area. Consequently, there would only be a modest shortfall in relation to the NDSS standards, which would be insufficient in itself to withhold planning permission.
- 10.30 In consideration of this shortfall, the extant permission contained a 3b5p unit of the same size. The extant permission represents a strong fallback position and is considered to have significant weight in the assessment. The remaining units would be dual aspect and afforded good levels of outlook and light in accordance with policy CS9 (part F) and part D of Development Management Policy DM3.4.
- 10.31 Private amenity spaces are proposed in the form of balconies and roof terraces. The 2bed and 3bed residential units would have access to some form of private outdoor amenity space. The overall provision is considered acceptable and largely compliant with Development Management Policy DM3.5.

Accessibility

- 10.32 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via:
- Written Ministerial Statement issued 25th March 2015

- Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
 - Deregulation Bill received Royal Assent 26th March 2015
- 10.33 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.
- 10.34 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.
- 10.35 Given the scale and scope of the development a condition is attached to ensure the proposed development complies with Category 2 as recommended by condition.

Small Sites Contributions and Carbon Offsetting

- 10.36 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, we would require a contribution of £50,000 per new residential unit in off-site contributions in lieu of on-site provision. The applicant submitted a viability report which was independently assessed. The independent assessor concluded that the appraisal demonstrates that the scheme can support an affordable housing contribution of £35,000.
- 10.37 The council adopted the Environmental Design Planning Guidance Supplementary Planning Document (SPD) on 25 October 2012. This document is supplementary to Islington's Core Strategy policy CS10 Part A, which requires minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the off-set contribution is a flat fee based on the development type as follows: flats (£1000 per flat). This application proposes four new flats which would total £4,000. The applicant has submitted a draft agreement to pay sum in respect of affordable housing and carbon offsetting with the independent financial viability concluding the respective sums can be paid. If Members resolve to grant planning permission no decision would be issued until the Unilateral Undertaking was complete.

Highways

- 10.38 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. A condition is attached to restrict rights to apply for on onsite parking for residential purposes. The crossover outside the site would be redundant and monies required to reinstate the pavement are secured as part of the legal agreement.
- 10.39 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. There is provision for bike parking at ground floor level. A condition requesting further details in order to comply with policy.

Trees

- 10.40 The development will require the removal of two evergreen trees/shrubs onsite and would impact upon the semi mature sycamore tree which appears to be growing in the adjacent rear garden of 45 Mildmay Park. It is apparent that the neighbouring tree is highly unlikely to be able to co-exist with the proposal due to its proximity to the development and the negative impact of construction activities. This tree is a constraint due to its third party ownership but it is not worthy of the imposition of a TPO due to its limited amenity contribution and proximity to the existing structure. Any impact on the tree would not be a reason to withhold planning permission.
- 10.41 There is a street tree adjacent to the site but this is of a distance that it should be unaffected. There is scope for the planting of two trees as indicated on the proposed plans at the front of the development to mitigate the proposed tree loss, appropriate re-provision is sought through a landscaping condition. As such there are no arboricultural reasons to recommend refusal of the application.

Other Matters

- 10.42 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. The payments would be chargeable on implementation of the private housing.
- 10.42 Unfortunately whilst the disruption associated with construction works is regrettable, it would not be a reason to withhold planning permission. A condition is attached to control any disruption that may be caused through a construction management plan.
- 10.43 Representations have been received relating to the loss of views. The loss of a view is not a material planning consideration. As such any loss of views would hold little weight in the assessment of the application.
- 10.44 There is a designated bin store for refuse. This is considered acceptable in terms of its positioning. Whilst it may be unfortunate bins may generate smell this would not be reason to refuse the application on planning grounds.
- 10.45 Due to the proximity to the railway line to the south comments have been received Network Rail. Conditions are attached which have been recommended by Network Rail.

11.0 SUMMARY AND CONCLUSION

Summary

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

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

The Heads of Terms are:

£35,000 contribution towards affordable housing

£4,000 towards carbon off-setting.

£6,480.20 for pavement reinstatement

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

RECOMMENDATION B

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

List of Conditions

1	Commencement
	<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>001; 030' 031; 032; 033; 487.001; 487.002487.003; 101 C; 102 B; 103 D; 104 A; 151 A; 200 B; 201 B; 300 D; 301 C; 302 B; 303 D; 034; Sunlight and Daylight Report; Tree Survey; Energy and Resources Statement.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<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</p>

	<p>superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials; and e) 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	<p>Refuse and Cycle Store</p>
	<p>CONDITION: Notwithstanding the details shown on the approved plans, no occupation of the dwellings hereby permitted shall take place until detailed drawings of the refuse and bicycle store to serve the residential property have been submitted to and approved in writing by the local planning authority and these facilities have been provided and made available for use in accordance with the details as approved.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	<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 superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) soft plantings: including grass and turf areas, shrub and herbaceous areas; c) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; d) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; e) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and f) the provision of two trees; g) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of</p>

	<p>the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
6	Sustainable Design
	<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>
7	Opening Hours and Delivery
	<p>CONDITION: The B1 (office) use hereby approved shall not operate except between the hours of 07:00hr and 20:00hr on any day.</p> <p>No deliveries shall be made to the premises outside the above hours of operation.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
8	Screening
	<p>CONDITION: Before the first occupation of the residential units, screening around the roof terrace at second floor level shown on drawing 103 D shall be submitted and approved by the Local Planning Authority and shall be maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
9	Car Free
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except :</p> <p>(1) In the case of disabled persons;</p> <p>(2) In the case of units designated in this planning permission as "non car free"; 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>
10	Construction Method Statement
	CONDITION: No development shall take place on site, including any works of

	<p>demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period unless any alteration is first agreed in writing with the Local Planning Authority. The Statement shall provide for:</p> <ul style="list-style-type: none"> (i) the parking of vehicles of site operatives and visitors; (ii) (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) measures to control the emission of dust and dirt during construction; (v) a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>REASON: in the interests of neighbouring amenity</p>
11	Foundation design
	<p>Condition: Unless the maximum depth of any part of the foundations is less than two metres, details of the design of the foundations and other works proposed below existing ground level shall be submitted prior to the start of construction in writing and approved by the Local Planning Authority in consultation with HS1. Construction activity shall then be carried out in compliance with the approved details unless previously agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>Reason: To ensure that loads on, and settlement of, HighSpeed1 tunnels, structures, track and other infrastructure do not prejudice the safety or operation of HighSpeed1.</p>
12	Site investigations near to HighSpeed1
	<p>Condition: Prior to the start of site investigations involving a borehole or trial pit deeper than one metre, details of the location and depth of site investigations including a method statement shall be submitted in writing and approved by the Local Planning Authority in consultation with HS1. This activity shall then be carried out only in compliance with the approved details unless previously agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>Reason: No such information has been provided and is required in order that the borehole or trial pit is at an acceptable vertical and horizontal distance from the tunnel such that it does not compromise the integrity, safety or operation of HighSpeed1.</p>
13	Demolition
	<p>Condition: No demolition activity shall take place until the proposed methodology has been submitted in writing to and approved by the Local Planning Authority in consultation with HS1. Demolition activity shall then be carried out in accordance with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change.</p>

	Reason: No such information has been provided and demolition activity could pose a risk to the safety, security and operation of HighSpeed1.
14	Excavations
	<p>Condition: Prior to the start of construction activity engineering details of the size, depth and proximity to HighSpeed1 of any excavations shall be submitted in writing to and approved by the Local Planning Authority in consultation with HS1. Excavations shall then be carried out in accordance with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change.</p> <p>Reason: No such details have been provided. To ensure that the stability HighSpeed1 tunnels, structures, track and other infrastructure is not prejudiced.</p>
15	Imposed Loads
	<p>Condition: Prior to the start of construction, details of the size, loading and proximity to HighSpeed1 of additional ground loads such as stockpiles shall be submitted in writing and approved by the Local Planning Authority in consultation with HS1. Works shall be carried out in conformity with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change</p> <p>Reason: To ensure that the stability of HighSpeed1 tunnels, structures, track and other infrastructure is not prejudiced.</p>
16	Vibration
	<p>Condition: Prior to the start of construction details of the plant and equipment proposed which are likely to give rise to vibration (such as pile driving, demolition and vibro-compaction of the ground) together with predicted vibration levels, shall be submitted in writing and approved by the Local Planning Authority in consultation with HS1. Activities likely to cause vibration in the vicinity of HighSpeed1 infrastructure such that a peak particle velocity (PPV) of 5mm/s may be exceeded at the railway boundary will be subject to agreement in advance.</p> <p>Where activities could give rise to PPV of 5mm/s or greater, a vibration and settlement monitoring regime shall be submitted in writing to for approval by the Local Planning Authority in consultation with HS1. It shall be put in place prior to the start of works. HS1 shall be provided reasonable access to the results of monitoring</p> <p>Reason: No details of vibration have been provided. To ensure that vibration does not prejudice safety, operation and structural integrity of HighSpeed1.</p>
17	Access
	<p>CONDITION: The residential unit shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) Category 2.</p> <p>Evidence that the appointed Building Control body has assessed and approved the above requirements are met shall be submitted to and approved in writing</p>

	<p>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 ensure the units are accessible and visitable.</p>
18	Overlooking
	<p>CONDITION: Prior to the first occupation details of screening or opaque glazing to the second floor bedroom window and living room as shown on drawing 301D shall be submitted to and approved by the Local Planning Authority and shall be maintained as such thereafter.</p> <p>REASON: To ensure no overlooking to neighbouring occupiers.</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	Surface Water Drainage
	<p>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.</p>
3	Signage
	<p>Please note that separate advertisement consent application may be required for the display of signage at the site.</p>
4	Section 106
	<p>SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
5	Discussions with HS1

	<p>The Developer shall enter into discussions with HS1 and their Engineer, Network Rail (High Speed), as soon as practicable to assist in identifying the likely effect of the development on HighSpeed1 or HS1 Property.</p> <p>Contact: HS1 Ltd, 12th floor, One Euston Square, 40 Melton Street, London, NW1 2FD Safeguarding@highspeed1.co.uk</p>
6	Details to be provided
	<p>The further details bulleted below shall be submitted in writing for approval by the Local Planning Authority in consultation with HS1. The development shall then be carried out only in compliance with the approval unless previously agreed in writing by the Local Planning Authority in consultation with HS1:</p> <ul style="list-style-type: none"> • Horizontal distance from the building foot print to HS1 nearest tunnel.
7	Protective Provisions Agreement (PPA)
	<p>The developer is expected to enter into a PPA with HS1. This is a legal agreement between HS1 and the developer covering safeguards, processes, responsibilities and cost recovery.</p>
8	Building Regulations and Party Wall
	<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 Act as well as Environment Health Regulations.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

3 London's people

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

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)

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (Employment Spaces)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space
DM3.6 Play space
DM3.7 Noise and vibration (residential use)

Employment

DM5.2 Loss of existing business floorspace

Health and open space

DM6.5 Landscaping, trees and biodiversity

Transport

DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new developments

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:

- Newington Green 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 (2014)
- Urban Design Guide (2006)
- Affordable Housing Small Sites SPD (2012)
- Environmental Design SPD (2012)

London Plan

- Sustainable Design & Construction SPG

APPENDIX 3 – Planning approval P121617

PLANNING DECISION NOTICE

Piercy & Co
70-74, City Road,
London,
EC1Y 2BJ

Development Management Service
Planning and Development Division
Environment & Regeneration Department
PO Box 333
222 Upper Street
LONDON N1 1YA
Case Officer: Sally Fraser
T: 0207 527 2493
E: planning@islington.gov.uk

Issue Date: 22 January 2014
Application No: P121617

(Please quote in all correspondence)

Dear Sir or Madam

TOWN AND COUNTRY PLANNING ACTS

BOROUGH COUNCIL'S DECISION: Approve with conditions and legal agreement

Notice is hereby given of the above stated decision of Islington Borough Council, the Local Planning Authority, in pursuance of its powers under the above mentioned Acts and Rules, Orders and Regulations made thereunder, relating to the application / development referred to below, at the location indicated, subject to the condition(s) listed and in accordance with the plans submitted, save insofar as may be otherwise required by the condition(s).

Location:	37C & 37D, Mildmay Grove North, Islington, London N1		
Application Type:	Full Planning Application		
Date of Application:	17 July 2012	Application Received:	17 July 2012
Application Valid:	04 September 2012	Application Target:	30 October 2012

DEVELOPMENT:

Demolition of existing two storey office building and erection of three storey plus basement building to house 4 residential units (1x1bed, 2x2 bed and 1x3 bed) and 80sq B1 unit.

PLAN NOS:

Design and Access Statement dated July 2013, 001, 478.001, 478.002, 478.003, 030, 031, 032, 033, 020, 021, 100A, 150, 101A, 151, 102A, 103C, 104, 300B, 301B, 302, 303C, 200A, 201B, 202, 005 and 'consultation with LBI 20th March 2013.

CONDITIONS:

- 1 **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.

REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).

- 2 **DRAWING AND DOCUMENT NUMBERS:** The development hereby approved shall be carried out in accordance with the following approved plans:

P-DEC-AP1

Design and Access Statement dated July 2013, 001, 478.001, 478.002, 478.003, 030, 031, 032, 033, 020, 021, 100A, 150, 101A, 151, 102A, 103C, 104, 300B, 301B, 302, 303C, 200A, 201B, 202, 005 and ?consultation with LBI 20th March 2013.

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.

- 3 MATERIALS (DETAILS): Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:
- a) solid brickwork (including brick panels and mortar courses)
 - b) render (including colour, texture and method of application);
 - c) window treatment (including sections and reveals);
 - d) roofing materials;
 - e) balastrading treatment;
 - f) any other materials to be used
 - g) boundary treatment

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

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.

- 4 CONDITION: The development shall achieve a BREEAM office rating of no less than 'Excellent' and a code for sustainable homes rating of no less than 'Level 4'.

REASON: In the interest of addressing climate change and to secure sustainable development.

- 5 CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:

- a) an updated Access Statement detailing routes through the landscape and the facilities it provides;
- b) soft plantings: including grass and turf areas, shrub and herbaceous areas;
- c) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;
- d) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;
- e) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and
- f) any other landscaping feature(s) forming part of the scheme.

All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.

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

REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.

- 6 CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington (Accessible Housing in Islington SPD) and incorporating all Lifetime Homes Standards.

REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.

- 7 CONDITION: The dedicated refuse / recycling enclosure shown on drawing no. 003/04 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.

REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.

- 8 CONDITION: The B1 (office) use hereby approved shall not operate except between the hours of 07:00hr and 20:00hr on any day.

No deliveries shall be made to the premises outside the above hours of operation.

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

- 9 CONDITION: The proposed areas of flat roof on the first and second floors on the easterly side of the building shown on drawing number 103C (apart from the area on drawing 103C indicated within the balustrade) 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.

REASON: To prevent the undue overlooking of neighbouring habitable room windows.

- 10 CONDITION: All windows shown on the north, west and east elevations, shown on the plans hereby approved as being timber or stonework panelled, obscurely glazed or as ?college? style shall be provided as such prior to the first occupation of the development

All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.

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

REASON: To prevent the undue overlooking of neighbouring habitable room windows.

- 11 CONDITION: The uses hereby permitted shall only operate within the areas of the unit shown on the hereby approved proposed drawings.

REASON: In order to safeguard the long term use of the site.

- 12 CONDITION: The internal layout of the residential units shall remain as indicated on drawings 100A, 101A, 102A and 103C, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure there are no undue impacts on the amenities of the future occupiers of the flats.

- 13 **CYCLE PARKING PROVISION (COMPLIANCE):** The bicycle storage area(s) hereby approved, which shall be covered, secure and provide for no less than 7 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.

- 14 **CONDITION:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (As Amended), no boundary treatment other than that indicated on the approved drawings shall be carried out without the prior written consent of the Local Planning Authority.

REASON: To ensure the overall good design of the scheme and to protect the appearance of the street scene and the visual amenities of the neighbouring occupiers.

- 15 **CONDITION:** Before the first occupation of the residential units, the screening around the roof terrace at second floor level shown on drawing 103C shall be implemented and shall be retained as such thereafter.

REASON: To prevent the undue overlooking of neighbouring habitable room windows.

- 16 All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents parking permit except :

(1) In the case of disabled persons;

(2) In the case of units designated in this planning permission as 'non car free'; or

(3) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.

REASON: To ensure that the development remains car free

Your attention is drawn to any **INFORMATIVES** that may be listed below

- 1 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. The LPA and the applicant have worked positively and proactively in a collaborative manner through the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.

The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.

- 2 **COMMUNITY INFRASTRUCTURE LEVY (CIL) (GRANTING CONSENT):** Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.

Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

- 3 DEFINITIONS: (Definition of 'Superstructure' and 'Practical Completion') A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
- 4 SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

Certified that this document contains a true record of a decision of the Council

Yours faithfully



**KAREN SULLIVAN
SERVICE DIRECTOR - PLANNING AND DEVELOPMENT
AND PROPER OFFICER**

APPENDIX 4 – Prior approval P2015/1481/PRA

PLANNING DECISION NOTICE

Planning Potential - Miss Alice Brighton
Magdalen House
148 Tooley Street
London
SE1 2TU



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

Case Officer: Amanda Peck
T: 0207 527 3876
E: planning@islington.gov.uk

Issue Date: 10 June 2015
Application No: P2015/1481/PRA

(Please quote in all correspondence)

Dear Sir or Madam

TOWN AND COUNTRY PLANNING ACTS TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

BOROUGH COUNCIL'S DECISION: Approve with conditions

Notice is hereby given of the above stated decision of Islington Borough Council, the Local Planning Authority, in pursuance of its powers under the above mentioned Acts and Rules, Orders and Regulations made thereunder, relating to the application / proposal referred to below, at the location indicated, subject to any condition(s) listed and in accordance with the plans submitted, save insofar as may be otherwise required by the condition(s).

Location:	37D Mildmay Grove North, London N1 4RH		
Application Type:	Prior Approval (Change to Residential)		
Date of Application:	01 April 2015	Application Received:	01 April 2015
Application Valid:	20 April 2015	Application Target:	12 June 2015

PROPOSAL:

Prior Approval for change of use of office space [B1a] on the first floor to residential use [C3] to provide one 1 x bed residential unit

PLAN NOS:

CONDITIONS:

- 1 Condition: The applicant is reminded that notwithstanding this decision the development is not permitted by Class J.1 (c) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) if the use of the building within Class C3 (Dwellings) of the Schedule to the Use Classes Order is begun after 30th May 2016.

Reason: In accordance with the requirements of the order, Part J.1 (c).

- 2 Condition: Suitable waste management including dedicated residential refuse / recycling enclosure(s)/facilities shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.

Reason: To secure the necessary physical waste enclosures to support the development that responsible waste management practices are adhered to ensure that the highway is not unduly compromised, through its storage and collection processes

- 3 CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents parking permit except:

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.

REASON: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and policy DM8.5 of the Development Management Policies.

Your attention is drawn to any **INFORMATIVES** that may be listed below

- 1 **INFORMATIVE 1:** In accordance with Class N (10) (a) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) the development shall be carried out in accordance with the details provided and any other information agreed between the developer and the Local Planning Authority in writing (in this instance the agreement to submit Unilateral Agreement to remove future rights of occupants to hold an on-street parking permit, making the development car-free).

- 2 **INFORMATIVE 2:** The developer is requested to notify the Local Planning Authority of the completion of the change of use in writing as soon as practicable after occupation. The written notification shall include:

(1) the name of the developer,

(2) the address of the development, and

(3) the date of completion / occupation.

An optional completion notice is available to download from the Council's website www.islington.gov.uk.

- 3 **INFORMATIVE 3: Building Regulations:** It is recommended that you obtain technical advice regarding building control matters during the early stages of project design, and Islington Building Control has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant building control regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk.

4

INFORMATIVE 2: In relation to the conditions attached to this decision regarding waste management provision/facilities and cycle parking the applicant is advised that, if in meeting this condition a structure is required which requires planning permission this permission will need to be sought from the local planning authority and shall not be deemed to be granted by this decision.

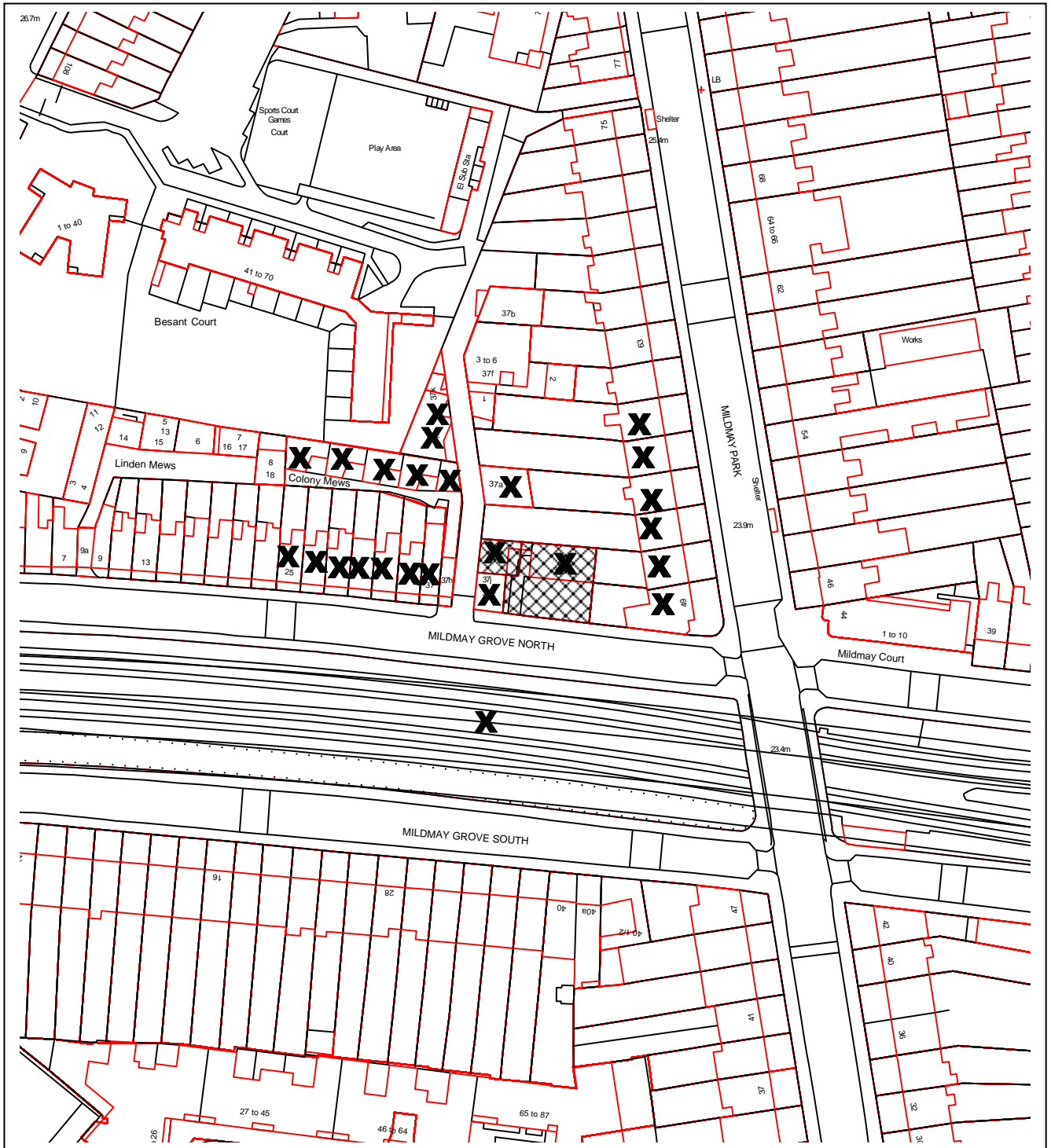
Certified that this document contains a true record of a decision of the Council

Yours faithfully

A handwritten signature in black ink that reads "Karen Sullivan". The signature is written in a cursive style with a horizontal line underneath the name.

**KAREN SULLIVAN
SERVICE DIRECTOR - PLANNING AND DEVELOPMENT
AND PROPER OFFICER**

Islington SE GIS Print Template



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P2015/4193/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 A		
Date:	8 September 2016	NON-EXEMPT

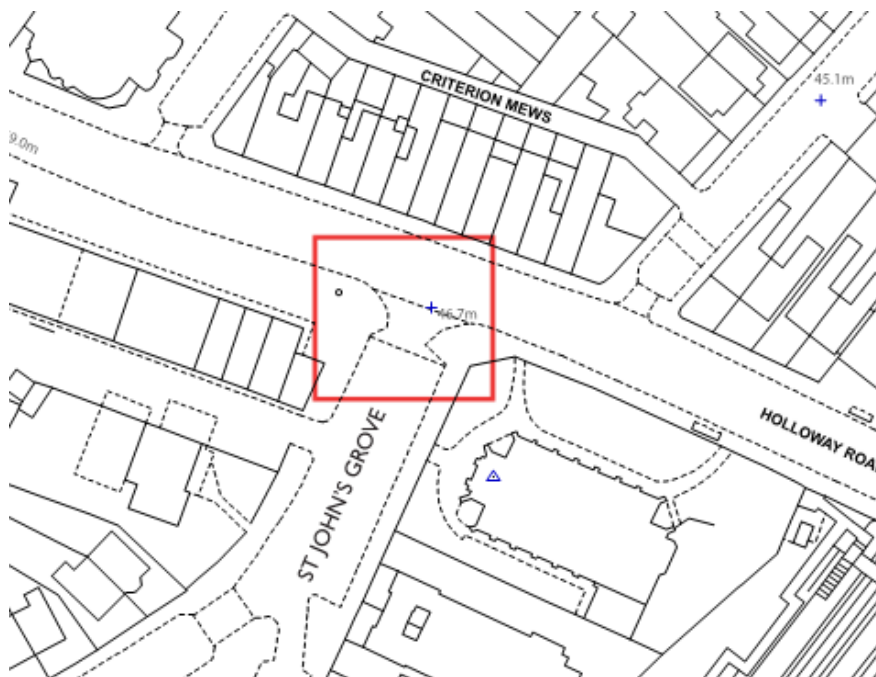
Application number	P2015/5134/ADV
Application type	Advertisement Consent (Council's own)
Ward	Junction
Listed building	Not Listed
Conservation area	N/A
Development Plan Context	Upper Holloway Medieval Hamlet Archaeological Priority Area Archway Core Strategy Key Area Local Cycle Route Strategic Cycle Route Archway Town Centre Within 100m of Transport for London Road Network Road Within 100m of a Strategic Road Network Road Within 50m of St John's Grove Conservation Area
Licensing Implications	None
Site Address	Holloway Road (land near junction with St John's Grove), Holloway Road, London, N19 3EN
Proposal	Installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the pavement on the south side of Holloway Road close to the junction with St John's Grove

Case Officer	Daniel Power
Applicant	Islington Council
Agent	Jeremy Foster

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)



3. PHOTOS OF SITE/STREET

Location of sign



Image 1: Aerial Photo of the Front of the Site



Image 2: View of the site

4. SUMMARY

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

5. SITE AND SURROUNDING

- 5.1 The proposed advert is to be sited on the pavement on the south side of Holloway Road close to the junction with St John's Grove. The immediate area is characterised by two, three and four storey buildings with retail uses on the ground floor and commercial units on the upper floors. The site is located in Archway Town Centre.
- 5.2 The building adjacent to the site is listed however the site is not located in a conservation area. The surrounding area is of mixed character.

6. PROPOSAL (IN DETAIL)

- 6.1 Advertisement consent is sought for the installation of a freestanding self-illuminated advertisement display panel (6 sheet) on the pavement on the south side of Holloway Road close to the junction with St John's Grove.
- 6.2 The proposed sign will measure a maximum of 2.695 metres in height, 1.37 metres in width and 0.24 metres in depth. The visible area of the digital screen display will measure 1.15 metres in width and 1.76 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 None

ENFORCEMENT:

7.2 None

PRE-APPLICATION ADVICE:

7.3 None

8. CONSULTATION

Public Consultation

8.1 Letters were sent to 54 occupants of adjoining and nearby properties at Holloway Road and St John's Grove on the 14/12/15. A site notice was placed outside the site on 17/12/15. Therefore the public consultation expired on 07/01/16.

8.2 At the time of the writing of this report one (1) objection had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Hoardings should be installed for a specific period only (3-5 years) to not set a precedent across the borough (8.3)
- There should be an ethical advertising policy applied to these hoardings (10.6)
- Other advertisements around N19 have been refused (8.3)

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

Internal Consultees

8.4 **Design and Conservation Officer:** Objects to the proposal. Although not in a conservation area, the proposal is right on the edge of the conservation area boundary and opposite the Grade II listed church. It's positioning is highly inappropriate and unfortunate. It would interrupt views onto the street along the pavement, add visual clutter and compromise pedestrian movement.

8.5 **Highways:** No objection.

External Consultees

8.5 **Transport for London:** No objection to the principle of development subject to conditions.

9. RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals. Development Plan
- 9.2 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Upper Holloway Medieval Hamlet Archaeological Priority Area
 - Archway Core Strategy Key Area
 - Local Cycle Route
 - Strategic Cycle Route
 - Archway Town Centre
 - Within 100m of Transport for London Road Network Road
 - Within 100m of a Strategic Road Network Road
 - Within 50m of St John's Grove Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

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

Amenity

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

- 10.3 The application site is not located in a conservation area, and is located on a TfL red route, a main thoroughfare through the borough. Whilst the buildings surrounding the application site itself are of varying design, it is important to ensure that any new signage would not have a detrimental impact on amenity.
- 10.4 The proposed advertisement sign will be positioned on the pavement on the south side of Holloway Road, close to the junction with St John's Grove. Whilst the sign will be located on the pavement, it will be seen against the backdrop of the existing two storey building located on the corner of Holloway Road and St John's Street when looking north along Holloway Road.
- 10.5 The proposed sign will measure 2.695 metres in height and 1.37 metres in width and will be set on the existing pavement. It is considered that when viewed against the back drop of the neighbouring property the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. It is considered that the proposal will not result in unnecessary and additional clutter to the detriment of the existing landscape. Furthermore, as the sign is not located immediately adjacent to any neighbouring residential windows, it is not considered that the signs, by reason of their illumination, would have a detrimental impact on residential amenity.
- 10.6 It should also be noted that each application is considered on its own merits and if Members are minded to approve this application, it would not set a precedent for allowing other advertisements in this location. Whilst other advertisements in the vicinity may have been considered unacceptable, given the size and siting of the proposed advertisement it is considered acceptable in this location.
- 10.7 The proposed advertisement would be located to the west of a grade II* listed church, on the opposite side of St John's Grove. Given the wide road and the advertisements location close to modern buildings. The advertisement would be viewed in the context of the modern buildings and not the listed church, it is therefore considered not to have an impact of the setting of the character of the church.
- 10.8 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

Highways Safety

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

pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions

1	Standard advertisement conditions 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. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition. 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. 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. 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).
2	Luminance CONDITION: The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 300 candelas per square metre during the hours of darkness consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: “The Brightness of Illuminated Advertisements” (PLG05, January 2015). The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. REASON: In the interests of visual amenity and highway safety.
3	Display time CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed. REASON: In the interests of visual amenity and highway safety.
4	Special effects CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed. REASON: In the interests of visual amenity and highway safety.
5	Display functions

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

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.6 Advertisements

3. Designations

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

- Nags Head and Upper Holloway Road Core Strategy Key Area
- Major Cycle Route
- Strategic Cycle Route
- Upper Holloway Local Shopping Area
- Whittington Park Open Space
- Whittington Park Site of Importance for Nature Conservation
- Within 100m of Transport for London Road Network Road

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

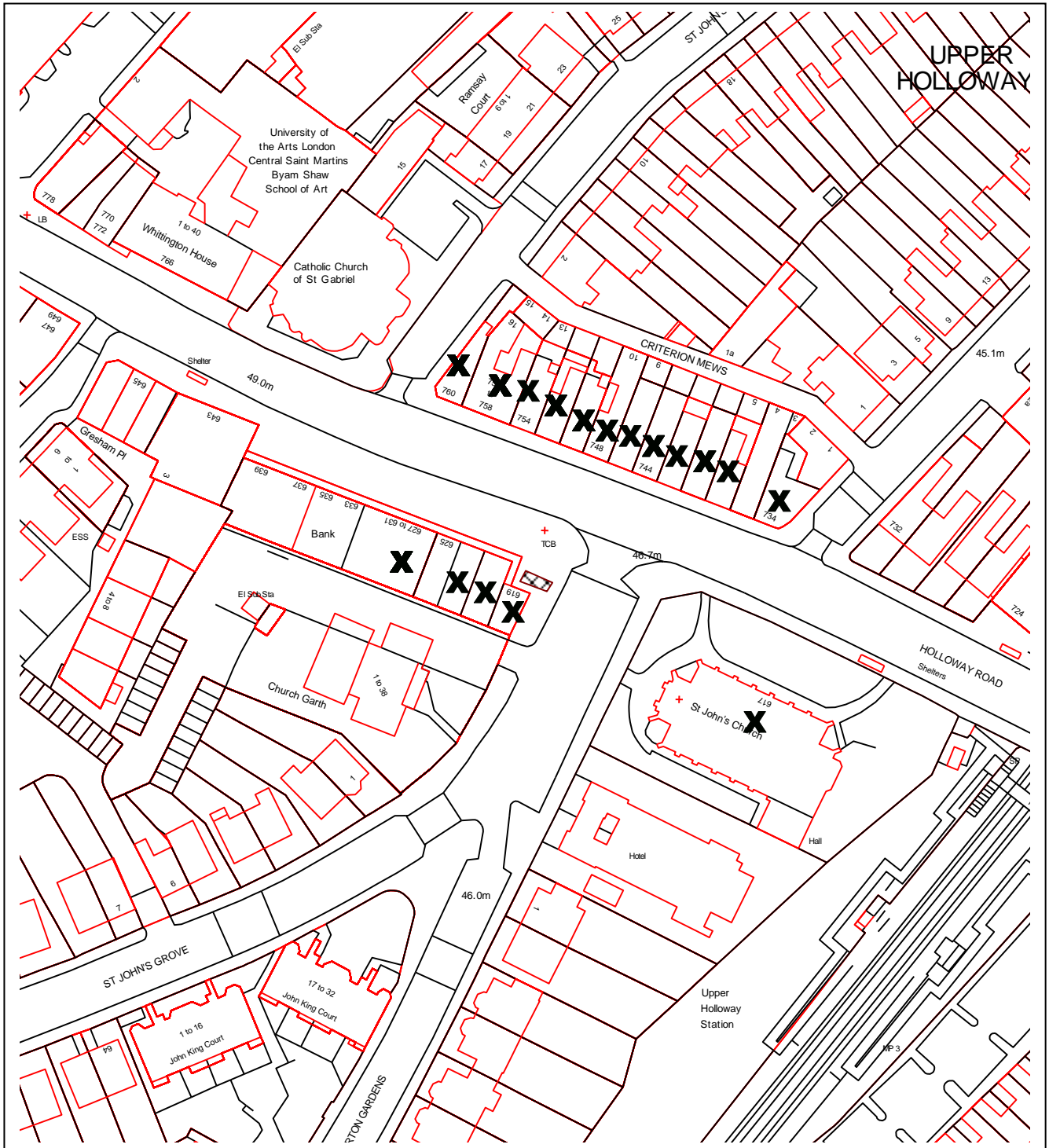
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Urban Design Guide (2006)

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB COMMITTEE A		
Date:	8 th September 2016	NON-EXEMPT

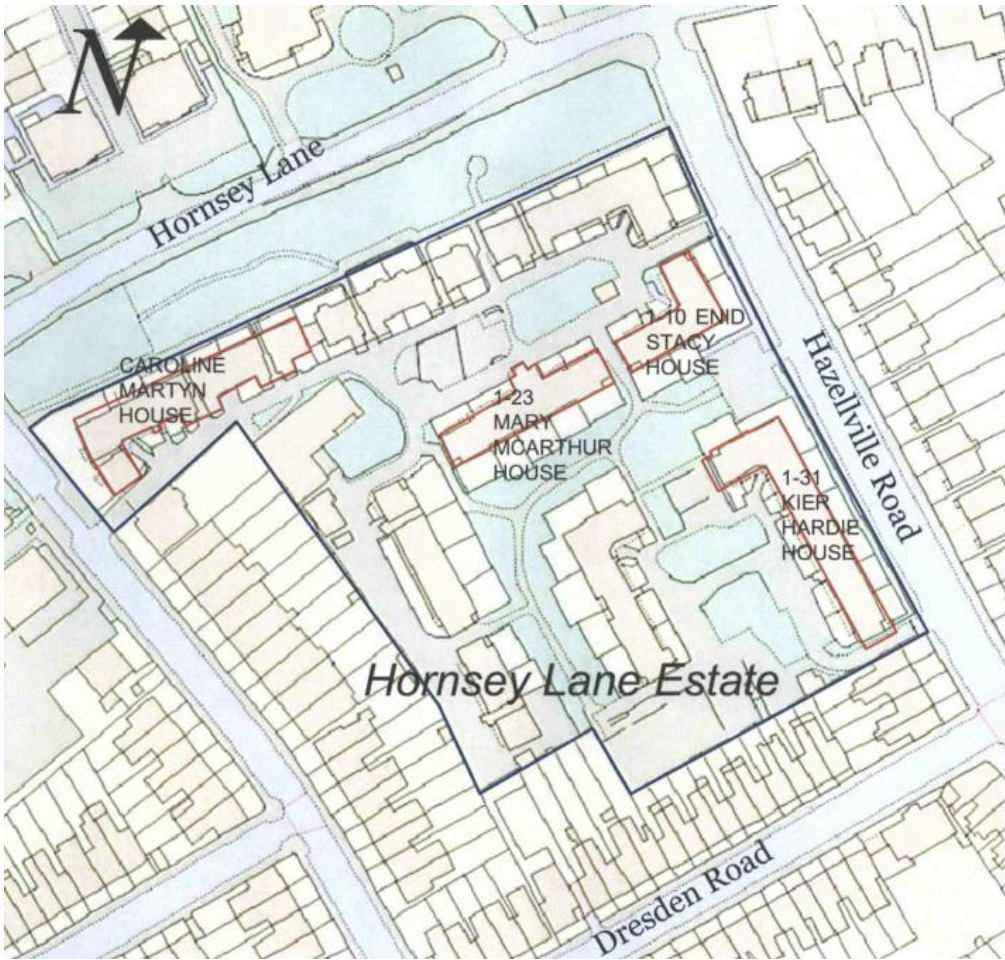
Application number	P2015/0890/FUL
Application type	Full Planning (Council's Own)
Ward	Hillrise
Listed building	Not listed
Conservation area	Whitehall Park
Development Plan Context	N/A
Site Address	Hornsey Lane Estate - Caroline Martyn House, Enid Stacey House, Mary Mcarthur House and Keir Hardie House, Hazellville Road, London, N19
Proposal	Replacement of existing single glazed timber/plastic coated windows with double glazed UPVC windows.

Case Officer	David Nip
Applicant	Islington Council – Dennis Dyer
Agent	Mears Projects

1. RECOMMENDATION

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

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET

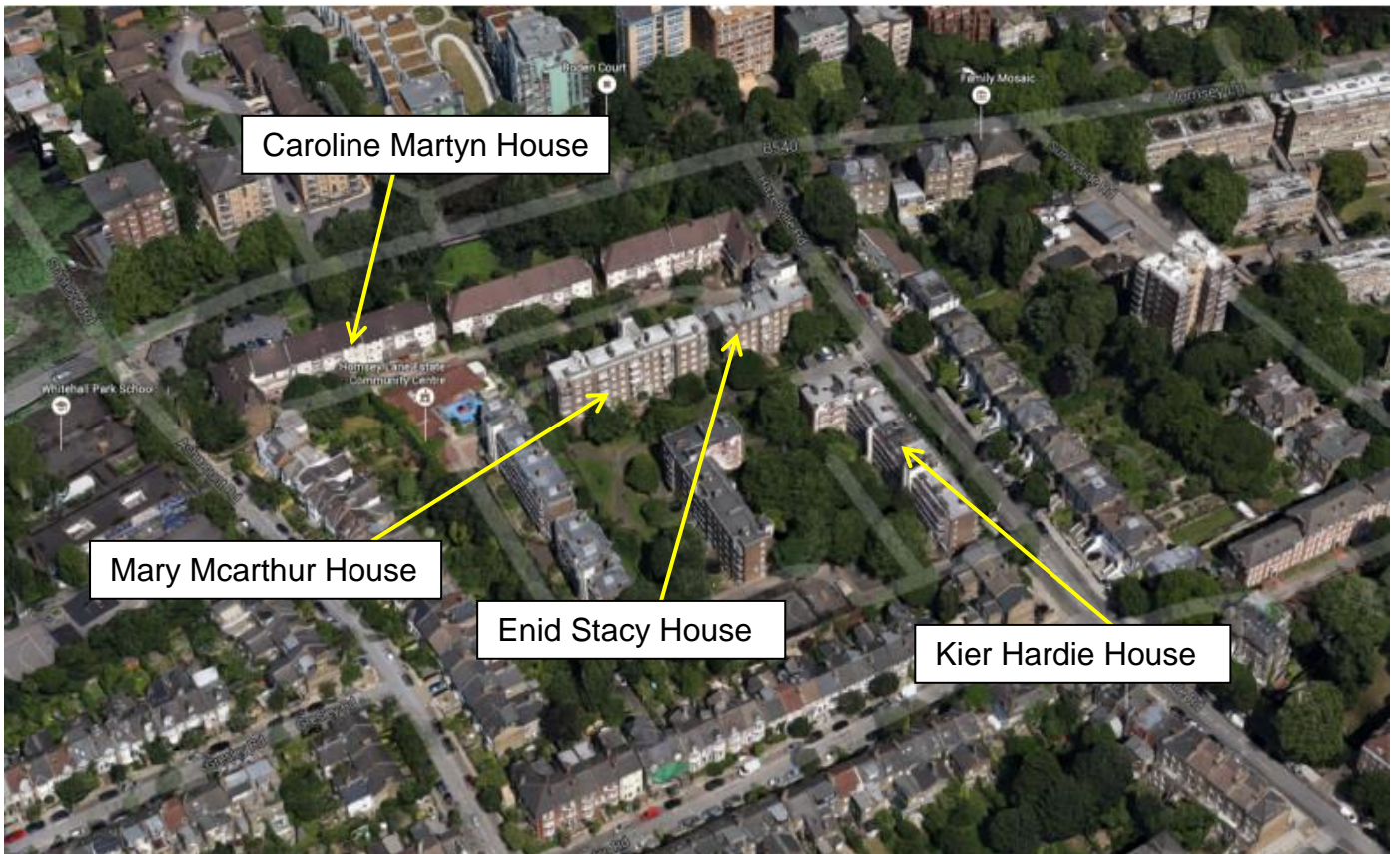


Image 1: Aerial image of Hornsey Lane Estate **Page 92**



Image 2: West (rear/courtyard) elevation of Kier Hardie House.



Image 3: West (courtyard) elevation of Enid Stacy House.



Image 4: North (courtyard) elevation of Mary McArthur House.



Image 5: South and East elevations of Caroline Martyn House.

4 SUMMARY

- 4.1 The application seeks planning permission for the replacement of existing uPVC clad timber windows with double glazed uPVC windows. The application relates to four residential blocks situated within the Hornsey Lane Estate; namely Nos. 1-31 Kier Hardie House, 1-10 Enid Stacy House, 1-23 Mary McArthur House and 1-21 Caroline Martin House. The estate forms part of the Whitehall Park Conservation Area. The building elevations which front the highway (except Mary McArthur House) have original timber windows. However, the rear elevations which face internal courtyards have a degree of variation, with timber, uPVC and uPVC clad timber framed windows in the wider estate. Over time this has deteriorated the uniformity of the rear elevations of the buildings. It is noted that planning permission was granted for the replacement uPVC windows in the past to three of the blocks within the estate (Bruce Glasier House, John Wheatley House, and Margaret McMillan House).
- 4.2 The proposal affects the rear elevations of the blocks. Although there would be some harm caused to the appearance of the buildings by the new REHAU uPVC units, it is considered that given the existing appearance of the buildings, their location to the rear of the blocks, and the lack of consistency in materials of the existing windows, the proposed alterations and replacement windows would provide a more uniform appearance to the rear and side elevations of the four blocks in question. The proposal would not cause substantial harm to the streetscene and wider Conservation Area.
- 4.3 It is also considered that the proposed uPVC windows and the provision of double glazing would improve the sustainability and thermal efficiency of the residential units. As such the proposal is considered acceptable and recommended for approval subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The application site is situated on the southern side of Hornsey Lane; it comprises a number of low rise blocks known as Hornsey Lane Estate. The estate was built in the 1930s and forms part of the Whitehall Park Conservation Area within the Hillrise Ward. The area includes a variety of residential properties with differing architectural qualities and styles, with some late Victorian properties located on the Hazellville Road.
- 5.2 A total of 85 properties are situated within these four buildings. The design and architectural features of the buildings are varied:
- **1-31 Kier Hardie House** and **1-10 Enid Stacy House** are two five storey buildings fronting Hazelville Road. Only the courtyard elevations are subject to this application, the east elevations which front Hazelville Road are not subject to change and the timber windows would be or repaired or retained.
 - **1-23 Mary McArthur House** is a five storey building which is situated in the middle of the Estate, away from Hornsey Lane and Hazellville Road. The proposed replacement windows are located on the north elevation.
 - **1-21 Caroline Martyn House** is a three storey building which is situated on the corner of Hornsey Lane and Ashmount Road. The front (north) and side (west) elevation of Caroline Martyn House would not be affected by this application, only the rear elevations are subject to change.

6 Proposal (in Detail)

- 6.1 The application seeks planning permission for the installation of uPVC double glazed windows to replace existing windows to four of the blocks within the Hornsey Lane

Estate. The elevations which front the public highway (Hazellville Road, Hornsey Lane and Ashmount Road) are not subject to this application.

- 6.2 The application was revised in June 2016 to revise the proposed window profile and the elevation treatment. The thickness of the frames and design of the uPVC materials have been discussed extensively and alternative options were explored. The latest proposal comprises a flush window profile, rather than a chamfered profile in an attempt to reduce the visual impact caused by the new uPVC windows.
- 6.3 Further information has been submitted in relation to the proposed REHAU window system in June 2016, with regard to its use of recyclable uPVC profiles and its sustainability performances.

7. RELEVANT HISTORY

Planning Applications:

- 7.1 **P060137 33-53 Kier Hardie House & 1-23 Mart McArthur House** - Replacement of windows and doors with new double glazed sealed units. Frames to be constructed from timber. **(Approved 17/05/2006)**
- 7.2 **P061540 Bruce Glasier House, John Wheatley House** - Replacement of PVCU clad timber windows with double glazed UPVC windows in Bruce Glasier House and John Wheatley House. **(Approved 25/01/2007)**
- 7.3 **P062298 Margaret Mcmillan House** - Replacement of existing PVCU clad timber windows with double glazed white UPVC windows to rear. **(Approved 14/03/2007)**
- 7.4 **P2014/3189/FUL Nos. 4, 9, 10-37 Legion Close, London, N1 1PJ** - Replacement of existing single glazed timber windows with UPVC double glazed windows. **(Approved 14/10/2015)**

Enforcement:

- 7.5 None Relevant.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants at 246 adjoining and nearby properties on the 10/03/2015. A site notice was also displayed and press advert was also published in local paper. Following amendment to the drawings, further consultations were carried out on 26/02/2016 and 15/06/2016 respectively and the consultation therefore expired on the 14/07/2016. In total, 6 letters of objection and 1 letter of support have been received. The following issues were raised (and paragraph numbers responding to the issues are included in brackets).

- 8.2 Objections:

- The proposed uPVC units would replace wooden framed windows on site; the previous replacement uPVC windows have negatively affected the appearance of the buildings and the surrounding estates. The proposal would cause visual harm to the appearance of the buildings and the surrounding conservation area, and would be contrary to the Whitehall Park CA Guidance; (para. **Page 96**)

- The proposed uPVC is not a sustainable material; replacement with timber windows would be more cost effective in long term; (para. 10.7 – 10.8)
- The proposed windows, due to the increasing thickness of frames, would reduce the amount of sunlight reached into the interior of the flats; (para. 10.9)
- No obscure glazing for the windows serving bathrooms and toilets; (para. 10.9)
- There was a window missing on the proposed elevation of Mary McArthur House; (**Officer Note:** *drawing has been corrected and re-consultation has been carried out on 15/06/2016*)
- The proposal consists of blank uPVC panels; (**Officer Note:** *uPVC panels have been replaced by obscure film with glazing, re-consultation has been carried out on 15/06/2016*)

8.3 Support:

- The proposed uPVC windows would require less maintenance and would have a longer lifespan;
- The proposed windows would provide better thermal insulation, which will improve energy efficiency;
- The replacement uPVC windows would be cheaper than replacement wooden windows;
- The proposed windows would have a lower carbon footprint as uPVC is recyclable, it would have minimal impact on fossil fuels in comparison to other materials.

Internal Consultees

8.4 **Design & Conservation:** The proposed replacement of the existing uPVC coated timber windows with new uPVC windows is considered acceptable in principle in this case as the windows are to the rear and only the windows that are already uPVC coated will be replaced. Existing timber windows are to be retained and repaired where necessary.

External Consultees

8.5 None.

9 REVELANT POLICIES

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

National Guidance

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

9.3 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

9.4 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)

9.5 The relevant SPGs and/or SPDs 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 buildings and the Conservation Area
- Sustainability

Design and Conservation

10.2 The estate subject to this application has undergone a number of repairs and improvement works in the past. There were two planning permissions at the site which were approved for replacement uPVC windows and doors to be installed on Bruce Glasier House, John Wheatley House (P061540) and Margaret McMillan House (P062298). Also, it was observed that uPVC or uPVC coated windows have been installed on the blocks without planning consent to individual units by occupiers. The existing fenestration comprises a variation of timber and uPVC windows. The elevations which front the public highways all contain timber windows of original form; however, the rear and courtyard elevations are dominated by uPVC windows.

10.3 The submitted plans details that the proposed window profile would have slightly thicker frames than the existing uPVC windows at the site. However, the proposed windows would have a flush profile, not chamfered, which would ameliorate some of the visual impact caused by the proposal by reducing their visual bulk. A sample was also provided to officers. A compliance condition is recommended requiring the materials to be consistent with the details provided in this application.

10.4 As set out above, some of the properties within the estate have already altered the window frames from the original timber frames to either uPVC or uPVC coated frames. The proposed replacement works would achieve a more consistent and uniform fenestration design, it is considered that this would also improve the appearance of the buildings and the Estate as a whole. Overall, it is considered that the proposal would not have undue harm on the architectural integrity of the existing building.

10.5 The proposed replacement windows would largely not be visible from the streetscene and would have a limited effect towards the visual amenity of the wider conservation area. Compared to the surrounding terrace and semi-detached properties, the estate is set in its own context. The Whitehall Park Conservation Area Design Guidelines suggests that Victorian terraces shall retain their original appearance by using traditional materials. However, due to the specific circumstances of this case; it is considered that replacement uPVC material with the appropriate design would be acceptable as it would provide consistency to the blocks, and would not result in material harm to the setting of the conservation area to justify a refusal of planning permission.

10.6 Overall, it is considered that the proposed replacement windows would create a more uniform and consistent appearance to the rear elevations of the building. The proposed double glazed windows would not result in significant harm to the appearance of the building and the setting of the conservation area. The more prominent front elevations of the blocks still have timber windows which are not affected by this application. Having paid special attention to the desirability to preserve or enhance the character and

appearance of the area, it is considered that the less than substantial harm caused to Conservation Area would not outweigh public benefits that would be gained by the proposal. It would therefore on balance comply with the NPPF, London Plan 2015, CS policies 8 & 9, DM policies DM2.1, DM2.3, Islington's Urban Design Guidance 2006 and the Whitehall Park CA Guidance 2002.

Sustainability

- 10.7 The proposed double glazed uPVC windows would improve the thermal efficiency of each unit thereby contributing to reducing energy usage. Whilst the proposed uPVC is not ideal due to its non-biodegradable nature, the applicant has indicated that the materials themselves can be recyclable in the future.
- 10.8 The applicant also indicates that the lifespan of the windows would be approximately 30 years and can be maintained as has been done recently, by the Council, on other estates in the borough including Legion Close within Barnsbury ward.

Other issues

- 10.9 The representations received make reference to the impact on access to daylight and sunlight as a result of the proposal. According to the submitted plans, it is true that the frames would be slightly thicker than the existing single glazed uPVC coated windows, however, it is considered that due to the minimal loss in glazed area this would not be harmful to the occupiers. Concerns were also raised that obscure glazing should be used for bathroom windows, however, measures such as obscure glazing/films or curtains can be applied or installed to the windows at occupiers' preference, in order to adequately protect the privacy of the flats. It is considered that this can be achieved outside planning control.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed replacement windows would improve the appearance and provide more consistent fenestration for the elevations subject to this application. Having paid special attention to the desirability to the location of the site within a conservation area it is considered that the proposed replacement windows would not cause significant harm to the buildings and would preserve the character and appearance of the Whitehall Park Conservation Area. The proposed double glazed uPVC units would also improve the sustainability and thermal efficiency of the residential units on site.
- 11.2 The proposed development is acceptable and on balance would not result in unacceptable harm to the application site or the Whitehall Park Conservation Area. It would improve the overall sustainability of the buildings and would therefore be in accordance to the Council's Development Management policies DM2.1, DM2.3 and DM7.2.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to conditions to secure the following:

List of Conditions:

1	Commencement
	<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
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[Design and Access Statement July 2015, CMH001 rev.001, CMH002 rev.001, CMH011 rev.005, CMH012 rev.004, MMAH001 rev.002, MMAH002 rev.002, MMAH003 rev.001, MMAH004 rev.001, MMAH012 rev.005, KHH001 rev.001, KHH002 rev.001, KHH003 rev.002, KHH004 rev.002, KHH013 rev.002, KHH014 rev.005, ESH001 rev.001, ESH002 rev.001, ESH003 rev.001, ESH004 rev.001, ESH012 rev.005, ESH021 rev.005, HL SLP, REHAU product brochures, REHAU Sustainability Report, U Value Calculation sheet]</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>MATERIALS (COMPLIANCE) CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the submitted plans, the window material hereby approved shall be REHAU Total 70 Intermediate (62mm) Fully Reversible Sash. 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>

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</p>

	<p>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	Building Control
	<p>The Building Acts and Building Regulations: To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works.</p> <p>T: 020 7527 5999 E: building.control@islington.gov.uk</p>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

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 7.4 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

DM2.3 Heritage

DM7.2 Energy Efficiency and carbon reduction in minor schemes

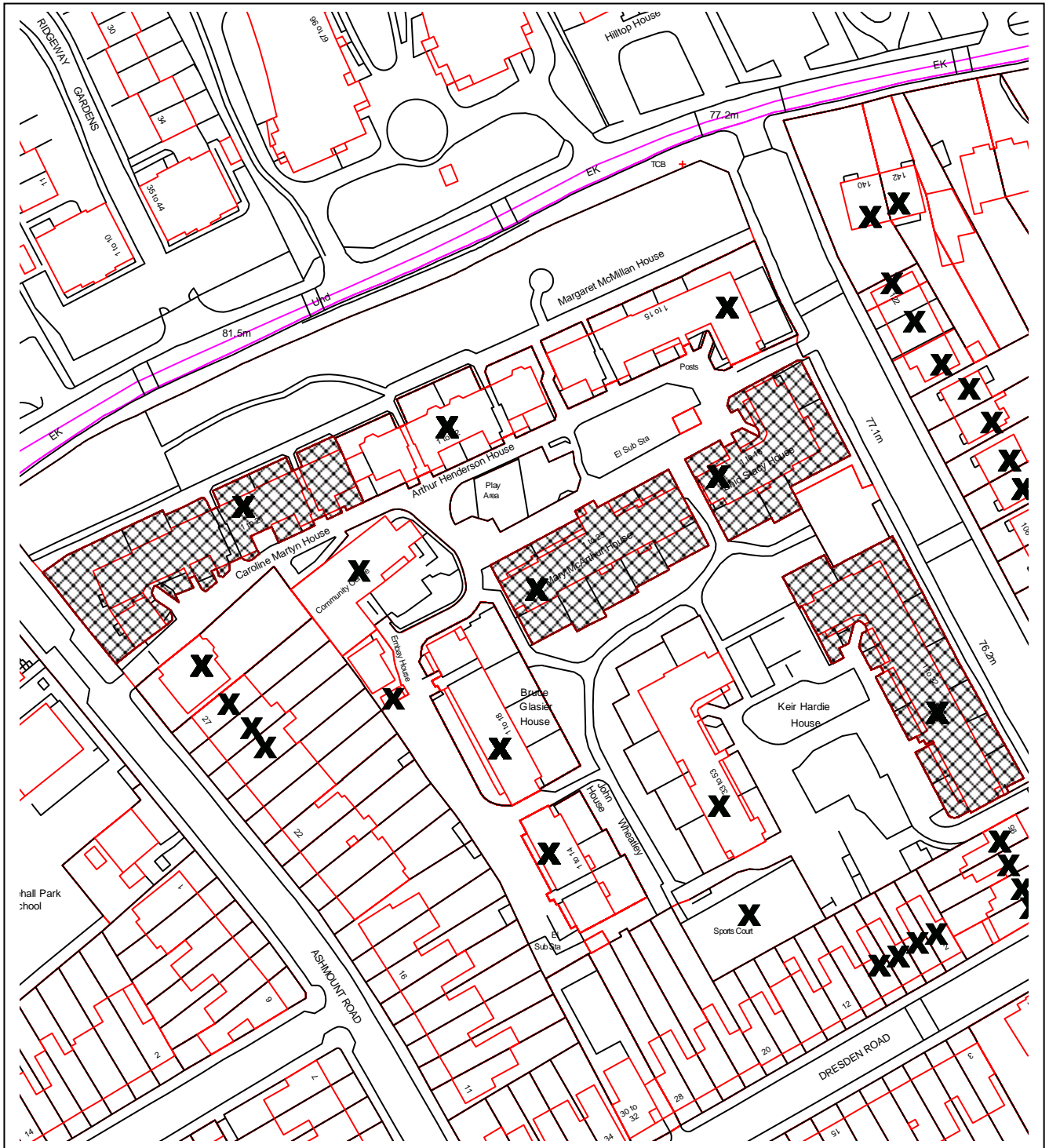
3. **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

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

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Islington SE GIS Print Template



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Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 PO Box 333
 222 Upper Street

PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE A		
Date:	8 th September 2016	NON-EXEMPT

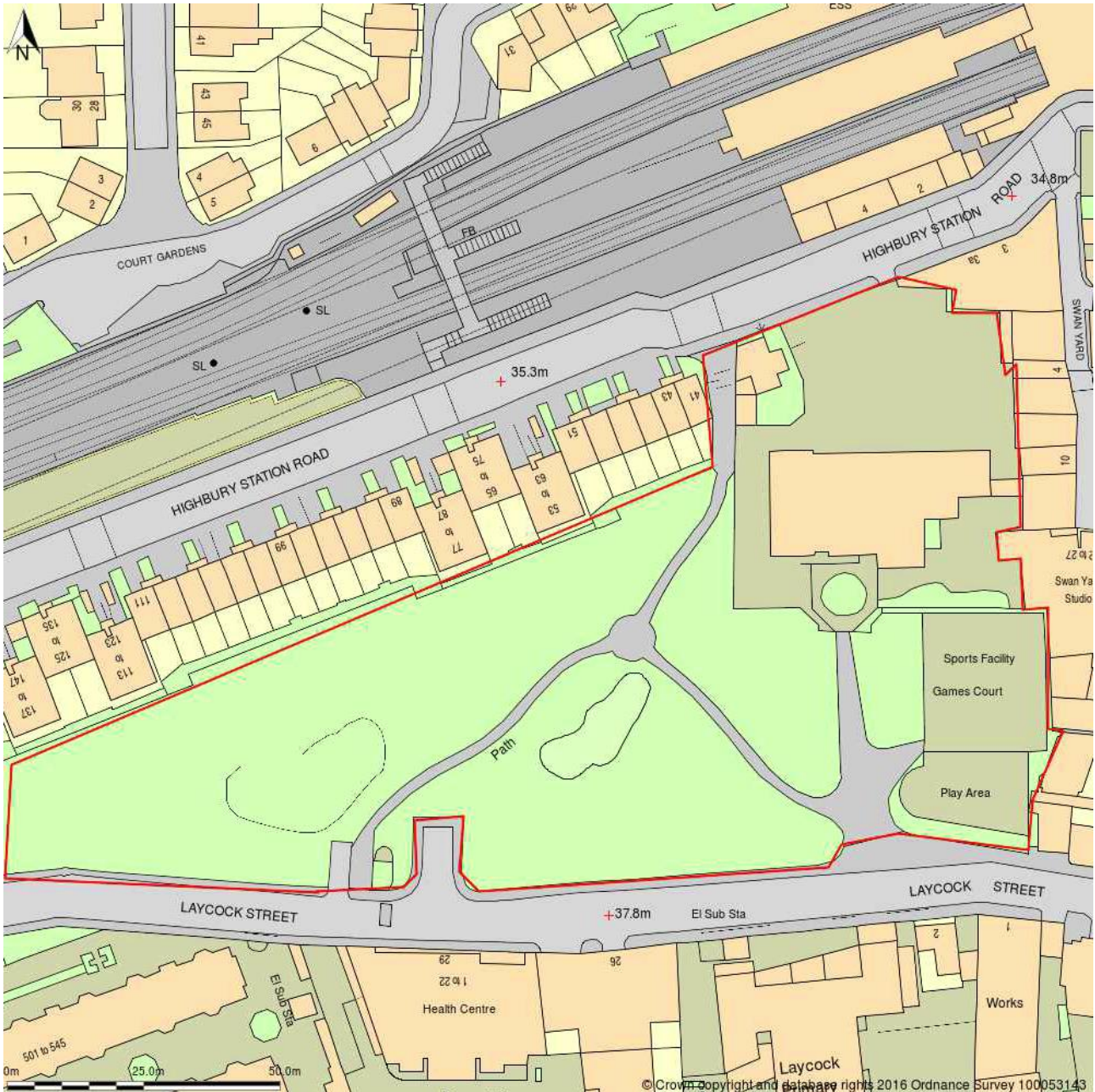
Application numbers	P2016/1013/ADV
Application types	Advertisement Consent
Ward	St Marys
Listed building	n/a
Conservation area	n/a
Development Plan Context	Article 4 Direction – office to residential Core Strategy Areas Highbury Corner Employment Growth Areas Locally listed building Rail safeguarding area Safe of Importance Nature Conservation Within 100m TLRN Within 50m of Upper Street Conservation Area Rail Safeguarding Channel Tunnel Rail Link
Licensing Implications	None
Site Address	Islington Education Service, Laycock Building, Laycock Street, Islington, London, N1 1TH
Proposals	Erection of post mounted sign.

Case Officer	Joe Aggar
Applicant	Ms Marcia Price - Islington Council
Agent	MK Design

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)



3. PHOTOS OF SITE/STREET



Image 1 – View of looking north to Laycock Building



Image 2 – View looking east along Laycock Street

SUMMARY

- 4.1 Advertisement consent is sought for the erection of a post mounted sign which would measure 1500mm x800mm with applied digital print.
- 4.2 The application is brought to committee because this application is a council own application
- 4.3 The proposed advertisement will neither harm the character or appearance of the locally listed 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 sits on the north side of Laycock Street and it is a wedge shape which consists of Laycock Green, a play area and a games court. The application specifically relates to the Laycock Building which houses Islington Education Service and also fronts Highbury Station Road. This building was built circa 1900 and was a former board school. It is locally listed.
- 5.2 The immediate area is dominated by the pleasant open aspect of Laycock Green. The remaining street scene is varied in terms of the style and age of buildings. Opposite the application site sits the Council Offices, residential apartments and Laycock School. There is no prevailing character within the immediate street scene.

6 PROPOSAL (in Detail)

- 6.1 The application seeks the erection of a post mounted sign that would measure 1500mm x 800mm. The sign would relate to the 'Laycock Building' which is set back from Laycock Street and is a short walk accessed by a path through Laycock Green. The sign is proposed to be erected in front of the of the play area to the east of the site in the planting area with boundary railings.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 1-3A, Highbury Station Road, planning application re: P051006 for the '*Renovations of facade and roof of existing offices. Works include new mechanical plant to roof, installation of new shopfront / entrance and installation of new large windows at ground floor level.*' Withdrawn.
- 7.2 5 Highbury Station Road, planning application re: 982047 for '*Erection of a single storey, ground floor extension to existing office building*' was granted 28/01/1999.

ENFORCEMENT:

- 7.3 None

PRE-APPLICATION ADVICE:

- 7.4 None

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 73 adjoining and nearby properties at, Highbury Station Road, Hampton Court, Swan Yard, Laycock Street and Upper Street.
- 8.2 Consultation expired on the 29th 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 no responses have been received from the public with regard to the application.

External Consultees

- 8.4 None.

Internal Consultees

- 8.5 **Design and Conservation Officer:** The principle of the proposal is acceptable. The sign should be positioned closer to the building it relates to. The sign is considered to be very visible and would interrupt views of the open space.

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.

Article 4 Direction – office to residential
Core Strategy Areas Highbury Corner
Employment Growth Areas
Locally listed building
Rail safeguarding area
Safe of Importance Nature Conservation
Within 100m TLRN
Within 50m of Upper Street Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Amenity
- 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 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 proposed free standing advertisement would be located close to the footway on the north side of Laycock Street. It would be positioned in the planting area directly in front of the play area behind a low metal boundary fence. Also within the vicinity is the games area which has high metal fencing. The area is dominated by the aspect of Laycock Green. The north side of Laycock Street is largely open in nature while the Green has a generous tree line and vegetation adjacent to the footway.
- 10.4 The advertisement would be 1500mm x 800mm. The parallel posts would be 76mm in diameter. The purpose of the sign is to publicise the Laycock building which is set some distance back from Laycock Street. The sign would be set back from the road and would be visible when approaching west on Laycock Street. Despite it being relatively large, its height and width do not detract from the spaciousness of the area around it which has an open character and a human scale which comfortably accommodates the low level intrusions of the furniture associated with the playground and games area and that of the Green.
- 10.5 The proposed advertisement is 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 2016, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

Public Safety

- 10.6 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.

- 10.7 The proposed signage would be set back from the footway and would not cause a safety risk to pedestrians, cyclists or vehicles. The proposal is therefore not considered to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highway 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>

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 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

DM2.6 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:

- Article 4 Direction – office to residential
- Core Strategy Areas Highbury Corner
- Employment Growth Areas
- Locally listed building
- Rail safeguarding area
- Safe of Importance Nature Conservation
- Within 100m TLRN
- Within 50m of Upper Street Conservation Area
- Rail Safeguarding Channel Tunnel Rail Link

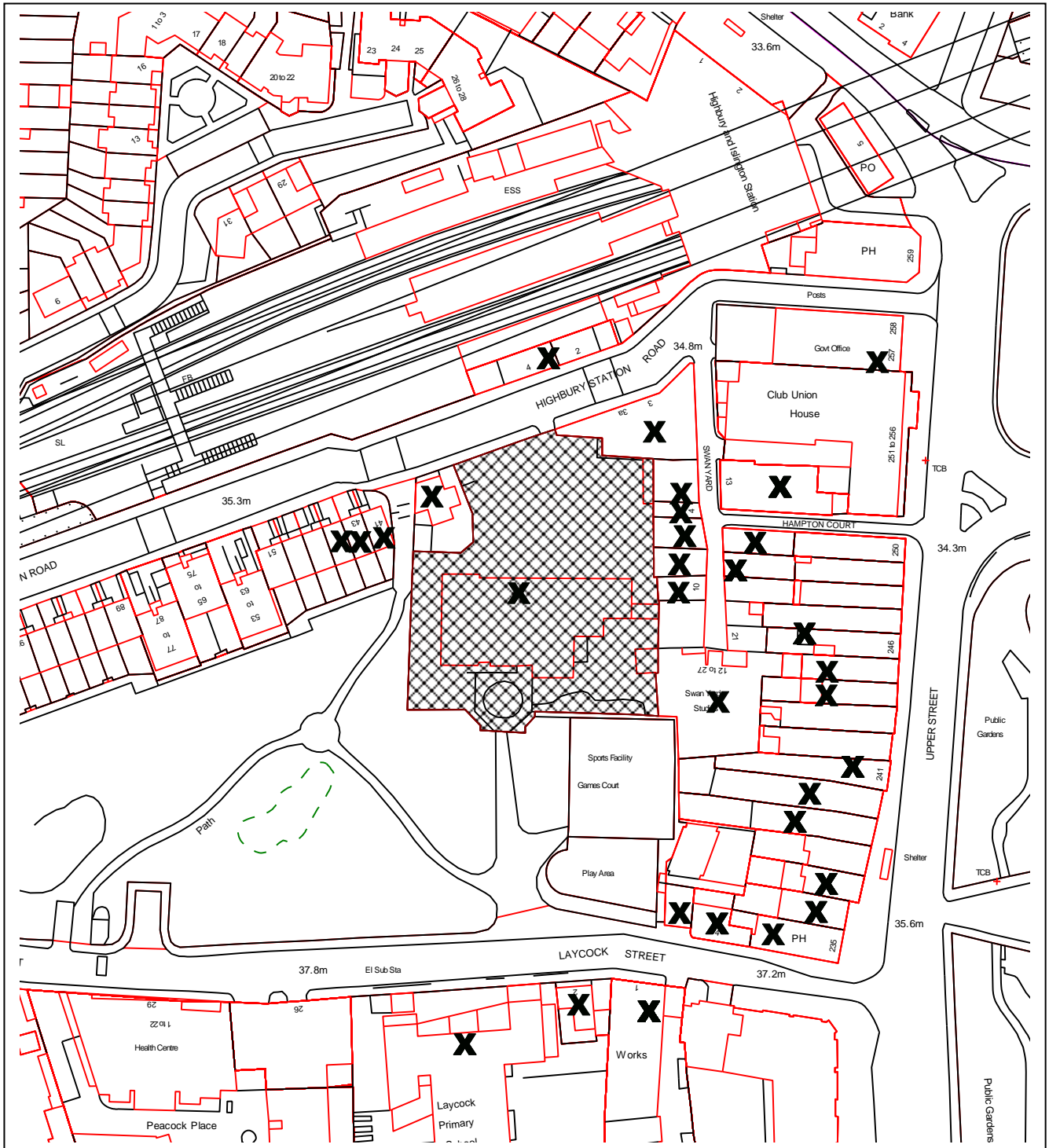
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Urban Design Guide (2006)

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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	8 September 2016	NON-EXEMPT

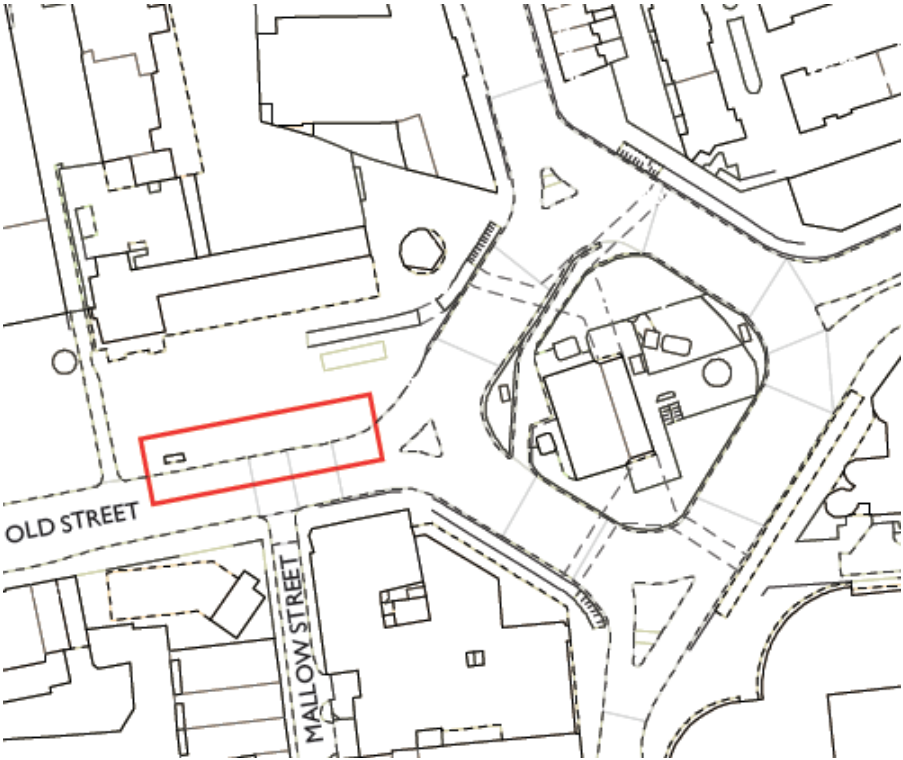
Application number	P2015/3961/ADV
Application type	Advertisement Consent (Council's own)
Ward	Bunhill
Listed building	Not Listed
Conservation area	N/A
Development Plan Context	Bunhill and Clerkenwell Core Strategy Key Area Central Activities Zone City Fringe Opportunity Area Local Cycle Route Bunhill and Clerkenwell Finsbury Local Plan Area Within 100m of TLRN Road Within 100m of SRN Road Within 50m of Bunhill Fields and Finsbury Square Conservation Area
Licensing Implications	None
Site Address	Pavement area in Old Street opposite Mallow Street, London, EC1V 9LT
Proposal	Installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the pavement on the north side of Old Street opposite Mallow Street

Case Officer	Daniel Power
Applicant	Islington Council
Agent	Jeremy Foster

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)



3. PHOTOS OF SITE/STREET

Location of sign



Image 1: Aerial Photo of the Front of the Site

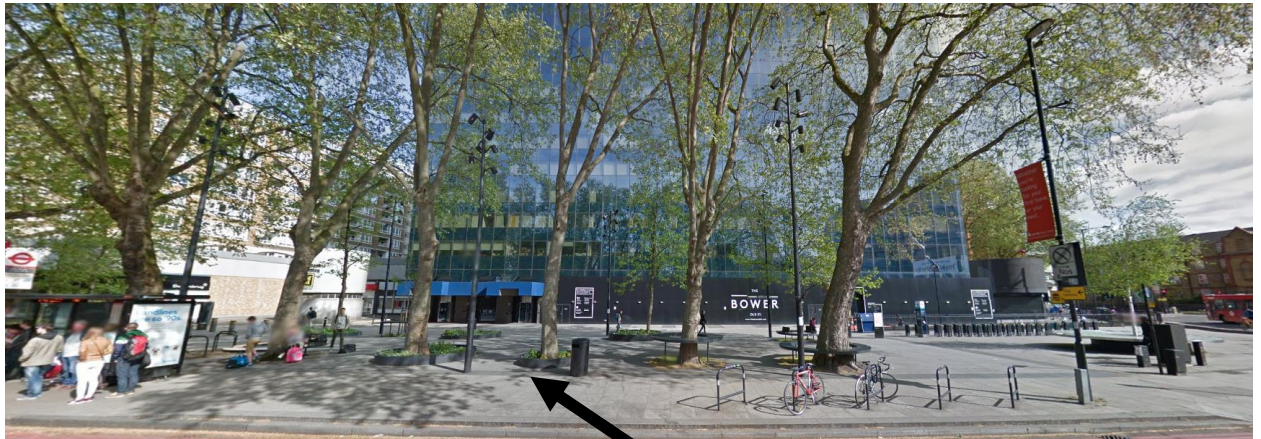


Image 2: Street View of the Site

Location of sign

4. SUMMARY

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

5. SITE AND SURROUNDING

- 5.1 The application site relates to the wide pavement fronting Old Street, close to the junction with Old Street roundabout. The sign will be located on a wide, tree-lined pavement adjacent to an existing bus stop. To the rear of the site is The Bower building a 15 storey building in mixed use. The immediate area is characterised primarily by commercial premises.
- 5.2 The building is not listed and the site is not located in a conservation area.

6. PROPOSAL (IN DETAIL)

- 6.1 Advertisement consent is sought for the installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the pavement on the north side of Old Street opposite Mallow Street.
- 6.2 The proposed sign will measure a maximum of 2.695 metres in height, 1.37 metres in width and 0.24 metres in depth. The visible area of the digital screen display will measure 1.15 metres in width and 1.76 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

Revisions:

- 6.3 Revisions were made to the plans on 19 October 2015 as the sign was changed from being non-illuminated to internally illuminated, a full neighbour reconsultation was carried out on the amended plans.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 None

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

- 7.3 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 9 occupants of adjoining and nearby properties at Old Street and City Road on the 05/10/15. A site notice was placed outside the site on 8/10/15. Neighbours were re-consulted on amended plans on 19/10/15. An additional 5 neighbours were consulted on 09/11/15. The consultation therefore expires on 30/11/15.

- 8.2 At the time of the writing of this report one (1) objection had been received from the public with regards to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- The proposal would detract from the Promenade of Light (para. 10.4 and 10.5)
- The proposal would not be part of parade of retail stores but will be advertising on the other side of Old Street (para. 10.5)
- Visual clutter (para. 10.4)

Internal Consultees

- 8.3 **Design and Conservation Officer:** Objects to the proposal. It is near conservation areas and listed buildings. It would add clutter to the streetscene and would contradict the design intent of the promenade of light project and forthcoming roundabout improvements.

- 8.4 **Highways:** No objection.

External Consultees

- 8.5 **Transport for London:** would not support the application: TFL consider the advertisement in this location will make the pavement look more cluttered than it already is. TfL were also concerned that the advert will cause distraction to drivers

emerging from Mallow Street and the adjacent petrol station. TFL suggested conditions if we are minded to approve 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 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals. Development Plan
- 9.2 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Within 100m of Strategic Road Network
Bunhill and Clerkenwell Core Strategy Key Area
 - Central Activities Zone
 - City Fringe Opportunity Area
 - Local Cycle Route
 - Bunhill and Clerkenwell Finsbury Local Plan Area
 - Within 100m of TLRN Road
 - Within 100m of SRN Road
 - Within 50m of Bunhill Fields and Finsbury Square Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

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

Amenity

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's

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

- 10.3 The application site is not located in a conservation area, although the site is located within close proximity to the Bunhill Fields and Finsbury Square Conservation Area. Although Old Street is characterised by buildings of varying styles and heights, it is important to ensure that any new signage would not have a detrimental impact on amenity.
- 10.4 The proposed advertisement sign will be positioned on a wide pavement adjacent to an existing bus stop, street lights and refuse bins. Immediately opposite the site is a petrol filling station. The proposal would sit within the context of and align with existing street furniture but would be distinct. The signage would be in keeping with the predominantly commercial nature of development within the area and given the large amount of street furniture that is located along Old Street, the proposal would not be out of character or detract from the promenade of light. It is also noted that there is a proliferation of advertisement signage and a large highways sign on the north side of Old Street when viewed looking eastwards towards Old Street roundabout. As such, the proposed sign will be largely masked by the existing signage when viewed from this elevation.
- 10.5 The proposed sign will measure 2.695 metres in height and will be set back from the edge of the highway. It is considered that when viewed against the back drop of the 15 storey building to the rear, the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. Furthermore, as the sign is not located in close proximity to any neighbouring windows, it is not considered that the sign, by reason of its illumination, would have a detrimental impact on amenity. In addition, no objections were raised to the siting of the sign by the Council's Highways Team. Given the size and siting of the sign, especially in relation to the properties to the rear, it is considered that the proposal would not detract from the Promenade of Lights.
- 10.6 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1 and DM2.6.

Highways Safety

- 10.7 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.
- 10.8 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be located on a wide pavement and will be set back from the main pedestrian route to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. The plans have been reviewed by the Council's

Highways Team who raise no objection. Transport for London expressed concerns that the development will cause distraction to drivers emerging from Mallow Street and also suggested conditions should the Council wish to approve the application. Given the existing lights and street furniture and that the Council's Highways Team have not objected, it is considered that the advert would not have a detrimental impact on highways safety. The proposal is therefore considered not to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.3 It is recommended that 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	Standard advertisement conditions 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. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition. 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. 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. 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).
2	Luminance CONDITION: The advertisement display(s) shall be statically illuminated and the illumination shall not exceed a maximum steady brightness of 300 candelas per square metre during the hours of darkness consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015). The advertisement displays shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. REASON: In the interests of visual amenity and highway safety.
3	Display time CONDITION: The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed. REASON: In the interests of visual amenity and highway safety.
4	Special effects CONDITION: There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed. REASON: In the interests of visual amenity and highway safety.

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

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.6 Advertisements

3. Designations

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

- Within 100m of Strategic Road Network
Bunhill and Clerkenwell Core Strategy Key Area
- Central Activities Zone
- City Fringe Opportunity Area
- Local Cycle Route
- Bunhill and Clerkenwell Finsbury Local Plan Area
- Within 100m of TLRN Road
- Within 100m of SRN Road
- Within 50m of Bunhill Fields and Finsbury Square Conservation Area

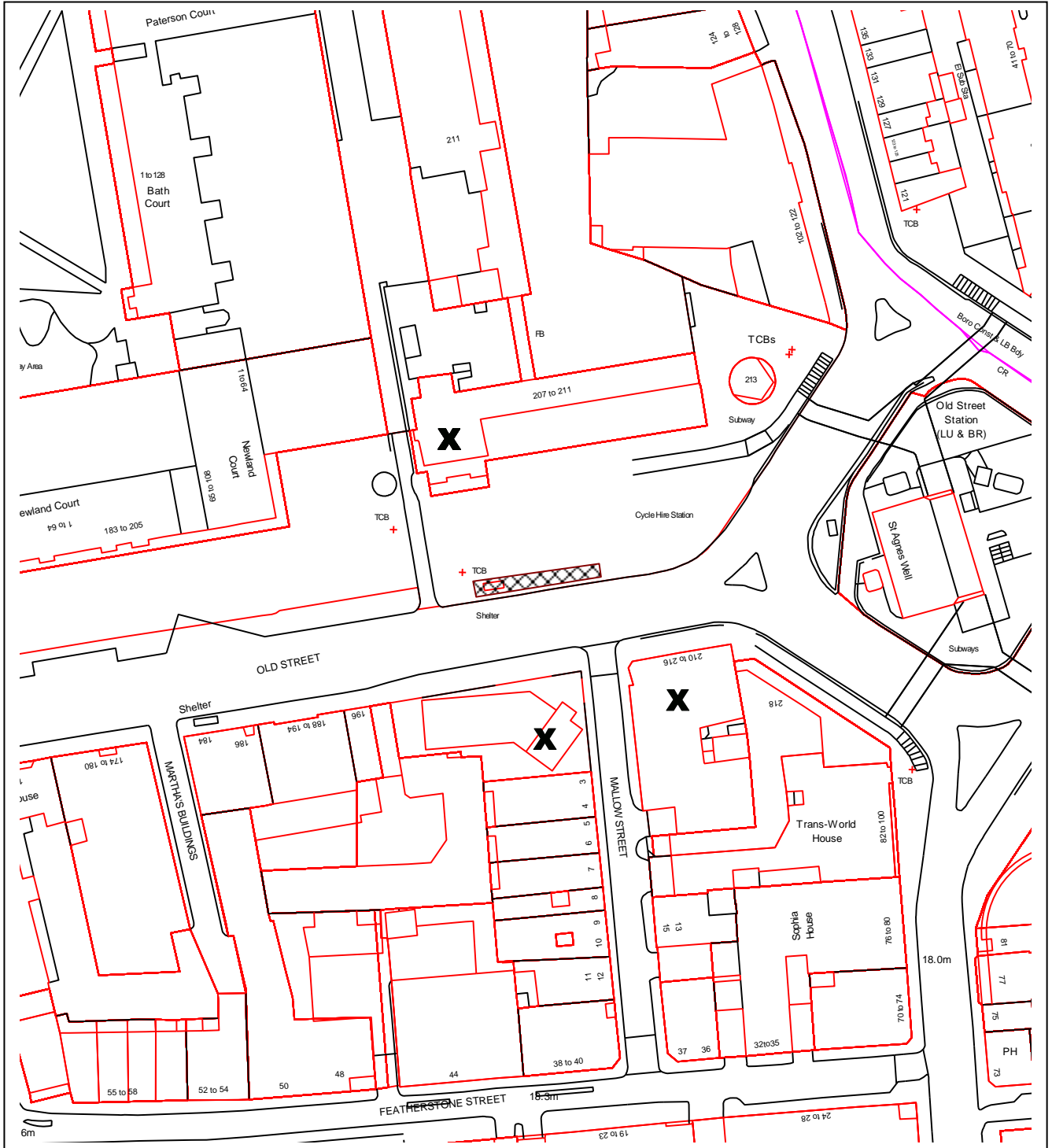
4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Urban Design Guide (2006)

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

PLANNING SUB COMMITTEE A		
Date:	8 th September 2016	NON-EXEMPT

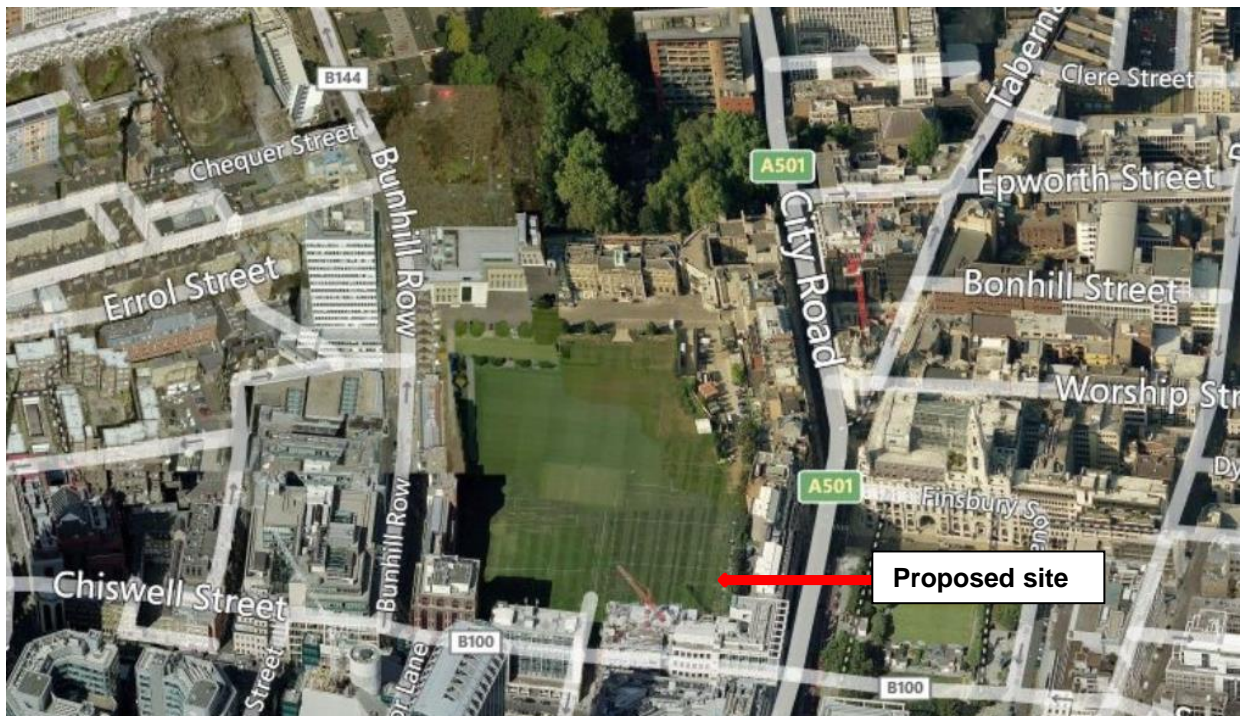
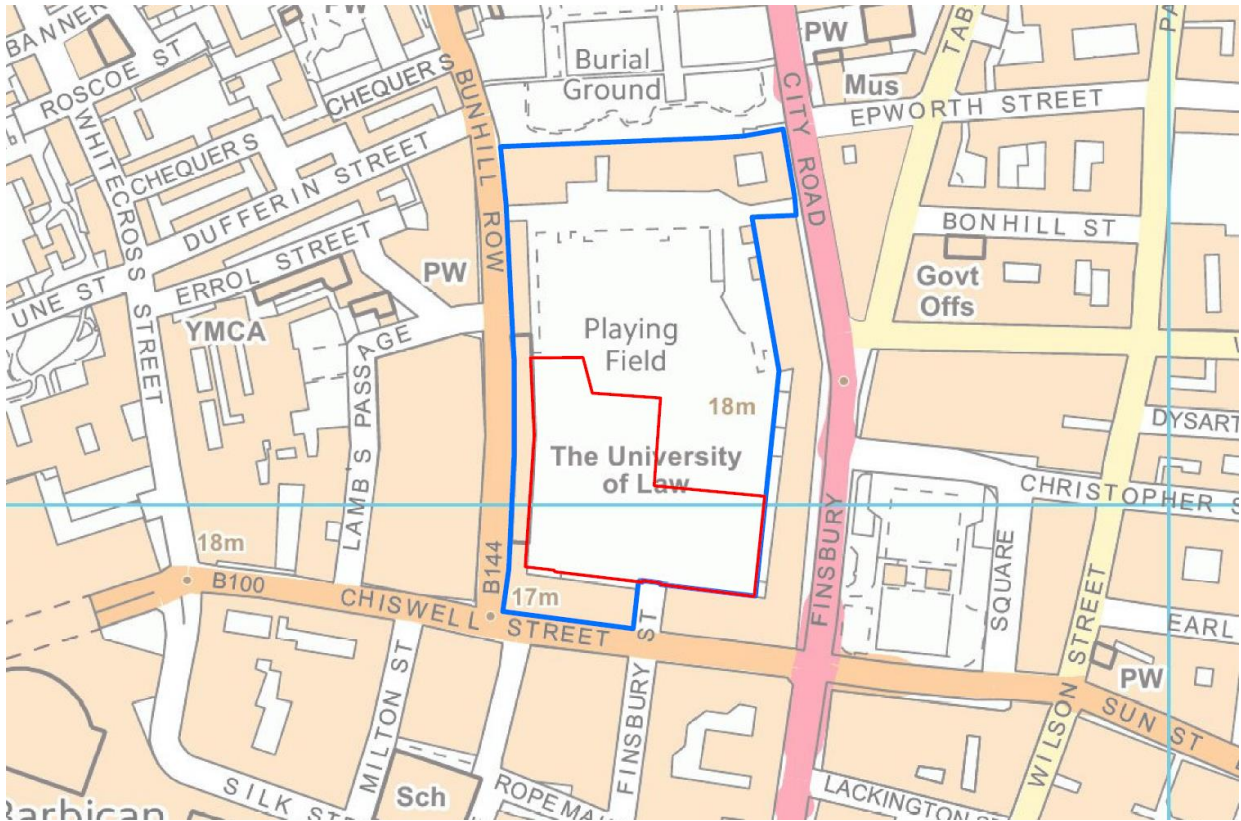
Application number	P2016/1146/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Within curtilage of Grade II * Listed Building
Conservation area	Bunhill Fields and Finsbury Square
Development Plan Context	Central Activity Zone; Archaeological Priority Area; Employment Priority Area; Significant Private Open Space
Licensing Implications	Premises License existing with opening hours until 2am
Site Address	Playing Field Armoury House Finsbury Barracks, City Road EC1Y 2BQ
Proposal	Erection of a marquee (temporary structure) on land adjacent to the playing fields of Armoury House (along the southern boundary of the site) in order to facilitate the hosting temporary social events. The marquee would be in situ for no more than 120 days per calendar year.

Case Officer	Eoin Concannon
Applicant	Rowan Bennett
Agent	Geoff Bullock

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)**



Aerial View of Playing Field at Armoury House

3. PHOTOS OF SITE/STREET



Photo 1: Summer Layout



Photo 2: Winter Layout

4 SUMMARY:

- 4.1 Planning permission is sought by Honourable Artillery Company to host events within temporary marquees situated in the playing grounds to the southern boundary of the site along Chiswell Street entrance. The events under the title of Ultimate Experience would be held during 2 periods (winter and summer season) within the calendar year. The marquee structures would be erected on the site for no greater than 120 days per calendar year. There are specific layouts for both winter and summer to coincide with both rugby and cricket season. This allows both sports to continue without interference during the event programme.
- 4.2 Types of events hosted in the marques include corporate functions, charity events, performance of plays, exhibitions of films, live and recorded music and the sale of alcohol. Events have been held at the ground continuously over the last 8 years with the HAC securing a licence in 2005 to host such temporary events. This however has been without planning permission. As such, the application subject of this assessment allows Officer's to appropriately manage/mitigate the use so it limits impact on land use, design, residential amenity and transport grounds.
- 4.3 Whilst the marquee would take up a large section of private open space, it would be proportionate to the area of private green space available on the site (approximately 25 percent of the site). Furthermore, due to the structures temporary nature and the fact it remains green space for the majority of the year (two thirds of the calendar year no structure in place), the principle of the development is considered acceptable. The Policy Planning Officer has raised no objections and does not consider the proposal a departure from the plan. A condition is recommended to restricting the temporary marquees to certain dates within the calendar. This thereby secures the legitimate use of the land as private green space.
- 4.4 Other concerns include the impact on surrounding residential properties amenity. A Noise Monitoring Report has been agreed with the Council Acoustic Officer with setting controlled to mitigate against the nearest residents to the east along City Road. Further restrictions on servicing times of the event and consumption of alcohol outdoors as well as Public Address announcements (cease before 10.30pm with exception of 15) would control noise from inside the marquee and from patrons coming and goings. These measures are considered acceptable and would reduce any adverse impact on residential amenity. Officers however consider a 24 month temporary consent necessary in order to allow for the monitoring of the events for the forthcoming seasons.
- 4.4 Given its location (easy access to public transport) and its overall access system (with separate access off different street for services, it is considered that the proposal would not lead to adverse impact on the transport system. As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site is situated within the grounds of Finsbury Barracks opposite the Grade II Listed Armoury House and comprises a large private playing field. Finsbury Barracks has a site area of approximately 2.6 hectares situated between City Road (directly east), Bunhill Row (directly west) and Chiswell Street (directly south).
- 5.2 The playing fields historically were used for archery practice with other sporting events (Cricket) dating back to the early 18th Century. Presently it is used for occasional rugby events, cricket and social events (subject of this application).

- 5.3 Generally the surrounding area is predominately office/commercial space within the Central Activity Zone. The nearest residential properties are situated to the east along City Road with Nos.6, 12, 16 and 18 having apartments in the upper floors that project onto the site. The College of Law abuts the site to the west with Office/commercial building along Chiswell Street.
- 5.4 As noted, the site is within the Central Activity Zone within the setting of a Grade II * Listed Building. It is also situated within Bunhill and Clerkenwell Conservation Area as well as an Archaeological Priority Area. It is highlighted under DM6.3 (footnote 19) as a significant private open space.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks planning permission to erect a temporary marquee to hold organised events during the summer and winter seasons. Ultimate Experience has run marquee events over the past eight years with the premises license for entertainment in place since 2005. The earnings from these events are used to maintain and upkeep the Honourable Artillery Grounds & Armoury House which is a Grade II * Listed Building.
- 6.2 It is proposed to erect the temporary marquees for a period no greater than 120 days per each calendar year. There are 2 specific layouts proposed in order to allow for sporting activities to continue throughout the year. The summer layout is situated along the southern boundary to allow for cricket to be played during the season. The winter layout is situated to the south west (adjacent the College of Law building) outside the perimeter of the rugby pitch to coincide with the rugby season. Both layouts are screened from the surrounding streets by large office/commercial/educational buildings along the southern and western boundaries.
- 6.3 Deliveries in relation to the events are accessed via the City Road entrance with a separate entrance access for patrons along Chiswell Street. Each of these access points has security checkpoints.
- 6.4 The Premises License allows for the following events to take place (and hours of operation)
- Performance of plays (18.30hrs to 22.30hrs daily)
 - Exhibition of films (18.30hrs to 22.30hrs daily)
 - Performance of live music (11:00hrs to 23:30hrs Mon-Sat & 11:00hrs to 23:00 Sun)
 - Performance of recorded music (11:00hrs to 23:30 hrs. daily)
 - Performance of dance (18:00 to 23:30 daily)
 - Provision of entertainment facilities for making music 11:00hrs to 23:30hrs Mon-Sat & 11:00hrs to 23:00 Sun)
 - Provision of entertainment facilities for dancing 11:00hrs to 23:30hrs Mon-Sat & 11:00hrs to 23:00 Sun)
 - Provision of late night refreshment (23:00 hrs. to 24:00 hrs. Mon-Sat & 23:00 to 23:30 Sun)

- The sale by retail of alcohol (11:30 hrs to 02:00 hrs Mon-Sat & Sun 12:00 hrs to 15:30 hrs)

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

P2014/0520/FUL Construction of stone balustrade to existing external stairs in front of Armoury House. [Listed Building Consent application Ref P2014/0573/LBC also submitted] **(Approved decision date 02/04/2014)**

P2014/0989/FUL Removal of existing steel and glass gatehouse and construction of new stone clad gatehouse. Listed Building Consent application P2014/1100 also submitted **(Approved decision date 14/05/2014)**

P110527 Alteration to three rooms to turn into a museum, installation of condenser units. **(Approved decision date 11/05/2011)**

ENFORCEMENT:

7.1 None

PRE-APPLICATION ADVICE:

7.2 **Q2016/0532/MIN** – Pre-app for the erection of temporary demountable structures – Officers indicated that the key concerns would be principle, design and neighbours amenity.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to 176 occupants of adjoining and nearby properties at City Road, Bunhill Row, Finsbury Square and Chiswell Street on the 12th April 2016. A further period of consultation was sent on the 27th July 2016 following receipt of a Late Night Operations Plan and Noise Management Protocol.

8.2 A site notice and press advert was also displayed on each consultation. The consultation period expired on the 25th August 2016. At the time of writing this report, **7 objections** have been received from nearby residents. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Significant loss of amenity of private open space. The proposal would contravene policy DM6.3 Part A and Part E of the Development Management Policies where development is not permitted where there is a significant or cumulative loss of private open space. (Paras10.2-10.8)
- Noise and disturbance resulting from the proposed use
 - i) The events marquee will be used for noise generating purposes given rise to noise nuisance to residential properties (Paras 10.15-10.29)
 - ii) The marquee events often carry on into the night when noise is a greater disturbance (Paras 10.19-10.29)

- iii) The disturbance is more greatly felt in the summer months when windows and balcony doors are open for ventilation (Paras 10.19-10.29)
 - iv) The noise is not confined to the marquees (Paras 10.19-10.29)
 - v) The noise disturbance would be prolonged with potential increase in marquee events. (10.7 & 10.32-10.33)
- A representation received suggested conditions if Officers were minded to approve including the following conditions (10.7, 10.32-10.33)
- i) Reduction in the number of days the marquee is permitted to be erected. Limit on number of consecutive days the marquee is permitted to be erected
 - ii) Cap on the number of days per week/month on which events may be held
 - iii) Limited hours of operation, set up and take down
 - iv) Temporary consent rather than full permission "Trial Run" Noise management plan
 - v) Regular inspections

Internal Consultees:

8.3 **Planning Policy:** No objections given the fixture and fittings temporary nature and its location outside the boundary of the playing fields.

8.4 **Pollution Team:** No objections subject to conditions Following a site inspection on the 31st May 2016 for the summer set up access was arranged at the residential block at 12A Finsbury Square (which backs directly onto the HAC grounds) at the third floor flat, flat 6.

The music noise levels from the site were tweaked so as to be barely audible within the residential bedroom/living room of the flat. These set levels were within the proposed condition limits. It is noted that the new condition limits are slightly more onerous than the set up over previous years. The HAC have been operating events here for a number of years. The licence has a limited number of conditions in relation to noise, hence the additional controls advised to control and minimise the impacts (albeit the hours of operation, sale of alcohol and regulated entertainment are controlled and hence not duplicated here).

8.5 **Licensing:** No objections. The site already has secured a license to numerous entertainment activities from ground, first floor and playing fields since November 2005. The planning application is in line with the current Premises Licence.

8.6 **Design & Conservation:** The temporary erection of tents as proposed will not harm the setting of Grade II listed Armoury House or the Conservation Area due to its temporary nature.

8.7 **Street Environment Services:** No objections

External Consultees:

8.8 **London Underground:** No objections

8.9 **Transport for London:** It is TfL's assumption that the marquee will be serviced from the site, and not on street. In any case deliveries and servicing should be carefully

managed. The applicant and Council should also consider whether there is sufficient on street or on site blue badge parking to ensure that disabled people can readily access the events.

8.10 **Historic England (Grade I/Grade II):** No objections.

8.11 **Historic England (Glass):** No objections.

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Appearance
- Neighbouring amenity
- Transportation Issues and Events Management
- Accessibility
- Other Issues

Land-use

10.2 The proposal is situated within the grounds of Finsbury Barracks and would involve the location of temporary marquees structures on the playing fields. The playing fields have been identified within policy DM6.3 of the development management policies as an area of significant private open space where development is not permitted. Part E of this policy also states that development on private open space would not be permitted where there is a significant individual or cumulative loss of open space/aspect which would impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and/or flood alleviation effect.

10.3 The proposed marquee fixtures and fittings would be of a temporary nature with no excavation works required such as foundations which are normally associated with operational development. The structures would be in situ on the private playing field for

a maximum of 120 days of the calendar year. This period would be broken into the summer and winter period.

- 10.4 Table 1 of the Dalton Warner Davis cover letter (dated 23 March 2016) provides details of the event and structure duration since 2009. This table has been broken down highlighting the time it takes for the structure to be erected and dismantled as well as the event period. On average for each season (winter and summer), the marques structures would be in place for a period of 50 to 60 days. The seasons occur from November to January (winter) and May to the mid July (summer).
- 10.5 Between both these periods, the land is returned to a private open green space used by the Honourable Artillery Company. On average, the structures would be in place for approximately one third of the calendar year. The majority of the year it would remain as a private open space. On this basis, it is considered that the development would not represent a permanent change of use of the land given the structures are removed for four months between each season.
- 10.6 Whilst the structures would be situated on a sizeable area of space, in the overall context of the playing fields, it would be approximately 20 to 25 percent of the land. The remainder of the land would remain private green space during the events period. Furthermore, the layout of the marquees have been designed in order to allow for sporting activities to continue during the summer and winter periods with both layouts adopted to coincide with the cricket and rugby season.
- 10.7 Policy Officers have been consulted on the application and have raised no objections to the development given its temporary nature. The Policy Officer also raised no objection to the impact on ecological, biodiversity and flooding as the grass would remain. A condition is considered necessary to limit the timeframes of the development to specified periods. This would secure that the private green space is retained as open space for the majority of the year. Concerns have also been raised regarding increased number of events that could be held, however given the noise control and event management conditions that are recommended, Officers would not consider it necessary to impose a restriction on the number of events within each season. A condition on the marquee structure removal would be more appropriate in this instance following each season.
- 10.8 On the basis of the temporary design of the structure, the fact that the structures would be removed for two thirds of the calendar year, the overall size of the land to be retained as open space and the fact private sporting events can continue to be played all year round; it is considered that the proposal would be acceptable in principle. It would not result in a significant or harmful loss of private open space and generally complies with the broad aims of policy DM6.3 of the development management plan.

Design and Appearance

- 10.9 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 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. It is also considered that policy DM2.3 is important in relation to this application to ensure all development continues to preserve and enhance the character and appearance of the conservation area.
- 10.10 The proposed site is situated within Bunhill & Clerkenwell Conservation Area within the setting of Armoury House. The design of the structure is different for the summer and winter season but retains a similar main height. Its visibility would be solely from

private views within the offices/commercial and residential properties that surround the site. The residential properties situated along City Road would be approximately 90 metres away from the marquees. Whilst the offices are in closer proximity, this would not cause substantial impact on the private realm to warrant a refusal. There would be limited visibility of the temporary marques from the entrance along Finsbury Street during the summer season however this would not impact the wider conservation area. The Design Officer raised no objection to the proposed scheme given its temporary nature and its overall distance from the listed building.

10.11 Therefore, given the temporary nature and its positioning (set in from the highway and away from the listed building), the proposal would not have a detrimental impact on the setting of the listed building nor detract from the character and appearance of Bunhill & Clerkenwell Conservation Area.

Neighbouring Amenity

10.12 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, safety and an increased sense of enclosure. A development's likely impact in terms of light pollution, safety, security, noise and disturbance is also assessed. London Plan Policies 7.14 and 7.15 as well as Development Management Policies DM 2.1 and DM6.1 require all developments to be safe and inclusive and maintain a good level of amenity, mitigating impacts such as noise and air quality.

10.13 Seven objections have been received which raised concerns regarding the overall noise from the events held at the site. The nearest residential properties are situated along City Road (Nos. 6, 12, 16, 18 and 20 City Road) and 12a Finsbury Square which are situated approximately 100 metres from the marquees structure. The properties along Bunhill Row are part of Finsbury Barracks (applicant). The remaining properties surrounding the site are educational, offices or commercial properties.

10.14 The objections received raised several issues related to the noise from including

- Nuisance from noise generating uses
- Hours of operation
- Seasonal disturbance greater in summer
- Noise not confined to the marques
- Number of events may increase

10.15 The nature of the use (entertainment activities/functions) would generally lead to an increase in noise levels over and above those normally associated within a private open space. Since its initial commencement (8 years' operating), there has been several noise complaints from the use, however, no previous restrictions on noise control have been secured through the planning process. Following a detailed assessment by the Council's Acoustic Officer, it is considered that the acoustic measures and night time operations management proposed would mitigate against any loss of amenity to adjoining residential properties going forward. The conditions recommended by Officers would control the noise levels to an acceptable amenity level to nearby residents whilst providing the Council with additional enforcement controls which had not previously existed. The amenity concerns are discussed in detail below.

Noise Transfer from Music/PA system

- 10.16 The applicant has submitted a noise monitoring report carried out by Sustainable Acoustics Ltd (Marquee Sound Set Up for the summer period) which examined the noise levels from an event on the 31st May 2016. The noise monitoring report aimed to provide a more robust risk assessment approach for managing noise and new limits based on the measured noise levels before and after events during the last 8 years of operation and aimed to set the noise limiter. During the noise monitoring assessment, access to one of the residential properties overlooking the HAC grounded was provided which allowed attendees to assess the impacts on nearby residents (Flat 6, 12A Finsbury Square).
- 10.17 The survey on the 31st May 2016 took place between the hours of 16h00 and 20h30 and was attended by the Council's Acoustic Officer. It monitored noise from pre-event right through until the finish of the event with agreement reached between applicant and the Council's Acoustic Officer set specific noise levels for events going forward.
- 10.18 This monitoring report indicates that the summer set up includes 2 dance floors which are within "acoustic booths" inside the marquee. These acoustic booths are made from an acoustically solid structure within which the dance floor is located. Each dance floor has a separate system of loudspeakers controlled by the same mixing desk situated in the dining space and contains one open side that projects onto the large dining area (DF1) and bar area (DF2). This acts to bounce the sound back onto the dance floor thereby reducing the level that escapes to residential locations.
- 10.19 Measurements of noise levels were taken from several positions including Flat 6 12A Finsbury Square for continuous 1 minute and 5 minute periods simultaneously through the evening. These tests were examined by the Council's Acoustic Officer and settings were set (based on dancefloor levels barely audible in the bedroom and reasonably so in the lounge at daytime set up). This corresponds with the noise protocol target with the Council's Acoustic Officer satisfied that subject to music noise level restriction based on monitoring report. The Acoustic Officer has recommends a further condition on music noise levels which should not exceed those recommended in table 1 of this report as measured at monitoring position MP2 (Bunhill Row) and MP3 (City Road).

Period	Overall L _{Aeq, 5mins}	L _{eq, 5mins} 63Hz	L _{eq, 5mins} 125Hz
0700 - 1800	65dBA	75dB	70dB
1800 - 2300	60dBA	75dB	65dB
23:00-07:00	55dBA	70dB	65dB

Table 1

- 10.20 It is also recommended that a further condition restricts the Public Address System (PA) to cease after 22:30 hours which would further reduce noise transfer during the later period of events. This condition does allow the PA system to continue up until 23:00 hours for up to 15 events per calendar year which would be agreed in writing one month before each season. In terms of operating hours, the proposal would be in line with the license that has been granted. The opening hours would run until 2am depending on the event proposed. It must be noted that the majority of the events would coincide with the closure of public transport. On the basis that the Acoustic Officer is satisfied with the noise levels settings from the events post 11pm together with the Late Operations Management Plan proposed, the hours of operation are considered acceptable in this instance.

Noise control measures from comings and goings outside the Marquee

- 10.21 A Noise Protocol and a Late Night Operations Plan has been submitted which the Acoustic Officer is satisfied will protect the amenity of residents for future marquee events. These events are organised in advance and largely booked by corporate companies, committees organising industry awards and charities with occasional private bookings. Entrance to the events is via Finsbury Street (off Chiswell Street) which is a sufficient distance from the nearest residents' limiting impact on these neighbours from coming and goings of patrons. The nearest residential properties are Nos.11/12 Finsbury Square, with access arrangements for these residents along Finsbury Square. The site entrance for patrons is situated between two commercial buildings and would be controlled by events security team (minimum six) together with CCTV cameras.
- 10.22 Given the sites inner city location, the majority of patrons would access the site via foot or through public transport. Several bus services/over-ground and underground train stations are situated within walking distance. The current Events License in place shows that the majority of events finish at 10.30pm. This would allow patrons attending an event sufficient time to access tube/overground rail services. The Late Operations Management Plan also indicates that a taxi marshalling service is provided by events security which controls taxis coming and going to the venue.

Additional noise control measures (early morning and at night time)

- 10.23 Other measures to reduce impact outside the marquees structures would include lighting and signage advising patrons to leave premises quietly. The applicant has also indicated that Event Security perform sweeps of the exit area to ensure patrons move on from surrounding streets. These can be included within the Late Night Operational Management Plan.
- 10.24 The Acoustic Officer has recommended additional measures to reduce the impact on the surrounding residents. Restrictions on beverage consumption outdoors after 22:00 hours is also recommended thereby reducing noise transfer from patrons outdoors. Whilst the Late Night Operational Management Plan indicates 23:00 hours, a revised Late Night Operational Plan can be secured through a pre-commencement condition. A condition has also been attached restricting consumption of alcohol outdoors after 22:00 which is enforceable. This would reduce noise transfer and further reduce the potential for anti-social behaviour outdoors.
- 10.25 In terms of site servicing, it is also recommended that a condition on deliveries, bottling out and servicing of the site between 23:00 hours and 07:00 hours. The Acoustic Officer has recommended a further condition on site setting up and take down restricting noisy activity outside the hours of 08:00 hours and 18:00 hours (Monday to Friday) and 08:00 hours and 13:00 hours (Saturdays). This condition would address any noise concerns during the construction and dismantling of the temporary structures and complies with the Councils Environmental Health's recommended hours of construction.
- 10.26 Officers consider that both these conditions would ensure the mitigation measures are maintained during early morning and late at night thereby adding further protection to the adjoining residents. As such, given the additional management and design measures to be imposed as well as recommended conditions, it is considered that the impact from coming and goings of patrons and servicing would be minimal.

Conclusion neighbouring amenity

- 10.27 Whilst, Officers are satisfied that the noise mitigation conditions attached would significantly improve the amenity of adjoining residents (especially during early morning

and late at night), as there have been noise investigations historically, a temporary consent would be appropriate in this instance. This would allow the Council a sufficient period of time to monitor the effective implementation of the conditions and where further restrictions are required these could be considered at the time of a re-submitted application. It is therefore recommended that temporary consent be granted for a period 24 months.

- 10.28 On this basis, it is considered that the proposed marquees and associated events would not detrimentally impact upon the amenity of the neighbouring occupiers. The proposal is therefore considered to accord with policy DM2.1 which requires development to provide a good level of amenity.

Transportation Issues and Events Management

- 10.29 In terms of servicing of the site, HAC have safety barriers on each entrance to the site with only permitted vehicles allowed to park onsite. The Event Safety Management Plan states that agreement of deliveries would be required between the Events Manager, the HAC in advance with the delivery entrance via City Road. A route suitable for emergency traffic (i.e. with a minimum width of 4m) shall be provided and maintained at all times, especially during delivery or collection of plant and materials. All vehicles are unloaded within the loading pad, which reduce impact on the emergency traffic routes. This level of control should ensure that there would be no adverse impact on traffic management in the area.
- 10.30 In terms of managing and dispersing of crowd associated with the events, guests shall be by invitation only, with access via separate entrance along Chiswell Street where no residential units are positioned. It is envisaged that most guests would attend the event via public transport, foot, or taxi service. Event security would be responsible in assisting crowd management, minimise injury, prevent unauthorised entrance and assist Police and other emergency services. Event Security would be uniformed and strategically positioned prior to the event controlling the main entrance of the structure and guest would be required to present invitation on condition of entry. An incident report registers and contact details for surrounding residents shall be available to contact during events in order to record any incidents of anti-social behaviour.
- 10.31 On the basis of the information submitted, it is considered that the proposed servicing, transport issues and events management would not lead to unreasonable disturbance to the surrounding highways and transport routes during and after any event.

Accessibility

- 10.32 The Islington Core Strategy (2011) Policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard. The Event Safety Management Plan indicates that suitable and sufficient disabled ramps have been provided for ease of access and egress for disabled guests around the venue. All access and egress routes for disabled guests will be monitored closely to ensure the ease of manoeuvrability around the structures. This is considered acceptable given the temporary nature of the events.

Other Issues

- 10.33 In terms of waste management, the Council's Street Environment Services have raised no objections to the proposal. The Events Management Plan indicates that a waste management plan shall be implemented by an appointed and contracted cleaning company. Collections would take place immediately after events areas have been closed

or the following day after an event pending on the time and schedule. As much as possible, waste will be segregated to ensure maximum recycling.

10.34 Officers note a number of recommended conditions submitted as part of an objection letter if the Council are of mind to approve. Where relevant, some of these conditions have been adopted as highlighted in para. 10.7 (limit on days structures erected) and 10.27 (temporary consent to monitor).

10.35 It was considered unnecessary to place restrictions on both hours of operation and the number of events. The noise controls recommended in Appendix 1 are sufficient and any additional controls would not align with the license that is presently in place since 2006. A condition is recommended requiring that the marquee and equipment to be removed from the site on specific dates after each season which would ensure the land is returned to its lawful use. Subject to complying fully with these conditions, it would not lead to a detrimental impact on the surrounding residents as discussed above in the amenity section.

11. SUMMARY AND CONCLUSION

11.1 Summary

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

Conclusion

11.2 It is recommended that planning permission be granted subject to conditions 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	Temporary Consent (24 Months)																
	<p>CONDITION: The hereby approved development is granted only for a temporary period, being 24 months from 5 November 2016. After or before that date the temporary demountable structures shall be permanently removed and the site returned to its existing use, unless full planning permission has been granted.</p> <p>Reason: The temporary consent is such that the Local Planning Authority has a period to monitor the impact on the residents that adjoin the site and to ensure the noise mitigation measures are sufficient to protect their residential amenity.</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, HAC Summer 2016 Site Plan, HAC Winter 2016 Site Plan, HAC Summer 2016 Structure Plan Rev E, HAC Winter 2016 Structure Plan Rev E and</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	Removal of demountable structures																
	<p>CONDITION: The hereby approved temporary demountable structures shall only be erected and in use for two periods of the calendar year annually. The winter temporary demountable structures layout shall be erected solely between the following dates 5 November to 5 January (of the next calendar year). The summer temporary demountable structures layout shall be erected solely between the dates of 15 May and 15 July annually. The temporary demountable structures including fixtures and fitting shall be removed from the land outside both these time periods and the site returned to its existing use as private playing fields.</p> <p>Reason: In the interest of securing sustainable development, protection of private green space and neighbouring properties amenity.</p>																
4	Music Noise Levels																
	<p>CONDITION: Music Noise Levels shall not exceed the following limits as measured at monitoring positions MP2 - Bunhill Row (free field) and MP3 - City Road (free field):</p> <table border="1" data-bbox="379 1839 1307 2022"> <thead> <tr> <th>Period</th> <th>Overall L_{Aeq, 5mins}</th> <th>L_{eq, 5mins} 63Hz</th> <th>L_{eq, 5mins} 125Hz</th> </tr> </thead> <tbody> <tr> <td>0700 - 1800</td> <td>65dBA</td> <td>75dB</td> <td>70dB</td> </tr> <tr> <td>1800 - 2300</td> <td>60dBA</td> <td>75dB</td> <td>65dB</td> </tr> <tr> <td>23:00-07:00</td> <td>55dBA</td> <td>70dB</td> <td>65dB</td> </tr> </tbody> </table> <p>[Note: Measurement position MP2 is described as “1.5m above ground level outside 21 Bunhill Row”. Measurement position MP3 is described as “1.5m above ground</p>	Period	Overall L _{Aeq, 5mins}	L _{eq, 5mins} 63Hz	L _{eq, 5mins} 125Hz	0700 - 1800	65dBA	75dB	70dB	1800 - 2300	60dBA	75dB	65dB	23:00-07:00	55dBA	70dB	65dB
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0700 - 1800	65dBA	75dB	70dB														
1800 - 2300	60dBA	75dB	65dB														
23:00-07:00	55dBA	70dB	65dB														

floor and 5m from the boundary wall to City Road” - (see Plan in Figure 1 of Sustainable Acoustics report no 14-0163-3 RO1 dated 3rd June 2016).]

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

5 Public Address System

CONDITION: Public Address system noise levels shall not exceed the following limits at MP3 (unless otherwise agreed in writing by the Local Planning Authority), and in the event of a complaint when access is granted to residential premises then not greater than the values stated:

Description	LAeq	LAMax	LA90	Frequency as Leq (Octave Band in Hz)						
				63	125	250	500	1K	2K	4K
MP3	57	60	56	63	64	58	56	51	46	38
Inside residents with window ajar	45	47	43	48	57	47	42	37	30	23

All PA system use must cease by 22:30 hours, aside from up to 15 exempt events per year where use of the PA system is authorised until 23:00 hours. One month prior to the first day of each season, the list of event dates (where PA use is extended until 23:00 hours) will be submitted to the Local Planning Authority and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

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

6 Late Night Operations Plan (details)

CONDITION: A Noise Protocol and Late Night Operations Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the next seasonal use (winter/summer) of the site for the temporary approved use. No change there from shall take place without the prior written consent of the Local Planning Authority.

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

7 Beverage restriction outdoors

CONDITION: There shall be no consumption of beverages in any outside area after 22:00 hours.

REASON: To mitigate against noisy activities that may lead to noise transfer and ensure that the proposed development does not have an adverse impact on neighbouring residential amenity

8 Servicing restrictions

CONDITION: There shall be no bottling out, deliveries or servicing between 2300 hours and 0700 hours.

	REASON: To mitigate against noisy activities that may lead to noise transfer and ensure that the proposed development does not have an adverse impact on neighbouring residential amenity
9	Site set up construction restrictions
	<p>CONDITION: During the site set up and take down no noisy work shall be undertaken outside the following times:</p> <p>Monday to Friday 08:00 - 18:00 hours Saturday 08:00 -13:00 hours.</p> <p>REASON: To mitigate against noisy activities that may lead to noise transfer and ensure that the proposed development does not have an adverse impact on neighbouring residential amenity</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Other legislation
	You are reminded of the need to comply with legislation outside the realms of the planning legislation including Building Regulations, Environmental Regulations, Inclusive Design etc.

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

1 Context and strategy Policy 1.1 Delivering the strategic vision and objectives for London	5 London's response to climate change Policy 5.3 Sustainable design and construction Policy 5.13 Sustainable drainage Policy 5.17 Waste capacity
2 London's places Policy 2.10 Central Activities Zone – strategic priorities Policy 2.12 Central Activities Zone – predominantly local activities Policy 2.18 Green infrastructure: the network of open and green spaces	6 London's transport Policy 6.2 Providing public transport capacity and safeguarding land for transport Policy 6.3 Assessing effects of development on transport capacity Policy 6.9 Cycling Policy 6.10 Walking Policy 6.11 Smoothing traffic flow and tackling congestion
3. Policy 3.19 Sports facilities	
4 London's economy Policy 4.1 Developing London's economy Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision Policy 4.12 Improving opportunities for all	7 London's living places and spaces Policy 7.3 Designing out crime Policy 7.4 Local character Policy 7.5 Public realm Policy 7.6 Architecture Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

- Policy CS7 (Bunhill and Clerkenwell)
- Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS11 (Waste)
Policy CS15 (Open Space and Green Infrastructure)

C) **Development Management Policies June 2013**

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM2.4 Protected views

Health and open space

DM6.3 Protecting open space
DM6.5 Landscaping, trees and biodiversity

Employment

DM5.1 New business floorspace
DM5.2 Loss of existing business floorspace
DM5.3 Vale Royal / Brewery Road Locally Significant Industrial Site
DM5.4 Size and affordability of workspace

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling

D) **Finsbury Local Plan June 2013**

BC7 Historic Clerkenwell
BC8 Achieving a balanced mix of uses

5. **Designations**

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

- Finsbury Local Plan Area
- Conservation Area
- Local views
- Open Space
- Archaeological Priority Area
- Core Strategy Key Area
- Conservation Area
- Central Activities Zone

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

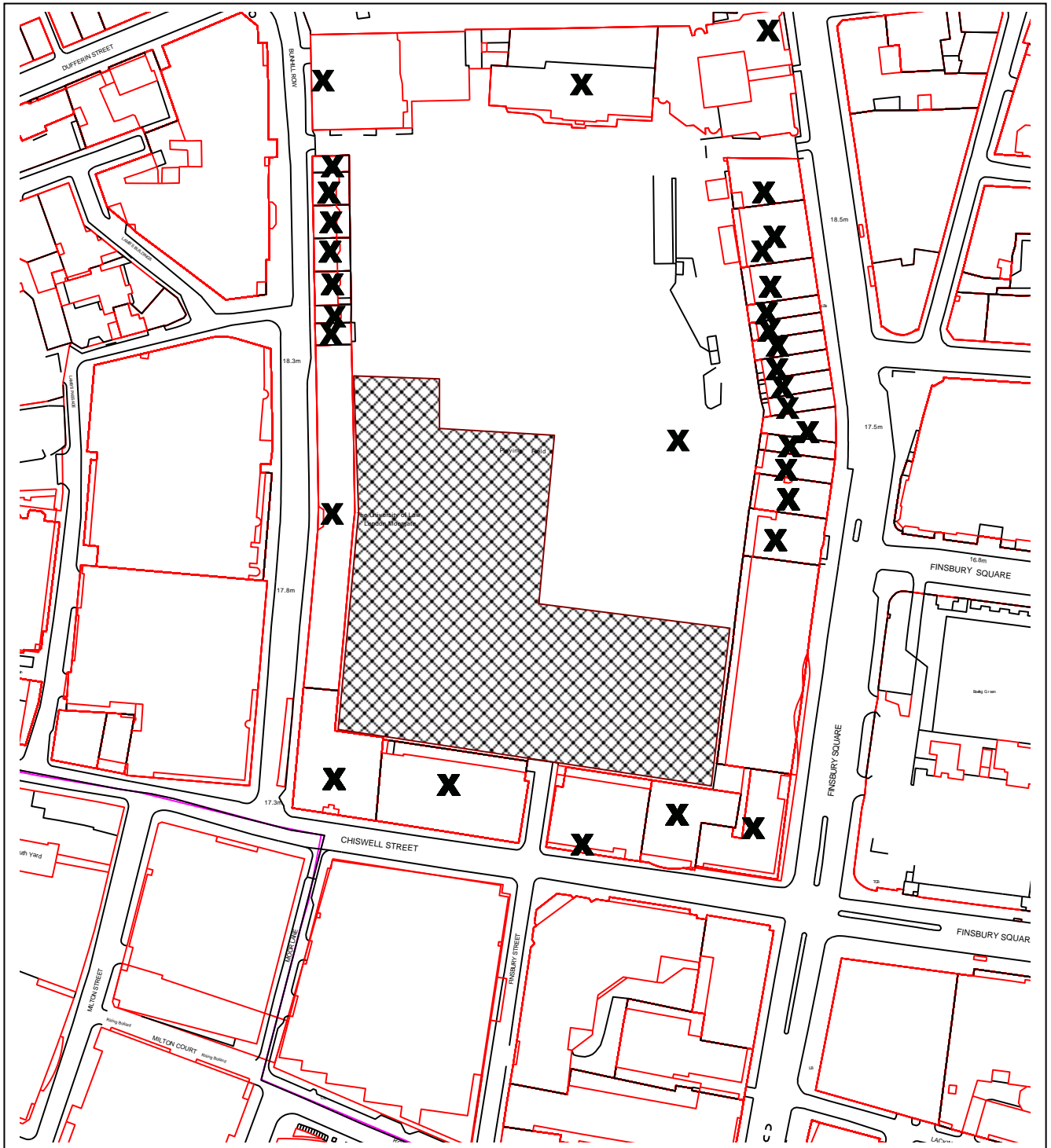
- Conservation Area Design Guidelines
- Urban Design Guide

London Plan

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

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		
Date:	8 September 2016	NON-EXEMPT

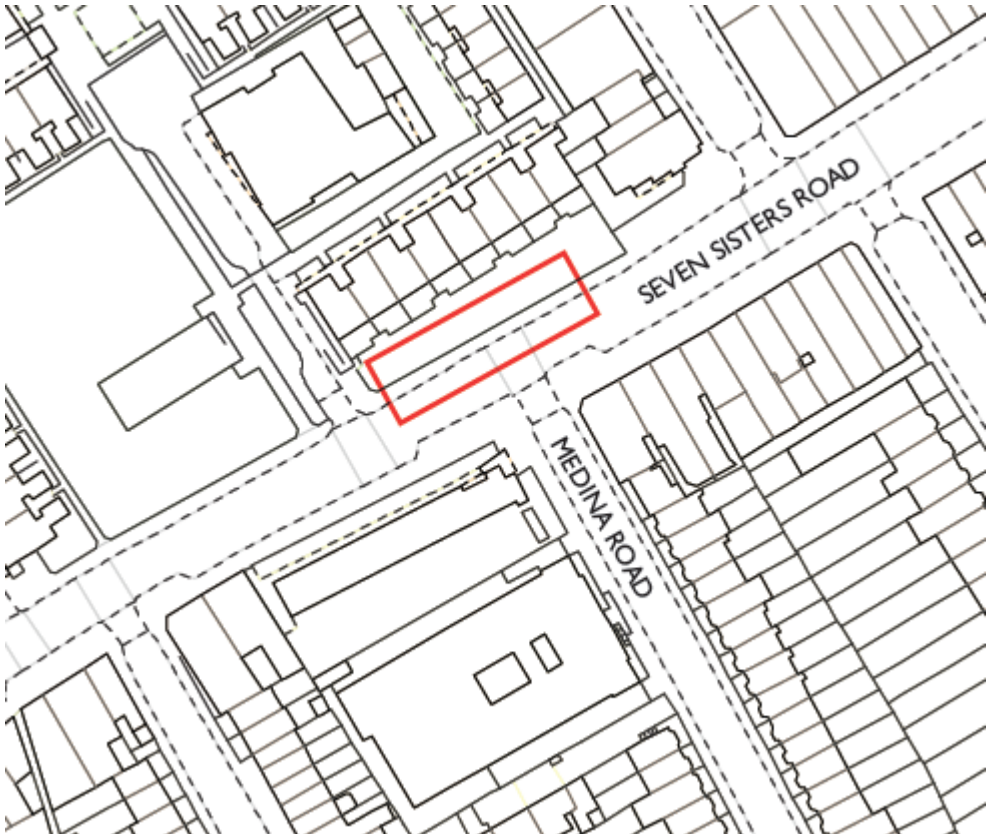
Application number	P2015/3963/ADV
Application type	Advertisement Consent (Council's own)
Ward	Finsbury Park
Listed building	Not Listed
Conservation area	N/A
Development Plan Context	Finsbury Park Core Strategy Key Area Major Cycle Route Within 100m of Transport for London Road Network Road
Licensing Implications	None
Site Address	Grass verge outside Seven Sisters Road (north side), opposite Medina Road, Seven Sisters Road, London, N7 7PU
Proposal	Installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the grass verge outside Seven Sisters Road, opposite Medina Road

Case Officer	Daniel Power
Applicant	Islington Council
Agent	Jeremy Foster

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)



3. PHOTOS OF SITE/STREET

Location of sign



Image 1: Aerial Photo of the Front of the Site



Image 2: Street View of the Site

Location of sign

4. SUMMARY

- 4.1 Advertisement consent is sought for the installation of a free standing internally illuminated advertisement display panel (6 sheet) on the grass verge on the north side of Seven Sisters Road, opposite Medina Road.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The proposed advertisement display panel will neither harm the character or appearance of the adjacent buildings nor the wider street scene, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.

4.4 It is recommended that advertisement consent be granted subject to conditions.

5. SITE AND SURROUNDING

5.1 The application site relates to the grass verge fronting Seven Sisters Road, with fencing separating the site from the five storey block of residential units to the rear. These residential units to the rear form part of the Andover Estate. The site is located opposite the junction with Medina Road. The immediate area is characterised by a mix of residential and commercial units varying between three and five storeys in height.

5.2 The building is not listed however the site is not located in a conservation area. The surrounding area is of mixed character.

6. PROPOSAL (IN DETAIL)

6.1 Advertisement consent is sought for the installation of a freestanding internally illuminated advertisement display panel (6 sheet) on the grass verge on the north side of Seven Sisters Road, opposite Medina Road. The

6.2 The proposed sign will measure a maximum of 2.695 metres in height, 1.37 metres in width and 0.24 metres in depth. The visible area of the digital screen display will measure 1.15 metres in width and 1.76 metres in height. The proposed display will be internally illuminated and the LED backlit display brightness will be fully adjustable to distinguish between day and night ambient levels.

Revisions:

6.3 Revisions were made to the plans on 19 October 2015 as the sign was changed from being non-illuminated to internally illuminated, a full neighbour reconsultation was carried out on the amended plans.

6.4 Further amendments were made to the plans on 17 August 2016 reducing the height of the advert and diverting the railing around the advert.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 None

ENFORCEMENT:

7.2 None

PRE-APPLICATION ADVICE:

7.3 None

8. CONSULTATION

Public Consultation

8.1 Letters were sent to 47 occupants of adjoining and nearby properties at Seven Sisters Road, Medina Road and Roth Walk on the 06/10/15. A site notice was placed outside

the site on 8/10/15. Therefore the public consultation expired on 29/10/15. Neighbours were re-consulted on amended plans on 19/10/15, the consultation period therefore expired on 12/11/15.

At the time of the writing of this report one (1) objection had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Addition of visual and street clutter (10.5)
- No need for advertising in this location (8.2)
- Loss of green space (10.4)
- Proposal will set precedent for other advertisement signs (8.2)

8.2 Each application is considered on its own merits, for advertisement applications the only issues that can be assessed are impact on amenity and highway safety, 'need' is not something that can be considered. If Members are minded to approve this application, it would not set a precedent for allowing other advertisements in this location.

Internal Consultees

8.3 **Design and Conservation Officer:** Objects to the proposal. Very prominent location, clutter to the streetscene and not particularly attractive addition to pedestrian experience along Seven Sisters Road.

8.4 **Highways:** No objection.

External Consultees

8.5 **Transport for London:** No objection to the principle of development subject to the inclusion of conditions.

9. RELEVANT POLICIES

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

National Guidance

9.1 The National Planning Policy Framework 2012 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals. Development Plan

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

Designations

- 9.3 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Finsbury Park Core Strategy Key Area
 - Major Cycle Route
 - Within 100m of Transport for London Road Network Road

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

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

- Amenity
- Highways Safety

Amenity

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building,
- 10.3 The application site is not located in a conservation area, but is located on a TfL red route, a main thoroughfare through the Borough. Whilst the buildings to the rear of the application site itself are not of the same high quality design as other buildings within the locality, it is important to ensure that any new signage would not have a detrimental impact on amenity.
- 10.4 The proposed advertisement sign will be positioned on the grass verge close to the railings which separate the verge from the existing pavement, not on designated open space. Several large trees line the grass verge which partially obscures the residential units behind. To the rear of the grass verge is a terrace of five storey residential dwellings which are part of the Andover Estate and the height and scale of these buildings form a dominant presence and setting along the north side of Seven Sisters Road, against which the setting of the advertisements should be assessed.
- 10.5 The proposed sign will measure 2.695 metres in height and will be set back from the edge of the public highway. It is considered that when viewed against the back drop of the neighbouring residential properties and verdant landscape, the proposed advertisement sign will not create an overly dominant feature that would have a detrimental impact on amenity. Immediately adjacent to the site is a public telephone box and the proposed advertisement will be located close to the existing traffic lights. It is therefore considered that the proposal will not result in unnecessary and additional clutter to the detriment of the existing landscape. The size of the proposed

sign is also relatively small in relation to the grass verge on which it will be located. Furthermore, as the sign is not located in close proximity to any neighbouring residential windows, it is not considered that the sign, by reason of its illumination, would have a detrimental impact on residential amenity.

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

Highways Safety

- 10.7 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.
- 10.8 The proposed sign will be internally illuminated, will not have flashing illumination and will have an LED backlit display brightness which can be adjusted to suit the day/night ambient levels. The sign will be located on the grass verge which is protected by the railings to ensure there are no public safety hazards and maintain the free flow of pedestrian traffic. The plans have been reviewed by both the Council's Highways Team and Transport for London who, subject to conditions, raised no objections to the proposal in terms of its size, siting or method of illumination and did not consider the proposed sign to have a detrimental impact on highways safety. The proposal is therefore not considered to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

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

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

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London

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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.6 Advertisements

5. Designations

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

- Finsbury Park Core Strategy Key Area
- Major Cycle Route
- Within 100m of Transport for London Road Network Road

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

Urban Design Guide (2006)

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB COMMITTEE A		
Date:	08 September 2016	NON-EXEMPT
Application number	P2016/0867/FUL	
Application type	Full Planning Application (Council's Own)	
Ward	Junction	
Listed building	Grade II Listed	
Conservation area	Part within Highgate Hill/Hornsey Lane Conservation Area Part within Whitehall Park Conservation Area	
Development Plan Context	Grade II Listed Highgate Hill/Hornsey Lane Conservation Area Whitehall Park Conservation Area Local cycle routes Strategic Cycle Route Sites of Importance for Nature Conservation Site within 100m of a TLRN Road Rail Land Ownership - TfL Surface Rail Land Ownership - TfL Tunnels	
Licensing Implications	None	
Site Address	St. Aloysius College, 32 Hornsey Lane, N6 5LY	
Proposal	Erection of a three storey building to provide additional educational facilities to existing school and the construction of an associated external staircase and canopy.	
Case Officer	Sandra Chivero	
Applicant	St Aloysius College	
Agent	Mr Jamie Goodwin - Built-Off Site Ltd.	

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

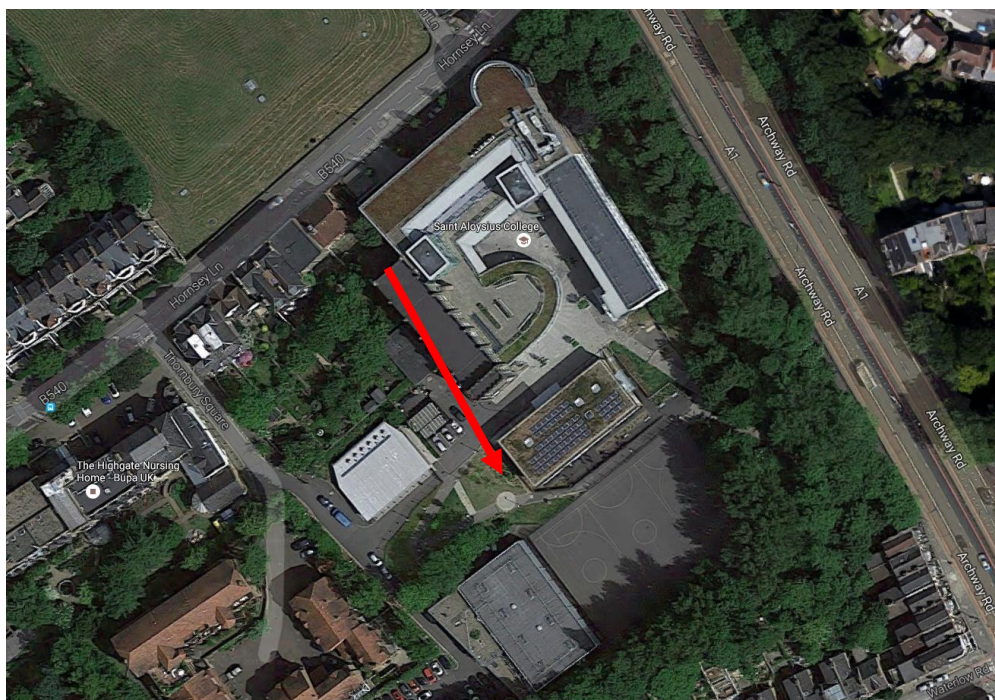


Image 1: Aerial view of the site arrow pointing at location of new building.

4. SUMMARY

- 4.1 The application seeks planning permission to erect a three storey building. The new building would be located to over open space adjacent the existing sixth form block at the centre of the site. The purpose of the building is to create six additional classrooms augmented to the existing sixth form college. The classrooms are required to provide specialist facilities for teaching AS and A2 Level science and BTEC level 3 courses; bring the sixth form facilities in line with other facilities available at other sixth form colleges as well as allow for provision of adequate toilet facilities for female students.
- 4.2 The building which follows the style of the existing sixth form block approved in 2013 is considered acceptable in design terms and would relate positively to the form and materials of the other school buildings on the site. The loss of the existing open space is regrettable. However, the need for specialist classrooms and improved facilities is considered to outweigh the harm of the loss of non-designated open space in this instance.
- 4.3 The Tree Officer does not object to the removal of the recently planted trees provided that the replacement trees are the right species for the site, planted at an appropriate size and have the potential to replace the projected canopy cover proposed to be lost. A condition has been attached to the effect. The proposal is also not considered to impact on the trees on site with Tree Preservation Orders.
- 4.4 Overall, the proposed development is not considered to have any material adverse impacts on adjoining residents' amenity levels in terms of noise disturbance, overlooking or loss of light and balanced against the provision of improved education facility it is considered acceptable.
- 4.5 The application is presented to committee because of the number of objections received.

5. SITE AND SURROUNDING

- 5.1 The site encompasses a 19th Century building and associated school buildings, a sixth form block, a sports hall, a multi-use games area (MUGA), and car parking. There is a heavily wooded embankment to the eastern edge of the site which drops down steeply to Archway Road (the A1). The trees around the edges of the site protect the site from the A1 to the east and form a break between the school's grounds and the residential properties to the south on Waterlow Road. The former is known as the 'Archway Road cutting', an Islington Borough Grade 1 rated Site of Nature Conservation Importance, enclosed by fencing and approximately 6 metres east of the site of the proposed building.
- 5.2 The site is located at the northern boundary of the borough with Haringey, lies opposite a reservoir and above and to the west of Archway Road (A1). The adjoining properties to the west on Hornsey Lane are residential. The site slopes considerably from north-west down to south-east and within this there are three main levels. There is a Grade II listed war memorial set into the site at its eastern end on Hornsey Lane, enclosed from the school by a brick wall.
- 5.3 Although the College is a boys' school, the sixth form is open to all sexes.

5.4 The site itself is not within a conservation area, but is bounded in part by the Highgate Hill/Hornsey Lane CA to the north-west and Whitehall Park Conservation area to the north-east

5.5 The site also falls within Flood Zone 1.

6. PROPOSAL (IN DETAIL)

6.1 It is proposed to erect a three-storey building to provide additional teaching facilities (6 no. specialist classrooms) to augment the existing sixth form college. The classrooms are required to provide specialist facilities particularly for teaching A2 and A2 Level science and B-TEC level three courses currently taught in non-specialist rooms. The building would also allow the sixth form facilities to be brought to standard with other facilities available at 16-19 colleges as well provide adequate toilet facilities for female students.

6.2 It is confirmed that the new building is to accommodate current student levels and it is not proposed to increase the number of students attending the college as a part of the proposed scheme.

6.3 The principal access to the building will be on the northern elevation at first floor level. The building will be finished in brick to match the existing main school entrance and will incorporate an external metal staircase to the southern elevation to accommodate the changes in levels between the north and south of the building.

6.4 It is also proposed to install a canopy to the northern elevation linking the new building to the existing sixth form block. Photovoltaic (PV) panels will also be installed to the flat roof of the new building.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

Application Number	Development Description	Decision	Decision Date
P2014/1367/NMA	Application for Non-Material Minor Amendments (S96) to Planning Permission Reference: P2013/3813/S73 dated 14 January 2014 that granted a variation to Condition 2 (Approved Plans) of Planning Permission Reference: P2013/0778/FUL dated 8 August 2013 for proposed amendments to relocate the approved building 1.5 metres to the south; create a retaining wall and bridged walkway, amended landscaping and alterations to the window reveals. The non-material minor amendments sought include: <ul style="list-style-type: none"> - Relocating the building 800 mm to the south; - Relocating the building 489mm to the west; and <ul style="list-style-type: none"> - Western retaining wall extended 1714mm. 	AGREED	12/01/2016
P2013/3813/S73	Application for variation to condition (approved plans) of planning permission ref: P2013/0778/FUL dated 8th August, 2013. The	Granted	14/01/14

	<p>proposed amendments are: to relocate the approved building 1.5 metres to the south; create a retaining wall and bridged walkway, amended landscaping and alterations to the window reveals [Revised Description].</p> <p>This application may affect the character and appearance of the conservation area. Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended); section 73.</p>		
P2013/0778/FUL	Construction of a new 2/3 storey sixth form centre building to accommodate 250 pupils.	Granted	08/08/2013
P092418	The continued use of temporary school accommodation (approved consent P071705) during construction of the school redevelopment scheme (approved consent ref: P071734). The temporary accommodation consists of a three-storey building located to the east of the existing music block consisting of a floorspace of 191 square metres and will be in situ for an additional 32 weeks (to 4th June 2010), and a four-storey building located to the south of the existing music block, consisting of a floorspace of 343 square metres, and will be in situ for an additional 53 weeks (to 12 November 2010). The development falls within use class D1 (non-residential institutions) with both temporary buildings being used primarily for the purpose of providing temporary teaching accommodation for continuity in delivering the curriculum. The buildings will also accommodate office and storage accommodation ancillary to the use and construction of the school. There is no change to the design of both buildings which are fully accessible. (This is a subsequent application to the approved application P071705, dated 30 November 2007).	Granted	05/05/2010
P080111	Application under Section 73 of the Town and Country Planning Act 1990 for variation of conditions 4, 8, 9, 16 and 24 of planning permission P071734 issued 30/11/2007, to have the effect of varying the requirements for the timing of the submission of details pursuant to these conditions.	Granted	05/02/2008
P071735	Conservation area consent in connection with the demolition of the caretaker's cottage at the front of the site.	Granted	30/11/2007
P071734(MA01)	Minor amendment application to planning permission (LBI ref: P071734) for the removal of four small Conifer trees on the northeast of the site	Agreed	27/04/2009
P071734	The redevelopment of the existing St Aloysius' College for continued secondary education	Granted	30/11/2007

	<p>purposes. This would comprise the demolition of the existing centrally located building and the block to its south, the erection of a new building of 3 storeys above ground level fronting Hornsey Lane, the erection of a new sports hall in the south west part of the site, refurbishment and extensions to the existing original school building, and refurbishment and extensions to a 1960s block on the eastern side of the site. This would provide 8139 sq m of gross floor area. The proposal involves alterations to the Hornsey Lane access, alterations to servicing and parking areas, cycle storage, the retention and refurbishment of an artificial multi-use games area, works to trees including felling and pruning, landscaping, and renewable energy supply. The development falls within use class D1 (non-residential institutions). Refer to application P071735 for conservation area consent for demolition, and application P071705 for proposed temporary buildings in association with the proposed school redevelopment.</p>		
P071705	<p>A full planning application has been received for the erection of temporary school accommodation during construction of a proposed school redevelopment scheme. The temporary accommodation consists of the erection of two buildings which would be in place for up to 69 weeks. The first would be a three storey administration building covering an area of 191 sqm, located to the east of the existing single storey music block. The second building would comprise a four storey teaching building covering an area of 343 sqm, located to the south of the existing music block. Total gross floor area of both buildings would be 1942 sqm. Both temporary buildings would be nearer the Thornbury Square entrance to the site than the Hornsey Lane frontage. The proposal involved the felling of two trees and works to others. The development falls within use class D1 (non-residential institutions).</p>	Granted	30/11/2007
P021226	Erection of a single storey music block.	Granted	22/08/2002
831845	Erection of a temporary double classroom unit to be sited at rear of 26 Hornsey Lane.	Granted	27/02/1984

ENFORCEMENT:

7.1 None Relevant

PRE-APPLICATION ADVICE

7.2 None

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 215 adjoining and nearby properties at Thornbury Square, Hornsey Lane, Thornbury Square, Waterlow Road, Archway Road and Highgate Hill on 05 April 2016. A site notice and a press advert were displayed on 14 April 2015. The public consultation of the application therefore expired on 05 May 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 writing this report seven objections had been received from the public with regard to the application. The issues raised are summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Noise, disruption and disturbance during building works; (Para. 10.17, 10.19 & 10.30)
- Properties along Hornsey Lane not included in site context; (Para. 10.30)
- Impact on views and privacy to neighbouring properties and gardens; (Para.10.18)
- No letter received by neighbours from the Head Teacher to view plans of current scheme; (Para. 10.31)
- Pressure for yet more school space to come in due course (Paragraph 10.9)
- Duration of works; (Para. 10.29)
- Intrusive and blocks view of garden to neighbouring property; (Para.10.18)
- Visual impact to neighbouring property already affected by the recent school building works; (Para.10.33)
- Issues relating to the recent scheme; (Para. 10.33)
- More additional space required soon after a programme was completed for the recent large scale development programme; (Para.10.2 – 10.4)
- Not clear from plans what the impact on neighbouring property at no. 22 Hornsey Lane would be; (Para. 10.18)
- Further impact on character and potentially value of neighbouring property; (Para. 10.10 – 10.15 &10.29)
- Photomontage/ visualisation of expected views from individual properties should be provided; (Para. 10.32)

External Consultees

8.3 TFL – No response received.

Internal Consultees

8.4 **The Design and Conservation Officer** stated that the design and proportions of the building are considered acceptable in this setting and are still positioned far enough away so as not to significantly impact on the surrounding neighbouring buildings. However, concerns were raised regarding the large expanse of brickwork to the front elevation which it is felt could be better articulated.

- 8.5 It was also stated that the brickwork should match the 2013 building in terms of brick type and colour as well as matching the deep window reveals and timber windows.
- 8.6 **The Inclusive Design Officers** does not object provided a condition is attached requiring provision of a passenger lift.
- 8.7 **The Tree Officer** commented that there are no arboricultural reasons to recommend the refusal of application subject to securing the canopy replacement for the trees proposed to be removed.
- 8.8 The Tree Officer is also satisfied that existing TPO Trees would not be impacted upon by the development.
- 8.9 **The Acoustic Officer** highlighted that the acoustic performance of the building is vital for a good learning environment. An informative was recommended drawing attention to the BB93 which sets out minimum performance standards for the acoustics of school buildings.
- 8.10 It was also stated that the relatively low power bulkhead lighting on the building would not be likely to result in significant impact upon any nearby residential properties.
- 8.11 It was further highlighted that no mechanical plant is explicitly shown on the drawings but with a building of this scale it is normally expect to have some to service the building. A noise control condition and a condition requiring the submission of a Construction Management Plan were recommended to minimise the impact on the residential amenity of neighbouring properties.
- 8.12 **The Nature Conservation Officer** was satisfied that the proposed building will not adversely affect the SINC site and that the proposed development site itself is of low value to wildlife. No objections were raised provided conditions are attached relating to light levels and bats, and the addition of bird and bat boxes.

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

- 9.4 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.

Designations

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

- Grade II Listed
- Highgate Hill/Hornsey Lane Conservation Areas
- Whitehall Park Conservation Areas
- Local cycle routes
- Strategic Cycle Route
- Sites of Importance for Nature Conservation
- Site within 100m of a TLRN Road
- Rail Land Ownership - TfL Surface
- Rail Land Ownership - TfL Tunnels

Supplementary Planning Guidance (SPG) / Document (SPD)

9.6 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
- Loss of open space
- Design & impact on Conservation Area
- Sustainability
- Landscaping

Land-use

10.2 The new building is proposed to provide additional teaching facilities (6 no. classrooms) to augment the existing sixth form college. It stated that the development of the St Aloysius College sixth form as a part of the Islington Consortium of schools to include Central Foundation, Highbury Fields, and Highbury Grove has resulted in an increase in the number of students educated at the site each week. This has resulted in increased pressure on the teaching facilities and staffing levels.

10.3 The classrooms are required to provide specialist facilities particularly for teaching science and B-TEC level three courses currently taught in non-specialist rooms which is a disadvantage for students. The building would also allow the sixth form facilities to be brought to a standard level with other facilities available at other sixth form colleges as well as providing adequate toilet facilities for female students.

10.4 It was also confirmed by the applicant that the new building is to accommodate current student levels but could provide for future increases in student numbers.

10.5 This application results in the loss of 224.32 square metres of open space. This is not designated formal amenity space but used as informal recreational space. The sixth

form pupils have the option of utilising the common room provided within the existing sixth form block and would be able to go off-site during break and lunch times. The rest of the pupils on site use the outside courts as external amenity space. The shortfall is unfortunate but its loss is balanced by the benefits the development brings.

- 10.6 The new building will serve to improve the educational facilities for the sixth form pupils through providing specialist teaching facilities for specialist subjects allow for provision of adequate toilets for female students and improve the education facilities. The benefits of the additional teaching space for the college are considered to outweigh the loss of open space which would not be replaced. Policy 3.18 of the London Plan 2015 supports the expansion of education facilities and the enhancement of facilities for educational purposes. The provision of the new classroom space is classified as provision of new social infrastructure which is supported by policy DM4.12 of the Development Management Policies 2013.
- 10.7 Meeting the needs of current and future pupils within the College grounds is evidently a key benefit of this proposal. This would be in accordance with the National Planning Policy Framework which states that the Government, *“attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement...”* The framework also states that Council’s should give “great weight to the need to create, expand or alter schools”. Likewise, The London Plan is supportive of proposals which enhance education and skills provision, including the expansion of existing facilities.
- 10.8 Islington’s Development Management Policy DM4.12 states that extensions to social infrastructure such as this must be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes; provide buildings that are inclusive and flexible and be sited to maximise shared uses.
- 10.9 Concerns have been raised regarding pressure for more school space to come in due course. As discuss above the current application is to improve the educational facilities for the sixth form pupils through providing special list teaching facilities for specialist subjects, allowance to provide adequate toilets for female students and bring the education facilities to the expected standards. The current proposal also factors in an increase in the number of student attending the school.

Design

- 10.10 The proposed three storey building which follows the style of the existing sixth form building approved in 2013 is considered acceptable in principle. While the new building is within the centre of the site and there are limited public views, it would be seen from Thornbury Square and possibly from properties 16-28 Hornsey Lane. However, the design and proportions of the building are considered acceptable in this setting and the building is positioned far enough away so as not to significantly impact on the surrounding neighbouring buildings.
- 10.11 The brickwork would be required by condition to match the 2013 building in terms of brick type and colour as well as matching the deep window reveals and timber windows. This is secured by condition.
- 10.12 Concerns were raised regarding the large expanse of brickwork to the front elevation. During the course of the application, amended drawings were received showing additional windows to the blank façade. This is considered to address the concerns

raised by breaking areas of blank brickwork and as such the proposed design is now considered acceptable.

- 10.13 Windows are arranged with a horizontal emphasis which is appropriate to the block form of the building.
- 10.14 The proposed staircase and canopy linking the new building to the existing sixth form would be in keeping with the new building and the existing sixth form block.
- 10.15 Overall, the proposal is considered not to detract from the character and appearance of the abutting Highgate Hill/Hornsey Lane Conservation Area and Whitehall Park Conservation or impact on the Grade II Listed Building. The proposal would therefore accord with policy DM2.1 Development Management of the Development Management policies (2013) which requires new development to respect and respond positively to existing building and the surrounding area.

Amenity

- 10.16 The lighting proposed is relatively low power bulkhead lighting on the building. It is not considered likely to result in significant impact upon any nearby residential properties.
- 10.17 There is no mechanical plant explicitly shown on the proposed drawing but with a building of this scale it is normally expected that would be incorporated to service the building. As such, a noise control condition in relation to the operation of any roof plant has also been attached to the permission to prevent any noise pollution.
- 10.18 Concerns were also raised regarding impact on views and privacy to properties on Hornsey Lane including the private garden areas. The proposed new building would not be located adjacent to habitable windows of nearby properties. The nearest residential properties are located 35m away. The proposal given its size and scale is therefore considered not to result in overshadowing, overlooking, loss privacy, loss of light, over-dominance, increase sense of enclosure nor loss outlook to neighbouring residential properties.
- 10.19 The proposed new building is also not considered to result in unreasonable noise disturbance to the nearby residential properties. A further condition requiring the submission of a Construction Management Plan is attached in order to minimise the impact for neighbouring residential properties.
- 10.20 Overall, the proposal would accord with policy DM2.1 which requires development to safeguard the residential amenity to neighbouring properties.

Transport

- 10.21 Although the proposed new three-storey teaching building is to accommodate current levels of pupils, an assessment has been carried out in order to demonstrate what traffic impact would occur if the school expanded by the number of pupils that could be accommodated within the proposed building. The report shows that the site can accommodate extra 180 pupils without any significant impact on the transport network. It is stated that a large proportion of pupils travel by public transport because of the widespread catchment area.
- 10.22 It is also stated that if the facilities are not provided pupils might have to attend a different school, which might be less accessible and require different travel

arrangements; furthermore the impact of the development proposal has been robustly shown to have a minimal impact on the operation of the local highway network.

Inclusive Design

- 10.23 Serious concerns were raised regarding failure to install a lift within the new block as this would restrict mobility impaired students, staff and visitors to the ground and first floors. During the course of the application amended drawings were received showing the provision of a passenger lift. This considered to address the concerns raised and would accord with the policy DM2.1 and the Inclusive Design SPD. This is secured by condition.

Trees and Sustainability

- 10.24 The loss of the existing garden space and biodiversity is regrettable. However, the need for suitable classroom teaching space is considered to outweigh the harm. Eight trees are proposed to be removed to facilitate the construction of the development, 7 of these trees (T7 –T13) are between 3-6m in height and recently planted, they cannot be considered a constraint to the development as it is possible to replace the canopy cover and benefits that these trees provide could be elsewhere on the site. The remaining tree (T5), although larger, is of limited amenity value and again if the replacement is secured it is not a constraint to development. A condition has been attached to the permission requiring replacement trees to be the right species for the site, planted at an appropriate size and have the potential to replace the projected canopy cover proposed to be lost. It is also noted that there are a number of TPO'd trees (LBI TPO (No.335) 2007) onsite but none that would be impacted upon by the development.
- 10.25 The Nature Conservation Officer was satisfied that the proposed building will not adversely affect the SINC site and that the proposed development site itself is of low value to wildlife subject to conditions.
- 10.26 The site falls within Flood Zone 1. A flood risk report was provided with the application. It was stated that during investigation of flood risk, the site was found to be at negligible risk of flooding from rivers, sea, groundwater or reservoirs, based on information and data available at the time of drafting the report.
- 10.27 The report also states that it is not anticipated the new building will place a serious additional load on the surface water drainage network. A condition has been attached requiring additional roof and hardstanding runoff from the new buildings to be treated by a suitable source control SUDS feature, such as permeable paving, swale or filter drain. An informative has also been attached stipulating that care should be taken for any possible additional foul loading from the new building into a combined system.
- 10.28 During the course of the application amended drawings were received showing the PV Panels incorporated at roof level. This is welcome and would improve the environmental quality of the building. A condition has also been attached requiring the provision of a green roof consistent with the requirements of Policy DM6.5 of the Development Management Policies.

Other Matters

- 10.29 The concerns raised regarding duration of works, noise, disruptions and disturbance during building works as well as value of neighbouring properties are not material

planning considerations. However, a condition is recommended requiring a Construction Management Statement is recommended.

- 10.30 Concerns have been raised regarding the properties along Hornsey Lane not included in site context. The block plan and site plan submitted clearly show neighbouring properties including the properties along Hornsey Road in context of the application site. This was considered sufficient to assess the proposed works.
- 10.31 The concerns raised regarding no letter received by neighbours from the Head Teacher to view plans of current scheme are not a material planning consideration. It should be noted that letters were sent to adjoining and neighbouring properties a part of the Council's formal consultation of the application.
- 10.32 It was stated by a neighbour that a photomontage/ visualisation of expected views from individual properties should be provided. This is not a validation requirement. However, it should be noted that a site visit was carried out by the case officer during the course of the application who was able to see the neighbouring properties.
- 10.33 The concerns raised regarding the works to the existing sixth form centre are not a material consideration to the current scheme. Each application is assessed on its own merit. The current application therefore cannot be refused for the concerns raised relating to the previous scheme.

11. SUMMARY AND CONCLUSION

- 11.1 The increase in D1 teaching floor space is considered acceptable. Whilst the loss of the existing open space is regrettable, the provision of required additional education and improved facilities is considered to outweigh the harm of this loss. The design of the building is considered to be acceptable in design terms and will not be detrimental to the character of the Highgate Hill/Hornsey Lane Conservation Area.
- 11.2 The amenity of neighbouring residents will not be prejudiced and the scheme will not have significant transport impacts. Planning conditions are proposed to ensure that the scheme complies with Islington's Energy and Sustainability requirements.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions 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>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
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>01-1100, 01-1120, 01-1150, 01-1160 A, 01-1165, 01-1200 A, 01-1410, 01-1420, 01-2000 A, 01-2005, 01-2100 A, 01-2200 A;</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Window reveals
	<p>CONDITION: Notwithstanding the plans hereby approved, no development shall take place until cross-section drawings of window reveals with a depth of at least 180-200mm shall be submitted to and approved by the local planning authority.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	Surface Drainage
	<p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system in accordance with the principles as set out in London Plan policies: 5.13 and 5.15.</p> <p>The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: To ensure that sustainable management of water.
5	Rainwater Harvesting
	<p>CONDITION: Notwithstanding the approved plans details of a rainwater and/or greywater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite. The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.</p> <p>The rainwater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
6	Bird/Bat boxes
	<p>CONDITION: Details of bird and/or bat nesting boxes / bricks / shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>No less than 4 nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats.</p> <p>The nesting boxes / bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
7	Lift
	<p>CONDITION: The lift shall be installed and operational prior to the first occupation of the building hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that adequate access is provided to all floors.</p>
8	Inclusive Design
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. Details of the following shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>a) Evacuation Strategy demonstrating how staff and pupils with mobility impairment can safely evacuate the building;</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities</p>

9	Landscaping (Details)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c) existing and proposed underground services and their relationship to both hard and soft landscaping; d) soft plantings: including grass and turf areas, shrub and herbaceous areas; e) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; f) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; g) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and h) 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 shall have a two year maintenance / watering provision following planting. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained</p>
10	Tree Planting
	<p>CONDITION: There shall be eight replacement trees to be planted to mitigate the loss of the existing trees.</p> <p>The specification for the replacement trees shall include the quantity, size, species, and positions of all trees to be planted, how they will be protected and the proposed time of planting. The replacement trees shall be of a species that will ultimately attain a size suitable for the location.</p> <p>A schedule of maintenance of the trees until successfully established is to be agreed in writing with the local planning authority and implemented. The schedule shall include provision for replacement planting should establishment fail.</p> <p>All trees shall be planted in accordance with the details and times stated in the specification required by condition and in accordance with British Standard [BS4043 - Transplanting Root-balled Trees][BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces)].</p> <p>If within a period of 5 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent</p>

	<p>to any variation.</p> <p>REASON: To ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
11	Tree Protection
	<p>CONDITION: The tree protection shall be carried out in accordance with the submitted and approved drawing AL-20-008 Rev P1 "Tree Protection Plan" during the construction phase of the hereby approved new building.</p> <p>REASON: to ensure that existing trees are protected during the construction phase.</p>
12	Land Contamination
	<p>CONDITION: The development shall be carried out strictly in accordance with the land contamination investigation and necessary remediation shall be carried out prior to the first occupation of the development, and shall be maintained as such thereafter.</p> <p>REASON: Given the history of the site the land may be contaminated, potential remediation is necessary to safeguard the health and safety of future occupants.</p>
13	Materials to Match (Compliance)
	<p>CONDITION: The facing materials of the building hereby approved shall match those to the adjacent existing sixth form building and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
14	Fixed Plant (Compliance)
	<p>FIXED PLANT (COMPLIANCE): The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB (A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
15	Construction Environmental Management Plan
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. 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 mitigate the impact of the development to nearby residents and</p>

	businesses.
16	Biodiversity roofs
	<p>CONDITION: Notwithstanding the approved plans details of a biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall occupy the maximum feasible area of roof-space and be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm);</p> <p>b) notwithstanding the approved plans the use of the green roof on the main building should be maximised; and</p> <p>c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
17	BREEAM rating
	<p>CONDITION: Evidence confirming that the development achieves the highest feasible BREEAM rating shall be submitted to and approved in writing by the Local Planning Authority. The development shall aim to achieve a BREEAM 'Excellent' rating and at minimum shall achieve BREEAM 'Very Good' rating. The evidence shall be provided in the following formats and at the following times:</p> <p>a) a pre assessment report prior to any commencement of superstructure works on site; and</p> <p>b) a post-construction assessment, supported by relevant BRE accreditation certificate(s), shall be submitted following the practical completion of the development and prior to the first occupation.</p> <p>The development shall be carried out strictly in accordance with the details so approved and achieve the agreed rating(s). The development shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development</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.

	<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	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work</p>
3	Site Drainage
	<p>INFORMATIVE: Thames Water advised that it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. 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 0845 850 2777.</p>
4	Groundwater
	<p>INFORMATIVE: Thames Water advised that a groundwater discharge permit will be required if the developer proposes to discharge groundwater into a public sewer. Thames Water Developer Services should be contacted in relation to enquiries.</p>
5	Acoustics of school buildings
	<p>INFORMATIVE: Attention is drawn to BB93 which sets out minimum performance standards for the acoustics of school buildings, and describes the normal means of demonstrating compliance with the Building Regulations. It also provides guidance in support of the School Premises Regulations (2012) and the Independent School Standards (2013)."</p>
	Foul Loading
6	<p>INFORMATIVE: Care should be taken into account for any possible additional foul loading from the new building into a combined system.</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.

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

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:

3 London's people

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.18 Education facilities

Policy 3.19 Sports facilities

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.7 Location and design of tall

Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.19 Hazardous waste
Policy 5.20 Aggregates
Policy 5.21 Contaminated land

and large buildings
Policy 7.8 Heritage assets and archaeology
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature

8 Implementation, monitoring and review
Policy 8.1 Implementation

B) Islington Core Strategy 2011

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS15 (Open Space and Green Infrastructure)
Policy CS16 (Play Space)

Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation
Policy CS19 (Health Impact Assessments)
Policy CS20 (Partnership Working)

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS6 (King's Cross)

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Shops, Culture and Service

DM4.12 Social and Strategic infrastructure and cultural facilities

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

The following SPGs and/or SPDs are relevant:

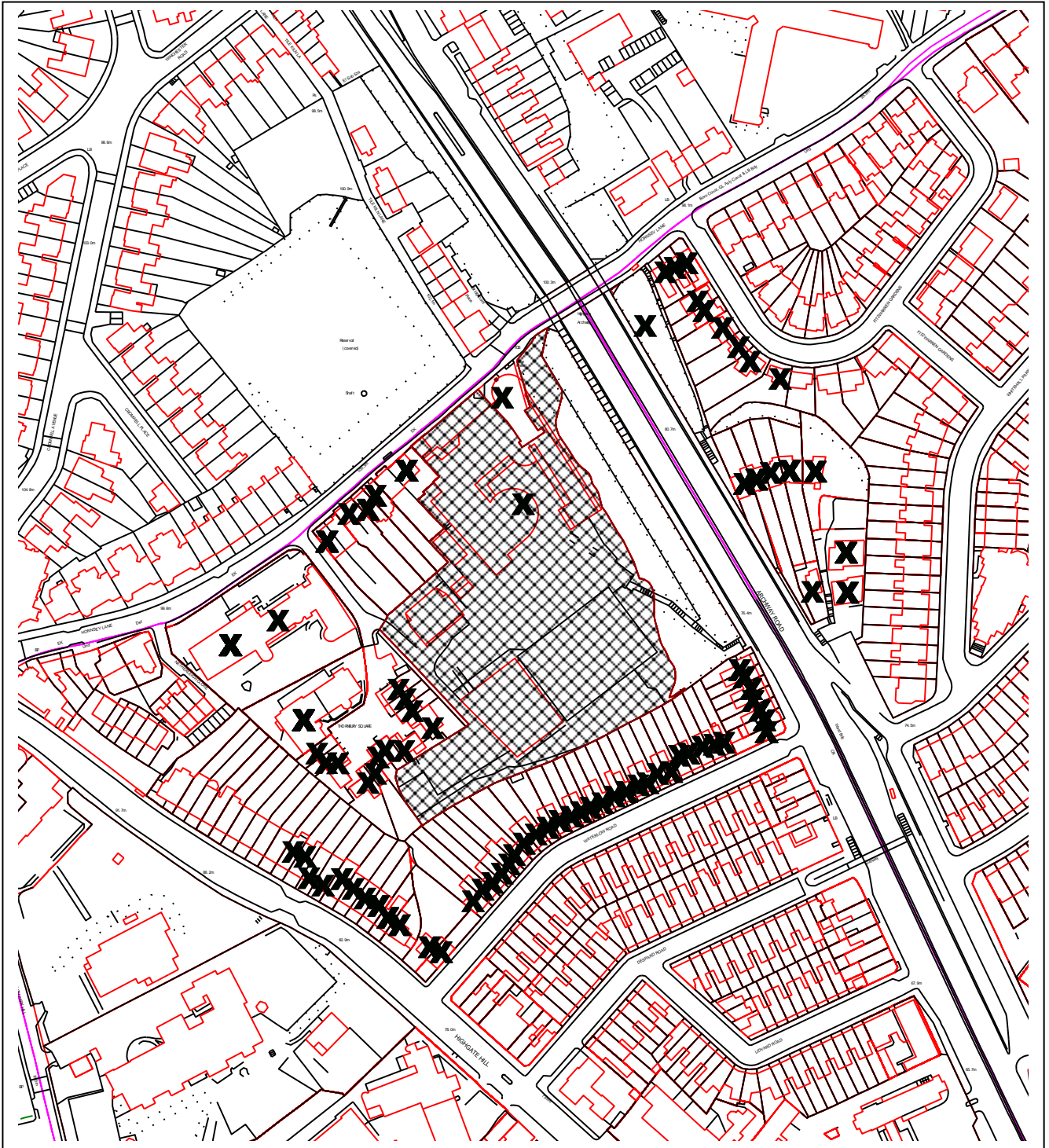
Islington Council Guidance

- Conservation Area Design Guidelines
- Green Construction
- Inclusive Landscape Design
- Environmental Design SPD
- Streetbook SPD
- Urban Design Guide

London Plan

- Accessible London: Achieving an Inclusive Environment
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE A		
Date:	8/9/2016	NON-EXEMPT

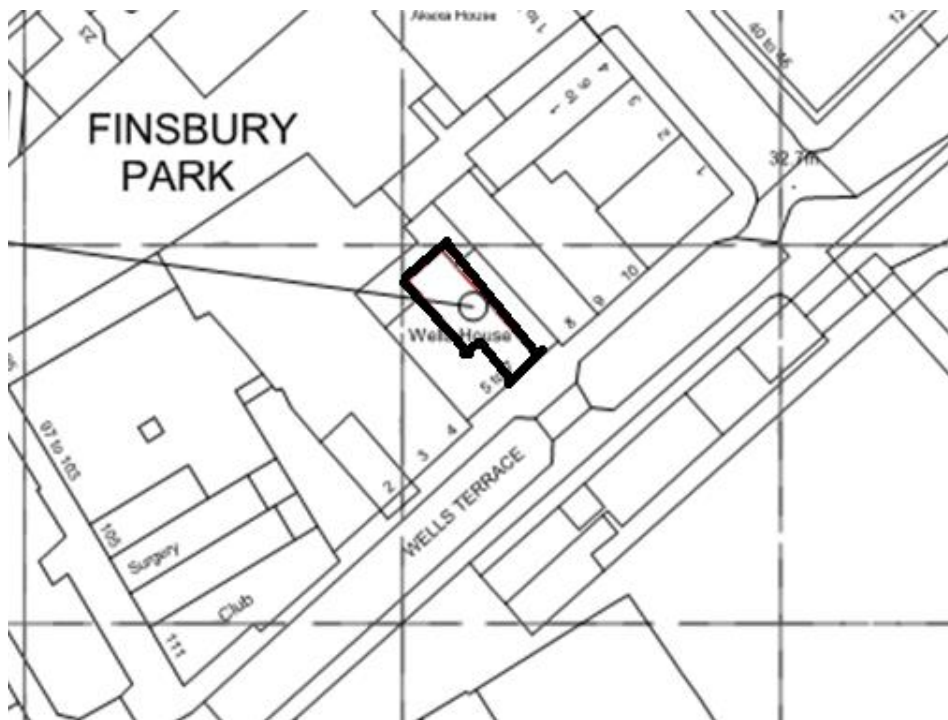
Application number	P2016/1213/FUL
Application type	Full Application
Ward	Finsbury Park
Listed Building	Not listed
Conservation Area	Not Located in Conservation Area
Development Plan Context	Article 4 direction - Office to residential Finsbury Park Core Strategy Key Area Secondary retail frontage Finsbury Park Town Centre
Licensing Implications Proposal	Liscense Approved for the site
Site Address	Unit 2, Wells House, 5-7 Wells Terrace, London N4 3JU
Proposal	Change of use from A1 to mixed off licence and bar use (Sui Generis) and alteration to shopfront.

Case Officer	Duncan Ayles
Applicant	Mr Cameron McKeown
Agent	Mr Ulf Vollmer-Koenig United Architecture

1. RECOMMENDATION

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

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET



Image 1: View of the Site from Wells Terrace

4 SUMMARY

- 4.1 The application proposes the change of use of an A1 retail unit to a mixed A1/A4 (Sui Generis) use comprising an off license and wine tasting/ bar use. The application site is located within Finsbury Park Town Centre and a secondary shopping frontage, and is in close proximity to the specialist clothing and textile retail area at Fonthill Road. Three previous applications at the site that sought consent for a change of use from A1 to A4 were refused due to the loss of A1 retail at the site.
- 4.2 Policy DM 4.5, which relates to changes of use from A1 to other uses within secondary shopping areas, requires marketing evidence to be submitted to justify the loss of A1 retail. The marketing information submitted in support of the application has been assessed by the Planning Policy Team, who have confirmed that the information is generally in accordance with policy. Unlike the previous applications at the site, the application is supported by 24 months marketing information concurrent with vacancy, and is therefore considered to be acceptable on land use grounds. The application follows the previously refused applications, but addresses the previous reasons for refusal, which was based solely on the loss of retail use.
- 4.3 The application also proposes to alter the shopfront, and the design of the shopfront is considered to be in accordance with policy DM 2.1 and the Islington Shopfront Design Guide. The proposed use is also considered to be acceptable on the grounds of amenity, subject to appropriate conditions being imposed.

5 SITE AND SURROUNDING

- 5.1 The application site is located at Unit 2, Wells House. This is an A1 retail unit located close to the Wells Terrace entrance to Finsbury Park Station. The application site is located close to a specialist shopping area where the majority of ground floor units are occupied by clothing and fashion shops. Wells House, at 5-7 Wells Terrace, is a four storey mixed use building. The upper floors are in use as B1 offices, with the other two ground floor units are used as a café and a bridal shop. The surrounding land use is also mixed, with buildings containing retail and café units at ground floor level, with either office or residential uses at upper floor levels.
- 5.2 The application site is located immediately opposite the City North Development. This is a large mixed use development comprising 335 residential dwellings, 2172 square metres of office floor space and 9665 square metres of A1-A4 floor space. This development is currently being constructed. The application site is located approximately 150 metres away from the Finsbury Park Bus and Underground Station.

6 PROPOSAL (in Detail)

- 6.1 Planning permission is sought for the change of use of the unit from an A1 retail use to a mixed retail (A1) and Wine Tasting/Bar use (A4), use which is considered to be a sui generis use. In addition to the retail use and the sale of wine to consume on the premises, the unit will also serve snacks, although without any primary cooking on site and without any flue or extraction equipment on the unit.
- 6.2 The application also seeks consent for the replacement of the existing shopfront, to a timber and glazed shopfront. No plant is proposed as part of the application, and no alterations are proposed to the rear of the unit.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P2015/2662/FUL:** An application for a change of use from A1-A4 was refused by Planning Sub-committee B on the 8th October 2016, due to the loss of the A1 retail use at the site.

REASON: The proposal would result in the loss of an A1 shop within a protected secondary retail frontage, close to a specialist shopping area, and the applicant has not provided the two years of substantive marketing evidence that demonstrates that there is no reasonable possibility that the unit could be brought back into use for A1 retail. The proposal is therefore in conflict with policy DM 4.5 Part B (iii) of the Development Management Policies 2013.

- 7.2 **P2015/1484/FUL:** An application for the change of use from A1-A4 and to alter the shopfront was refused, because the marketing information submitted was not considered to be considered to justify the loss of the A1 retail use.

REASON: The proposal would result in the loss of an A1 shop within a protected designated retail frontage, and the applicant has not provided the two years of substantive marketing evidence that demonstrates that the unit cannot not viable in A1 use. The proposal is therefore in conflict with policy DM 4.5 Part B (iii).

- 7.3 **P2015/0344/FUL:** An application for the change of use from A1-A4, and for the alteration of the shop front was refused because no marketing information had been provided to justify the loss of the A1 retail shop.

REASON: The proposal would result in the loss of an A1 shop within a designated retail frontage, and the applicant has not provided the two years of marketing evidence that demonstrates that the unit is not viable in A1 use. The proposal is therefore in conflict with policy DM 4.5 Part B (iii).

- 7.4 **P2013/0666/FUL:** An application for a change of use from A1 to a flexible A1/A2/B1 use was approved subject to conditions.

- 7.5 **P2013/0647/FUL:** An application to change the use from A1 to a flexible A1/A2/B1 use was approved subject to conditions.

ENFORCEMENT:

- 7.5 None

PRE-APPLICATION:

- 7.6 **Q2016/0490/MIN:** A pre-application enquiry was submitted for the change of use of the existing A1 retail unit to a mixed A1/A4 use comprising an off license with bar use. The advice given was that the change of use would be acceptable on land use grounds, subject to full marketing evidence being submitted to justify the loss of A1 retail in accordance with policy.

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 127 adjoining and nearby properties at Wells Terrace, Fonthill Road and Clifton Terrace on 19th April 2016. A site notice was displayed on the 28th April 2016. The public consultation of the application therefore expired on 26th May 2016. However it is the Council's practice to continue to consider representations made up until the date of a decision.

At the time of the writing of this report a total of six (6) responses raising objection had been received from the public with regard to the application. The issues raised can be summarised as follows:

- Loss of A1 retail (para 10.2-10.8)
- Consistency in decision making between this application and the previously refused applications (para 10.10)

Internal Consultees

- 8.2 **Planning Policy Team:** The information submitted is considered to be acceptable overall. Although some of the criteria within Appendix 11 are not completely met, a reasonable amount of evidence has been provided in total, notwithstanding some concerns regarding the format of the information submitted.
- 8.3 The remaining concerns regarding the information include the failure to provide photographic evidence of continuous contact information, and the number type and value of offers received.
- 8.4 **Updated Comment received 15/8/2016:** The proposal was considered to be acceptable based on the information previously submitted, however the information submitted now meets the 24 month marketing and vacancy requirement and this strengthens the information submitted.

8.5 **Licensing Team:** Have met with the applicant and this application falls within the terms of the Council's licensing policy.

8.6 **Noise Pollution:** This premise has already been through the licensing process, and there are a number of conditions applied relating to noise. These cover issues such as the use of amplified music, deliveries and dispersal of patrons, so it wouldn't be necessary to duplicate all of them. However, the hours of use should be conditioned to match the licensing approval.

External Consultees

8.7 **Crime Prevention Officer:** No objection.

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, 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)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and impact on the character and appearance of the area
- Impact on the amenity of neighbouring properties.

Land Use (Loss of A1 retail use)

- 10.2 The application site is located within a defined secondary retail frontage under the 2013 Development Management Policies, and has been most recently occupied by clothing shops within use class A1, although the unit has been vacant since July 2014. The application proposes to create a mixed off licence/wine tasting bar use, which will lead to the loss of an element of the existing A1 retail use at the site. This change of use requires planning permission and is not covered by the prior approval or flexible uses regime contained within the 2015 Use Classes Amendment Order.
- 10.2 The site is a secondary retail frontage located in close proximity to the specialist shopping area at Fonthill Road, which contains a significant number of clothing and textile shops. Policy DM4.9 B states that all applications near to specialist shopping areas will be assessed in terms of their impact on the character and function of the shopping centre. The proposal would lead to the loss of an element of A1 retail, as the site would change in use from a pure A1 use to a mixed A1/A4 use. The proposal would retain a traditional shopfront and also retail shelving in the front of the unit.
- 10.3 Policy DM4.5 B relates to changes of use within secondary frontages, and the policy details that the council will retain the A1 retail use character of these areas, unless five criteria are met. The proposal is in compliance with DM4.5 B (i) as the overall percentage of non-A1 retail units within the frontage would not exceed 50% of the units. With the change of use of the application unit, the secondary frontage at Wells Terrace from Fonthill Road to Clifton Terrace would comprise four units in non-A1 use out of a total of 10 units, which would equate to 40%.
- 10.4 DM4.5 Part B (ii) requires changes of use to not create a break in frontage of more than two non-retail units and (v) requires new uses to have an active frontage. Given that the front part of the unit would be retained as retail and would have an active frontage, it is considered that the application is in conformity with both of these requirements. The proposal is also considered to be in accordance with DM4.5 Part (iv) as the retention of a retail element would ensure that the overall retail function and character of the Town Centre would be protected.
- 10.5 Policy DM4.5 B (iii) requires that two years marketing information is provided to demonstrate that there is no realistic prospect of the unit being used for an A1 retail purpose. The unit has been vacant for over 24 months, and has been continuously marketed during this period. Appendix 11 to the 2013 Development Management Policies contains a checklist of marketing information required to demonstrate that there is not reasonable prospect of the unit being occupied as an A1 use.
- 10.6 The applicant has provided marketing evidence to address the requirements in appendix 11, and this has been updated during the lifetime of the application to address concerns raised by officers. The information submitted now covers the whole 24 month concurrent marketing and vacancy period

required by appendix 11. The Council's Planning Policy Team have assessed the information submitted, and confirmed that the majority of appendix 11 has been met, although some concerns remain regarding whether the contact information was continuously posted on the site, and regarding the number, type and value of offers received. Taken together, however, it is considered that the marketing information is sufficient to demonstrate that there is no reasonable prospect of the site being occupied by an A1 retail use in the near future.

- 10.7 Policy DM4.9 B states that all applications in and around specialist shopping area will be considered in relation to their impact on the character of a specialist shopping area. While it is considered that the change of use from a pure A1 use to a mixed use would lead to some adverse impact on the function of the specialist shopping area, especially given that the unit has previously been occupied by clothing shops, the impact is considered to be acceptable as the loss of A1 has been justified.
- 10.8 It is noted that there are a number of planning decisions that have granted the change of use of the units to a non-A1 use in 2013. However, these decisions pre-dated the existing Development Management Policies 2013, and were based on a policy within the Unitary Development Plan 2002, which did not require the submission of evidence such as vacancy and marketing information. As a result, the 2013 approvals are not considered to be highly material to this application.
- 10.9 Notwithstanding the above considerations regarding the loss of retail, the proposed mixed A1/A4 use is considered to be an appropriate town centre use. Policy DM4.2 confirms that entertainment and night-time activities are generally appropriate in town centres where they are compatible with other main town centre uses, do not cause an over concentration of such uses and are acceptable in terms of their impact on the amenity of neighbouring properties. The proposed retail and bar uses would provide activity throughout the afternoon and evening, and would be compatible with over uses in the area, as it would not give rise to unacceptable noise or amenity impacts. The application site is opposite the city north development which contains two units fronting Wells Terrace. These units have an unrestricted approval allowing occupation as; A1 (retail), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments) or D2 (assembly and leisure), and given the range of approved uses it is considered that the likelihood that an overconcentration of A4 units resulting in the area is low.
- 10.10 A number of respondents to the public consultation have objected to the proposal, and consider that the approval of the application would be inconsistent with the refusal of the change of use applications submitted in 2015. However, there are fundamental differences between this application and the 2015 refusals, including the provision of 24 months marketing evidence and the retention of an element of A1 use at the site as part of a mixed use. As a result, it is considered that there would be no inconsistency in the Council approving this application having refused the 2015 applications, as the proposal is materially different.

10.11 In Conclusion, although it is recognised that the proposal would lead to the loss of an element of A1 retail at the site, it is considered that this has been appropriately justified under the terms of policy DM4.5 B of the Development Management Policies 2013, and therefore is acceptable on land use grounds.

Design and Impact on the Character and Appearance of the Area

10.12 Policy DM 2.1 of the Development Management Policies requires all new development to be of a high quality, and to contribute to local character and distinctiveness. The council have also adopted the Islington Shopfront Design Guide SPD, which provides guidance on new shopfronts.

10.13 The application proposes to replace the existing aluminium framed shopfront, with a glazed and timber shopfront, with a fixed glazing stall riser. The Shopfront design guide confirms that two approaches to shopfront design are acceptable; a traditional Victoria/Edwardian shopfront or a modern shopfront that interprets traditional shopfront design in a contemporary manor.

10.14 The shopfronts within the vicinity of the site vary significantly, there are no examples of traditional shopfronts and the majority of shopfronts are modern examples with large glazed elements. As a result of this, it is considered that the use of a contemporary shopfront without traditional feature such as a timber stall riser would be acceptable and in accordance with Shopfront SPD. The design is considered to be of a high quality, and in accordance with policy DM 2.1 and the shopfront design guide.

10.15 The application does not include details of an advertisement above the shop, and it is understood that an advert would be installed through deemed consent or through a separate application. It is also noted that the application drawings indicate that the existing roller shutter and guide rails will be retained. As these features are in situ, the appearance of the shutters cannot be considered under this application.

Impact on the Amenity of Neighbouring Properties

10.16 The upper floors of Wells House are in use as offices (B1), and the proposed change of use to a mixed A1/A4 use is not considered to lead to any adverse impact of the working conditions of these offices.

10.17 The upper floors of the neighbouring properties on both sides of Wells House are used as residential flats. While it is considered that the proposal could lead to an increased level of use with some noise associated, especially within the evening, it is not considered that this would lead to any adverse impact on the amenity of these properties subject to conditions relating to hours of use and noise. The Council's Noise Officer has not objected to the proposal on the basis of increased noise, and has noted that a license application was approved for the premises, with detailed licensing conditions imposed to control aspects such as the use of amplified music. The hours of use condition proposed matches that of the licensing approval.

- 10.18 The application site is located within a busy town centre location, close to Finsbury Park Station, and therefore the amount of noise and disturbance created would not significantly exceed background levels. While there are no other similar uses in the vicinity of the site, the site is opposite the City North development, which is currently under construction. This scheme includes a large amount of A3 floor space and flexible floor space that could be occupied by uses within A1-A4 of the Use Classes Order.
- 10.19 A number of previous applications have been submitted for changes of use of the current site to an A4 bar use, and it is noted that these applications were not refused on the basis that the use would lead to an unreasonable impact on the amenity of neighbouring properties.
- 10.20 The applicant has confirmed that no primary cooking will occur on the premises, although the bar element will serve some bar snacks. Consequently the proposal will not require the addition of any flues to the property, or lead to any impact through the emission of smoke or odours.
- 10.21 The impact of the proposed development on the amenity of neighbouring properties is therefore considered to be acceptable subject to possible conditions, and in compliance with policies DM2.1, DM4.2 and DM4.3.

Other Matters

- 10.22 The existing shop does not have a level access, as the finished floor area is approximately 120 mm higher than the pavement. While it is acknowledged that the creation of a bar/shop without a level access is contrary to the spirit of the policy DM2.2, the existing shop does not have a level access and it is not considered that a condition requiring the provision of level access could be justified on planning grounds, given the modest scale of the development proposed.
- 10.23 The applicant has provided some details regarding the servicing to the new unit, confirming that the unit will be serviced on street and that waste will also be collected from the street. This approach is considered to be acceptable given the small scale of the development, and is in accordance with policy DM8.6 of the DM Policies, which requires off street servicing for developments larger than 200 square metres. A condition is recommended to regulate hours of delivery and servicing.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal is considered to be acceptable in land use grounds, as the loss of A1 retail has been justified in accordance with policy DM4.5 of the Development Management Policies. As a result, it is considered that the previous reason for refusal has been fully addressed. The proposed use is also considered to be appropriate to its Town Centre location, and is not

considered to give rise to any adverse impact on the function of the Finsbury Park Town Centre as a retail centre.

- 11.2 The amenity impact of the proposed mixed off license bar use is also considered to be acceptable, subject to appropriate conditions being imposed to control the hours of operation and the hours of delivery and servicing.

Conclusion

- 11.3 It is recommended that planning permission is approved subject to conditions set out within 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:

Commencement (Compliance)	
1	<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>
Approved Plans List: (Compliance)	
2	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Design and Access Statement, 120-01, 365-01, 300-01, 200-001, 100-01, 301-01</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>
Hours of Use	
3	<p>CONDITION: The use hereby approved shall not take place other than between the hours of:</p> <p>1100 – Midnight Sunday to Thursday</p> <p>1100 – 00:30 Friday & Saturday</p> <p>REASON: In order to protect the amenity of neighbouring properties.</p>
Deliveries	
4	<p>CONDITION: Deliveries, collections, unloading, loading shall only be between the following hours:</p> <p>Each day - (07:00 - 21:00)</p> <p>REASON: In order to protect the amenity of neighbouring properties.</p>

List of Informatives:

Positive statement	
1.	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>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>
	Other legislation
2.	You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & Equalities Act
	Part M Compliance
3.	<p>You are advised that the scheme is required to comply with -</p> <ul style="list-style-type: none"> • The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', <p>For this proposal, this may include</p> <ul style="list-style-type: none"> - colour contrast nosing to the external steps; - glass marking manifestations <p>For more information, you may wish to contact Islington Council's Building Control (0207 527 5999).</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 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 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)

Policy 7.4 (Local character)

Policy 7.6 (Architecture)

Policy 7.8 (Heritage Assets and archaeology)

B) Islington Core Strategy 2011

Policy CS2 (Finsbury Park)

Policy CS8 (Enhancing Islington's Character)

Policy CS9 (Protecting and enhancing Islington's Built and historic environment)

Policy CS14 (Retail and Services)

C) Development Management Policies June 2013

Design and Heritage

Policy DM 2.1 (Design)

Shops, Culture and Services

Policy DM 4.2 (Entertainment and the night time economy)

Policy DM 4.3 (Concentration of uses)

Policy DM 4.5 (Primary and Secondary Shopping frontages)

Policy DM 4.9 (Markets and Specialist shopping areas)

3. Designations

- Article 4 direction - Office to residential
- Finsbury Park Core Strategy Key Area

- Secondary retail frontage
- Finsbury Park Town Centre

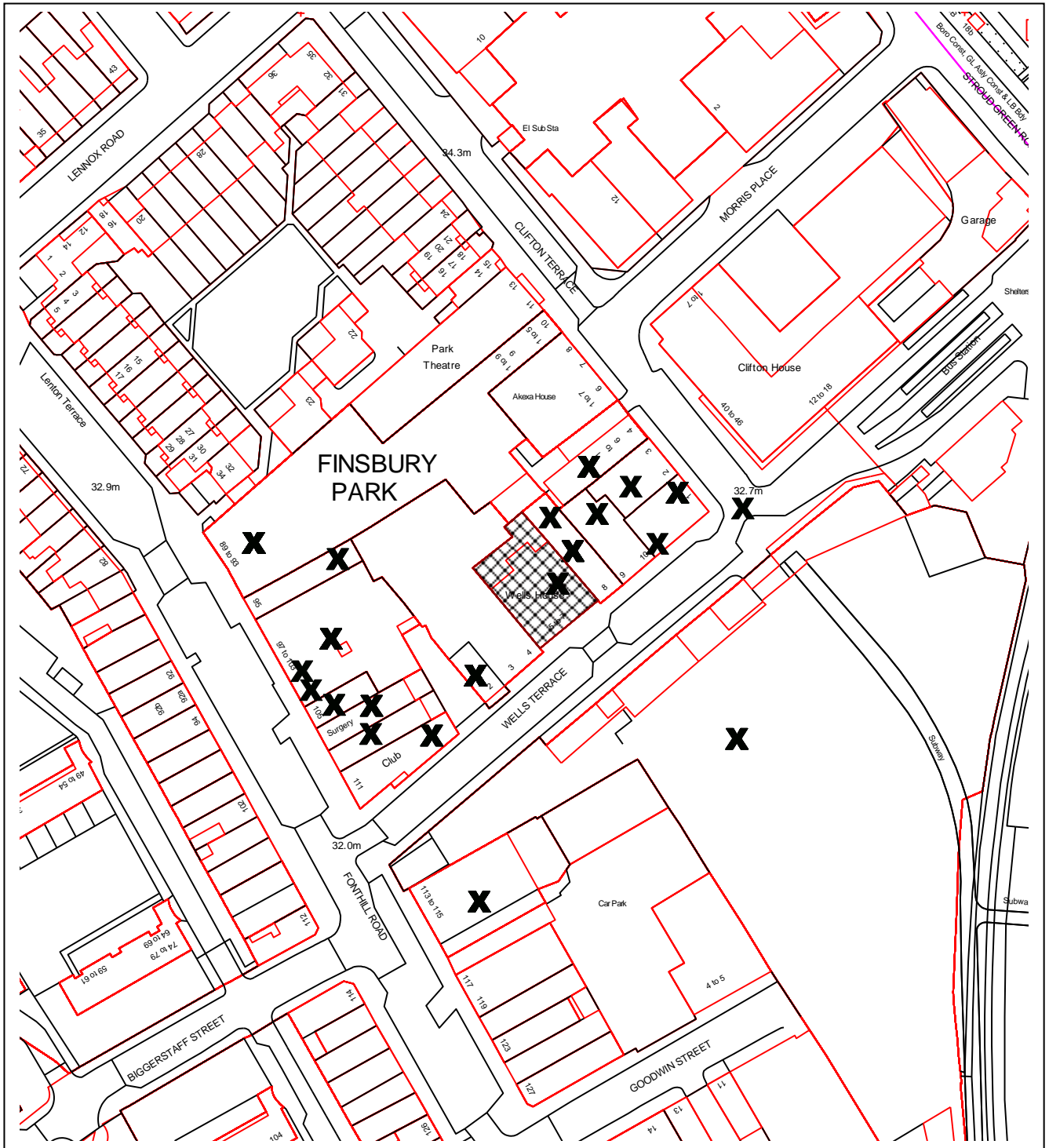
4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Finsbury Park
- Shopfront Design SPD

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