



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, **30 January 2017 at 7.30 pm.**

Stephen Gerrard
Director – Law and Governance

Enquiries to : Philippa Green
Tel : 020 7527 3184
E-mail : democracy@islington.gov.uk
Despatched : 19 January 2017

Welcome:

Members of the public are welcome to attend this meeting.

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

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor Klute (Chair)	- St Peter's;	Councillor Caluori	- Mildmay;
Councillor Nicholls (Vice-Chair)	- Junction;	Councillor Chowdhury	- Barnsbury;
Councillor Convery	- Caledonian;	Councillor Donovan	- Clerkenwell;
Councillor O'Halloran	- Caledonian;	Councillor Gantly	- Highbury East;
Councillor Poyser	- Hillrise;	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



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

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

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

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

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

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

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

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

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

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

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

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

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

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C. Consideration of other planning matters

D. Urgent non-exempt items (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	Page
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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, 21 March 2017

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

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

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

London Borough of Islington

Planning Sub Committee A - 19 December 2016

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 19 December 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:** Diarmaid Ward

Councillor Martin Klute in the Chair

232 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.

233 APOLOGIES FOR ABSENCE (Item A2)

There were no apologies for absence.

234 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were substitute members.

235 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

236 ORDER OF BUSINESS (Item A5)

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

237 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 1 November 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

238 121 MILDMAY ROAD, LONDON, N1 4PT (Item B1)

Retrospective application in connection with the subdivision of single family dwelling house into 2 x self-contained flats (1 x 1 bedroom and 1 x 3 bedroom)

(Planning application number: P2016/2468/FUL)

In the discussion the following points were made:

- The planning officer stated that Condition 2 should have the words 'single family house' replaced with 'the two bed unit at first and second floor level' that the second

paragraph of Condition 3 be removed and that the window in Condition 5 be amended to require the obscurely glazed window to be 1700mm above the pavement level.

- In response to a question from the chair about why enforcement action referred to three flats rather than two, the planning officer advised that an additional flat had been advertised. It was understood this was in the annex but was no longer there.
- The application complied with policy.

Councillor Klute proposed a motion to add a condition to require the layout as shown on the drawings to be retained with the wording of the condition delegated to officers. This was seconded by Councillor Nicholls and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended above with the additional condition outlined above 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.

239

16-26 BANNER STREET, LONDON, EC1Y 8QE (Item B2)

Erection of part single, part two-storey roof extension to provide 6 self contained residential flats comprised of 1 x 2 bedroom flat and 5 x three bedroom flats in conjunction with associated external alterations to the building, cycle parking, refuse storage and ancillary works.

(Planning application number: P2016/3210/FUL)

In the discussion the following points were made:

- The planning officer advised that Paragraph 4.4 of the officer report should refer to three x two bedroom flats and three x three bedroom flats and not a four bedroom flat as currently stated.
- The planning officer stated that the standard noise condition should be added.
- The application was policy compliant.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended above and subject to the prior completion of a unilateral undertaking securing the heads of terms as set out in Appendix 1 of the officer report.

240

38 HILLDROP LANE, ISLINGTON, LONDON, N7 0HN (Item B3)

Demolition of the existing house and redevelopment of the site to provide a two storey building with a setback third floor providing 9 flats with associated amenity space, landscaping and cycle parking.

(Planning application number: P2016/3134/FUL)

In the discussion the following points were made:

- The planning officer advised that Condition 14 should be removed. The planning officer advised that an additional condition should be added to prevent the second floor roof from being used as a terrace with the window details of the second floor rear facing windows conditioned and the wording delegated to officers.

- Concern was raised that the viability figure was £80,000 when the policy expectation figure was £450,000. The planning officer advised that this was due to the high land value and the current property being a five bedroom house. The legal officer advised that it was accepted practice to add a premium to the existing use value.
- Concern was raised at the marketing figure of over £162,000 for the nine flats.
- The chair suggested that due to some of the flats being larger than the required size, if reconfiguration took place it might be possible to add in another flat to contribute to affordable housing. The planning officer advised that this would require a compromise of the dual aspect nature of the scheme. If the scheme had 10 flats it would become a major scheme and there would be other policies to consider.
- The planning officer confirmed that applicant had maximised the width of the building to both boundaries. At the back of the proposal there was some amenity space and cycle storage.
- Concern was raised that the second floor rear windows had been excluded from the plans.
- The loss of nine trees was of concern.
- The objector stated that a petition had been submitted to the planning department. Officers stated that they had not received one.
- Following a comment from the objector about government legislation on 10 flats as opposed to 9, the legal officer advised that government guidance about tariff style payments was a material consideration but the Local Development Plan and other material considerations were also relevant in this case. In addition to the level of need for affordable housing in the borough the development had been found to be viable with the payment. The planning officer advised that recently at two appeals, the inspector had given weight to the Local Development Plan as well as the ministerial statement and had refused the appeals.

Councillor Nicholls proposed a motion to defer the consideration of the application due to there being insufficient details in front of the committee to make a decision. Clarity was sought on 1) doubts about viability and whether 10 flats could be provided, 2) insufficient plans with windows missing, 3) whether a petition had been received and 4) whether there nine trees had to be lost. This was seconded by Councillor Poyser and carried.

RESOLVED:

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

241

HIGHBURY FIELDS SCHOOL, 16-26 Highbury Hill, Islington, London, N5 1AR
(Item B4)

New external lighting to Highbury Fields School site.

(Planning application number: P2016/2175/FUL)

In the discussion the following points were made:

- The chair asked whether if the lighting was considered to be an amenity issue for residents, environmental health could be contacted. The planning officer advised that there were powers to control light pollution and suggested that the scheme could be approved for one year with monitoring taking place during the year.

Councillor Klute proposed a motion to amend condition 3 to require a lighting control scheme to be submitted and approved by the local planning authority and that the scheme should be approved for a year only in the first instance. This was seconded by Councillor Nicholls and carried.

RESOLVED:

That planning permission be approved subject to the conditions and the informative set out in Appendix 1 of the officer report plus the amended condition outlined above.

242

LAND AT 90-92 WHITE LION STREET, LONDON, N1 9PF (Item B5)

Erection of five storey building on the vacant site at 90-92 White Lion Street to provide A3 (restaurant) on basement and ground floor, B1 (office) on 1st, 2nd and 3rd floors and 1 x 3 bedroom residential unit on the top floor.

(Planning application number: P2016/0197/FUL)

In the discussion the following points were made:

- In response to a question from a member, the planning officer advised that the light to the basement would be artificial.
- Concern was raised that the plans did not show the design.
- The conservation officer advised that White Lion Street had a varied building stock and this proposal would address a gap. The top floor had now been recessed and the ground floor no longer lacked activity. All the previous conservation concerns had been addressed.
- The planning officer confirmed that the cycle stands were on the third floor.
- Concern was raised that the three bedroom unit was very large. The planning officer stated that although the space could accommodate two units, it would also have to fit in the core. The planning officer considered the space to be suitable family accommodation.
- A member raised concern that the reduction in the bulk of the building was minimal.
- A member raised concern at the lack of fenestration detail.
- Concern was raised that this design was not the right design for the site.

Councillor Klute proposed a motion to refuse planning permission 1) as the design accentuated the bulk, scale and massing of the building and 2) due to the large size of the three bedroom unit. This was seconded by Councillor O'Halloran and carried.

RESOLVED:

That planning permission be refused for the reasons set out above, the wording of which was delegated to officers in consultation with the Chair.

The meeting ended at 9.45 pm.

CHAIR

243 WORDING DELEGATED TO OFFICERS

1) Minute 238
121 Mildmay Road, N1 4PT

Additional condition.

The layout of the two approved flats as shown in the approved drawings shall be fully implemented within a period of six calendar months from permission being granted.

Reason.

In order to ensure the layout of the flats comply with the London Plan, Islington Local Plan and Supplementary Planning Document Policies.

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COMMITTEE AGENDA

1 32-41 Dallington Street & 2-6 Northburgh Street, London EC1

**2 38 Hilldrop Lane
Islington
LONDON
N7 0HN**

3 Gate House, 1 St John's Square, London, EC1M 4DH

**4 Land Rear of 21-45
Arlington Avenue
LONDON
N1 7BE**

5 Montem Community Campus, Hornsey Road, London, N7 7QT

**6 Montem Primary School
Montem Community Campus
Hornsey Road
LONDON
N7 7QT**

1 32-41 Dallington Street & 2-6 Northburgh Street, London EC1

Ward: Bunhill

Proposed Development: Application for removal/variation of condition 1 of planning permission ref: P2013/4399/S73 (to reduce the size of the proposed high level extensions on the property at 5th floor level and replace the same footprint with roof terrace). REASON FOR RECONSULTATION: Amended drawings received showing the height of the perimeter balustrade increased from the 1100mm to a height of 2100mm, in addition this the new screen will have a privacy treatment applied.

Application Number: P2015/2533/S73

Application Type: Removal/Variation of Condition (Section 73)

Case Officer: Sandra Chivero

Name of Applicant: Northburgh House Ltd.

Recommendation:

**2 38 Hilldrop Lane
Islington
LONDON
N7 0HN**

Ward: St. Georges

Proposed Development: Demolition of the existing house and redevelopment of the site to provide a two storey building with a setback third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking. (Reconsultation following the receipt of amended plans to clarify the proposed rear top floor windows and the creation of rear second floor roof terraces to the proposed new building)

Application Number: P2016/3134/FUL

Application Type: Full Planning Application

Case Officer: Daniel Jeffries

Name of Applicant: Mr Jon Murch

Recommendation:

3 Gate House, 1 St John's Square, London, EC1M 4DH

Ward: Clerkenwell

Proposed Development: Roof extensions at third, fifth and sixth floor levels to create 6 residential units, and provision an uplift in B1 office floorspace including reconfiguration at fourth and fifth floor and basement levels, erection of a seven storey lift shaft to north elevation, and associated external alterations and alterations to fire escape on western elevation. Relocation of existing air conditioning units. (Reconsultation following amended plans to detail screening and window alterations to the proposed fourth floor side elevation residential bedroom windows facing the rear elevation of 45 to 47 Clerkenwell Road)

Application Number: P2016/0139/FUL

Application Type: Full Planning Application

Case Officer: Thomas Broomhall

Name of Applicant: Alexandria Bay Ltd.

Recommendation:

**4 Land Rear of 21-45
Arlington Avenue
LONDON
N1 7BE**

Ward: St. Peters

Proposed Development: Retrospective application for external alterations to form new window and doors in the first floor south west elevation.

Application Number: P2016/3563/FUL

Application Type: Full Planning Application

Case Officer: Nathan Stringer

Name of Applicant: Porterway Ltd

Recommendation:

5 Montem Community Campus, Hornsey Road, London, N7 7QT

Ward: Finsbury Park

Proposed Development: Redevelopment of existing playground comprising of removal of existing surfacing and play equipment and replace with new surfacing and play equipment. Replacement of wooden picket fence with new picket fence, replace the existing steps with a ramp and associated works.

Application Number: P2016/4231/FUL

Application Type: Full Planning Application

Case Officer: Sandra Chivero

Name of Applicant: Mrs S. Hopkins

Recommendation:

6 Montem Primary School
Montem Community Campus
Hornsey Road
LONDON
N7 7QT

Ward: Finsbury Park

Proposed Development: Installation of play area canopy to existing outdoor play area. No change of use.

Application Number: P2016/1526/FUL

Application Type: Full Planning Application

Case Officer: Sandra Chivero

Name of Applicant: Mrs Sara Hopkins

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

PLANNING SUB COMMITTEE A		
Date:	30 January 2017	NON-EXEMPT

Application number	P2015/2533/S73
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	Not Listed
Conservation area	Hat and Feathers
Development Plan Context	<ul style="list-style-type: none"> - Archaeological Priority Areas 170914 - Bunhill & Clerkenwell Core Strategy Key Areas 170914 7 - Hat and Feathers Conservation Areas - Central Activities Zone - Employment Priority Areas (General) - Finsbury Local Plan - Finsbury Local Plan Area - Bunhill & Clerkenwell
Licensing Implications	None
Site Address	33-41 Dallington Street & 2-6 Northburgh Street Islington London EC1V 0BB
Proposal	Section 73 application to vary Condition 2 (Drawings and Details) of application ref. P2013/4399/S73 dated 13 March 2014. The amendments are: Reduction of the size of the approved addition at roof level and use of the remainder of flat roof area where the roof addition previously extended to the corner of Dallington Street and Pardon Street as a terrace enclosed with 2.1m high obscurely glazed privacy screens.

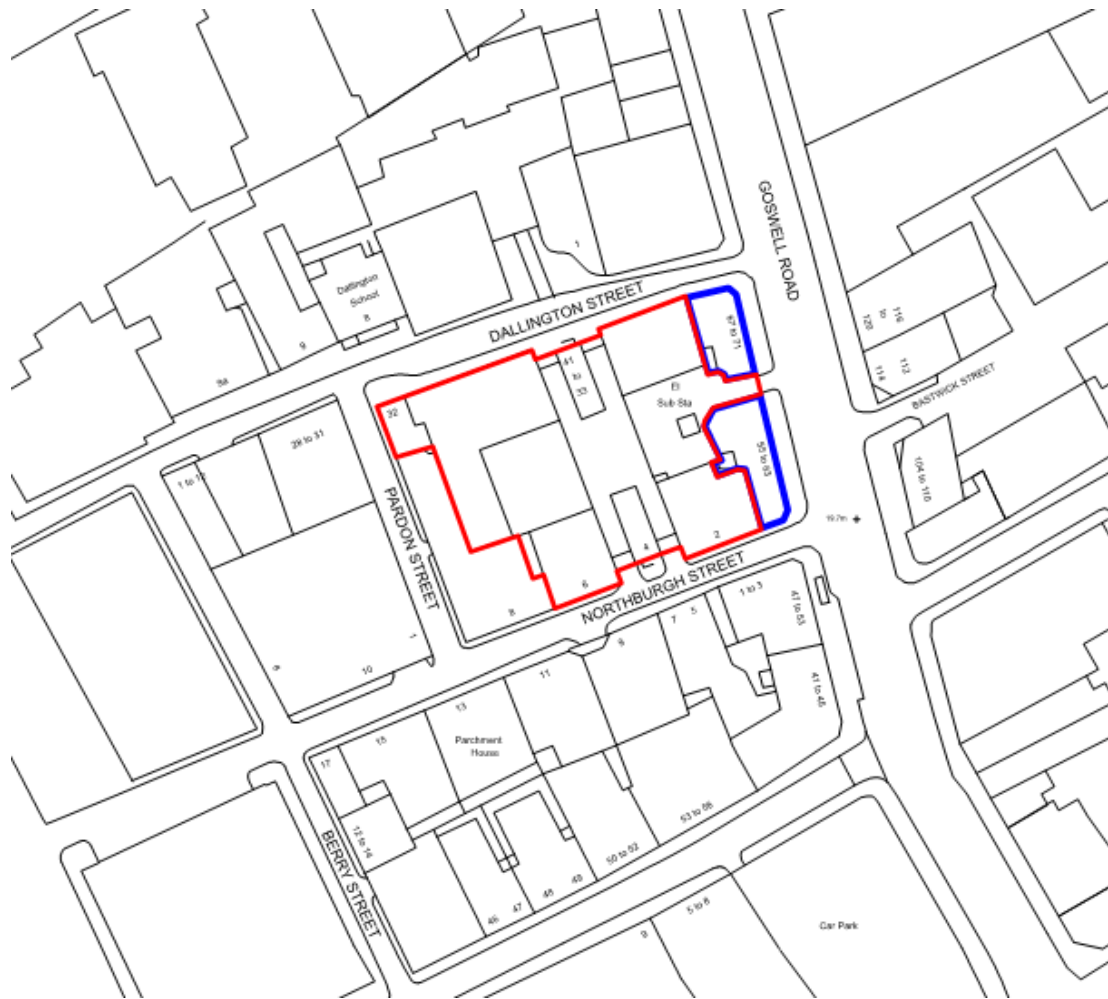
Case Officer	Sandra Chivero
Applicant	Northburgh House Ltd

Agent	Michael Sanders – Archer Architects
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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: Street View – Dallington Street Frontage

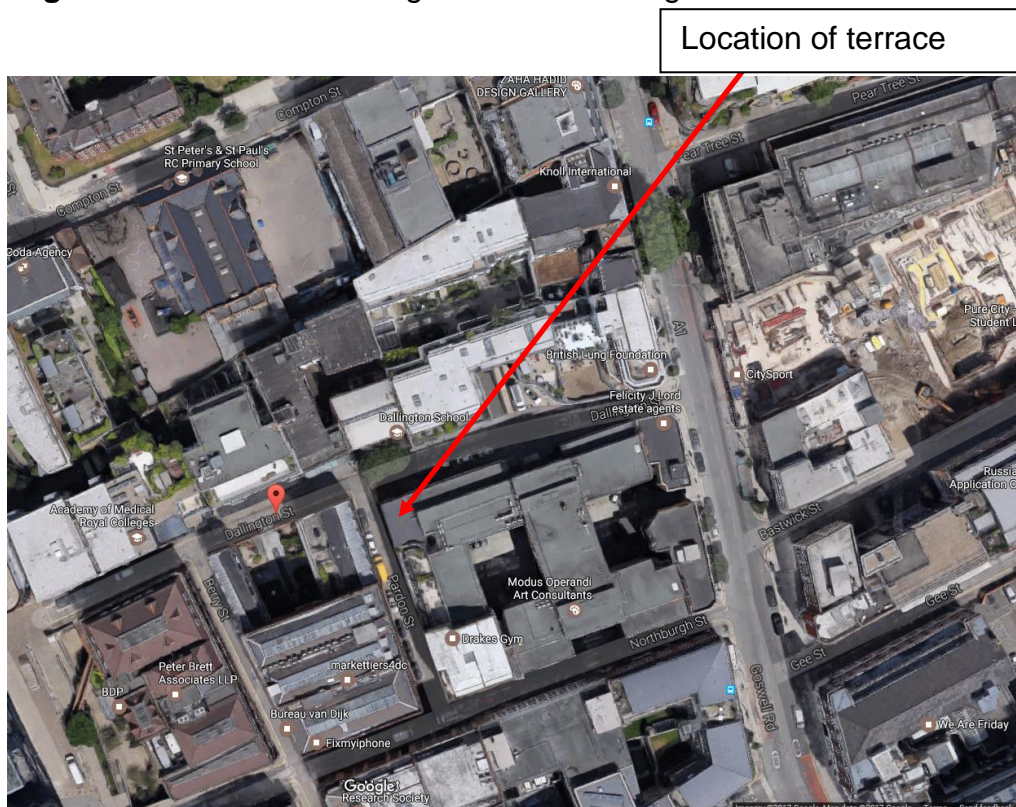


Image 2: Aerial View of site

4. SUMMARY

- 4.1 It is proposed to reduce the size of the previously approved addition at roof level. The remainder of the flat roof area where the roof addition previously extended to would be used as a roof terrace enclosed with 2.1m high obscurely glazed privacy screens. The reduction in size over the previously approved scheme and installation of obscurely glazed privacy screens is considered acceptable and would not significantly harm the character and appearance of the host property, or the conservation area, over what was previously consented.
- 4.2 The proposed changes are considered to be minor in scale and will have no significant further impact on the amenity of neighbouring properties in terms of access to daylight and sunlight and outlook or loss of privacy compared to the approved scheme. Concerns were also raised regarding overlooking to neighbouring properties including Enclave Court and Dallington School. These properties are located across the highway. In addition, during the course of the application amended drawings were submitted showing privacy screens installed to the perimeter of the roof terrace. This is considered to minimise overlooking to neighbouring properties.
- 4.3 Overall, the proposed development is considered to be acceptable with regards to design and neighbour amenity and would be in accordance with relevant planning policy.

5. SITE AND SURROUNDING

- 5.1 The existing building is a large part 5 part 6 storey building occupying most of the city block. The existing building has principal elevations facing Dallington Street and Northburgh Street, and is accessed from Dallington Street, Northburgh Street and by a vehicular access on Goswell Road. The majority of the city block is covered by the building footprint, with an internal courtyard.
- 5.2 The building is comprised of an 'H' shaped block constructed from a concrete frame, faced with brick with central staircases serving each block (Dallington and Northburgh). The site was formerly occupied by printers and bookbinders, and currently houses a number of office occupiers.
- 5.3 The building is located within the Hat and Feathers Conservation Area. The building is not statutory listed or locally listed.

6. PROPOSAL (IN DETAIL)

- 6.1 Section 73 application to vary Condition 2 (Drawings and Details) of application ref. P2013/4399/S73 dated 13 March 2014. The amendments are: reduction of the width of the approved addition (Unit 5.1) at roof level 5.6m and use of the remainder of flat roof area where the roof addition previously extended to the corner of Dallington Street and Pardon Street. The terrace

would be 53.1sqm (5.6m x 9m) and would be enclosed with 2.1m high obscurely glazed privacy screens to the north and east. The privacy treatment in question will take the form of a translucent interlayer that will be fully encapsulated within the glass screen. To the west the terrace would be bounded by the new roof addition (Unit 5.1) reduced in size and to the south the terrace would back on to the plant enclosure.

Revisions

6.2 Revised drawings were received during the course of the application are as follows:

- Revised drawings nos. 5106.6/02/105 rev PL-1, 120 rev PL-3, 5106.6_02_300 received on 22 June 2016. The amendments include 2.1m high privacy screens to the Dallington Street and Pardon Street perimeter of the roof terrace.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 September 2015: Planning Application (Ref. P2015/2534/FUL) Refused for formation of roof terrace on existing fourth floor roof.

REASON: The proposed use of the existing 5th floor roof area (roof of the fourth floor, Northburgh Street elevation as a terrace would be likely to cause excessive noise and disturbance, lead to a loss of privacy and have a serious adverse effect on the amenities of the occupiers of the adjoining and surrounding residential properties, and would be contrary to policy DM2.1 (x) of the Development Management policies 2013, and policy CS9 of the Core Strategy 2011.

7.2 August 2015: Planning Application (Ref. P2015/2532/FUL) Refused for conversion of two existing 3rd floor roof decks to terraces including installation of 1.1m high glass balustrades and associated alterations to the existing fenestration.

REASON: The proposed use of the existing roof decks as amenity spaces (terraces) would be likely to cause excessive noise and disturbance, lead to a loss of privacy and have a serious adverse effect on the amenities of the occupiers of the adjoining and surrounding residential properties, and would be contrary to policy DM2.1 (x) of the Development Management policies 2013, and policy CS9 of the Core Strategy 2011.

7.3 August 2015: Planning Application (Ref. P2015/2531/FUL) Refused for the conversion of an existing 5th floor roof area into a terrace (Northburgh Street elevation), and including a glass balustrade.

REASON: The proposed use of the existing 5th floor roof area as a terrace would be likely to cause excessive noise and disturbance, lead to a loss of privacy and have a serious adverse effect on the amenities of the occupiers of the adjoining and surrounding residential properties, and would be contrary to policy DM2.1 (x) of the Development Management policies 2013, and policy CS9 of the Core Strategy 2011.

- 7.4 March 2014: Section 73 application (Ref. P2013/4399/S73) Approved to vary the plans attached to Condition 2 (Plans and Details) of planning application P002805 dated 11 November 2004 including alterations to the scale and appearance of the previously approved scheme. The alterations are: An increase in height of the 5th and 6th floor extensions by 0.5m and 0.74m respectively, a reduction of the proposed increase in gross internal B1 (office) floor area from 801m² to 722m², a change in size of the 5th floor extension located on Dallington Street (labelled on the proposed plans as unit 5.2) to provide an alternate means of escape, extending the proposed building to the existing stair core at the eastern end of the block, the provision of a new WC core at 6th floor level, a change of external materials to provide curtain glazing with silver anodised surrounds, the introduction of an external spiral stair to serve the 6th floor addition and roof access, improvements to the thermal envelope of the proposed development as a result of the new materials proposed and the incorporation of a photovoltaic array at roof level.
- 7.5 March 2014: Planning Application (Ref. P2013/4472/FUL) Approved for extension of existing B1 accommodation by 357msq comprising of infilling of existing lightwell and the extension into an existing internal courtyard. The replacement of existing steel single glazed windows with new high performance double glazed units. The replacement of the masonry and single glazed windows to two elevations within the internal courtyards for high performance curtain walling. The construction of a new roof top plant enclosure.
- 7.6 November 2009: Planning Application (Ref. P091876) Approved for the installation of one additional air-conditioning unit to the roof level.
- 7.7 June 2008: Planning Application (Ref. P050706) Refused for Infill extension to link buildings at 1st-3rd floors and new mansard 4th floor across the combined buildings.

REASON: The unusual curved parapets on the existing buildings make a distinctive contribution to the appearance of this part of the Hat and Feathers Conservation Area and demarcate a clear upper limit to the buildings. The imposition of the proposed 4th floor on the buildings would mean that the parapets would no longer be seen against the sky and that their impact on the streetscape would be seriously diminished. The proposal would fail to preserve the appearance of this part of the Conservation Area and would conflict with Policies D19, D25 and CS6 of Islington's Unitary Development Plan 2002, and with paragraph 1.22 of the Design Guidelines for the Clerkenwell Green, Charterhouse and Hat and Feathers Conservation Areas.

REASON: Forming the proposed new storey as a mansard would be alien to the architectural style of the original buildings. The mansard storey would be unsympathetic to the character of the buildings and would conflict with Policies D4, D25 and CS6 of Islington's Unitary Development Plan 2002, and with paragraph 1.22 of the Design Guidelines for the Clerkenwell Green, Charterhouse and Hat and Feathers Conservation Areas.

REASON: The failure to give the proposed 1st to 3rd floor level infill link an architectural treatment which would clearly identify it as a new and different element would blur the distinction between the original buildings. In doing so, it would create the impression of a single monolithic building occupying the entire frontage of the street block. This would erode the character of the Conservation Area and conflict with Policies D19 and CS7 of Islington's Unitary Development Plan 2002.

- 7.8 November 2008: Planning application (Ref. P002805) Approved for extensions to B1 building - new sixth floor on part of central section, new set-back fifth floor over part of existing fourth floor areas on Northburgh Street and Dallington Street frontages.

ENFORCEMENT:

- 7.9 July 2011; Enforcement Case (Ref. E10/05105) relating to unauthorised air conditioning units. Closed.

PRE-APPLICATION ADVICE

- 7.10 February 2013: Pre-application enquiry (Ref. Q2013/0408/MJR) submitted in relation to a single storey extension to the 4th floor of the west elevation facing Northburgh Street, a single storey extension at 5th floor level of the west elevation fronting Northburgh Street, a single storey extension at 5th floor level facing Dallington Street, a two storey set back extension at 5th floor level facing Dallington Street and a 5 storey partial infill extension to an existing courtyard in the centre of the site. Concerns were raised relating to the proposed bulk, scale and design.

8. CONSULTATION

Public Consultation

- 8.1 Two consultations were carried out, a second round of consultation was carried out upon receipt of the amended. Originally, consultation letters were sent to occupants of 191 adjoining and nearby properties on Bastwick Street, Dallington Square, Dallington Street, Northburgh Street, Goswell Road, Berry Street on 18 August 2015. Following receipt of amended drawings, the application was reconsulted on 20 July 2016. A site and a press advert were displayed on 28 July 2016. The re-consultation period ended on the 18 August 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing this report a total of 12 responses had been received from the public with regard to the application. 6 objections were received following the first consultation period and 4 duplicate objections and 2 new objections were received following the reconsultation on the amended application. The concerns raised are summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Overlooking and loss of privacy (Paragraph 10.8, 10.9, 10.11)
- Impact on amenity including parties, noise, smoke and disturbance to schools and neighbours (Paragraph 10.8 - 10.11)
- Condition to previous application restricting use of flat roof area as terrace recognises the impact of such terraces on amenity and privacy (Paragraph 10.8, 10.9)
- Loss of light (Paragraph 10.8, 10.11)
- Increase in height of building (Paragraph 10.6)

Internal Consultees

8.3 **The Design and Conservation Officer:** The Design and Conservation officer does not object to the amended scheme.

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:

- Archaeological Priority Areas
- Bunhill & Clerkenwell Core Strategy Key Areas
- Hat and Feathers Conservation Areas
- Central Activities Zone
- Employment Priority Areas (General) - Finsbury Local Plan
- Finsbury Local Plan Area - Bunhill & Clerkenwell

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:

- Design and conservation impacts
- Neighbouring Amenity

Evaluation

10.2 Section 73 of the Town and Country Planning Act 1990 concerns 'Determination of application to develop land without compliance with conditions previously attached'. It is colloquially known as 'varying' or 'amending' conditions. Section 73 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under s73 is granted, the effect is the issue of a new permission and the notice should list all conditions pertaining to it. The application cannot be used to vary the time limit for implementation.

10.3 Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. However, these must be considered in light of the matters discussed in the previous paragraphs and the fact that the structure itself is constructed.

10.4 The National Planning Policy Framework (NPPF) has been considered in the assessment of this application.

Design and Conservation

10.5 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.

- 10.6 The proposed changes to the previously approved scheme would reduce the size of the approved addition at roof level. It is proposed to use the remainder of the flat roof area, where the addition at roof level previously extended, as a terrace enclosed with 2.1m high obscurely glazed privacy screens. The reduction in size of the roof addition over the previously approved scheme and installation of obscurely glazed privacy screens would maintain the same bulk, scale and massing as approved but would result in reduction of height. The current proposal is therefore considered acceptable and would not significantly harm the character and appearance of the host property, or the conservation area, over what was previously consented. The proposed changes to the previously consented scheme include changes to the design ethos and previously approved materials. The proposed development has been reviewed by the Council's Design and Conservation Team, who are satisfied that the proposed changes are in keeping with the host property and its surrounds, and would preserve and enhance the character of the Hat and Feathers Conservation Area. A further condition seeking details and samples of the materials as proposed is recommended.
- 10.7 Given the above, the proposal is considered to be consistent with the aims of the 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 Policy DM2.1.

Neighbouring Amenity

- 10.8 The proposed changes are considered to be minor in scale and will have no significant further impact on the amenity of neighbouring properties in terms of access to daylight and sunlight and outlook. Concerns were also raised regarding overlooking to neighbouring properties including Enclave Court and Dallington School. Neighbouring residents have brought attention to the conditions which restricted use of the flat roof areas created by the approved extensions at fourth, fifth and sixth floor levels as terrace, applied to planning permission ref. P002805 approved November 2004 and application ref. P2013/4399/S73 Approved in March 2014.
- 10.9 The new 2.1m high screens would have a privacy treatment applied, in the form of a translucent interlayer that will be fully encapsulated within the glass screen. The privacy treatment would minimise overlooking to neighbouring properties including the properties at Enclave Court and Dallington School located across the highway. The previous condition requiring the flat roof areas of the approved extensions at fourth, fifth and sixth floors levels not be used as outdoor amenity space would remain in place. The approved extension at roof level incorporates full height curtain wall glazing, and the degree of overlooking will not exacerbated by the current proposals.
- 10.10 With regards to noise and general disturbance, the proposal is for use as a terrace ancillary to the office use. This is not considered to be a noise

generating use that would warrant a refusal of permission. However, should neighbouring properties experience any noise disturbance this can be reported to the Council Noise Team. In addition, a condition has been attached limiting the hours of use of the terrace.

- 10.11 Overall, the proposal is considered to accord with policy DM2.1 which requires development to provide good level of amenity including consideration of noise, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed changes to the previously approved scheme are considered acceptable due to the minimal impact over and above the scheme previously permitted. The scale and bulk of the proposed development visible from street level will be reduced.
- 11.2 The proposed changes are considered to be of a minor enough scale to have no significant further impact on the amenity of neighbouring properties in terms of access to daylight and sunlight and outlook or loss of privacy. The proposed privacy screens will to minimise overlooking to neighbouring properties.
- 11.3 Subject to conditions, the proposal is considered to accord with relevant policies.

Conclusion

- 11.4 It is recommended that planning permission be granted subject to conditions for the reasons and details 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	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>A416/001, 002, 006, 007, 008, 010, 011, 015, 040, 041 (LBI Reg. No: 28051), A416/017 (LBI Reg. No: 28052), A416/02C, 027D, 028D, 030D, 031B, 035D (LBI Reg. No: 28057) as amended by 5106.6/00/001, 5106.6/02/002, 5106.6/02/105 rev PL-1, 5106.6/02/106, 5106.6/02/107, 5106.6/02/120 rev PL-3, 5106.6/02/121, 5106.6_02_125, 5106.6/02/300.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
2	Materials to Match (Details)
	<p>CONDITION: Details of all facing materials (including the external staircase hereby approved, windows and doors) shall be submitted to and approved in writing by the Local Planning Authority within three months of the date of decision.</p> <p>REASON: To ensure that the Authority may be satisfied with the external appearance of the building.</p>
3	No loading or vehicles or delivery or setting down of material
	<p>CONDITION: No loading or vehicles or delivery or setting down of material, pursuant to the development hereby permitted shall take place in Dallington Street between the hours of 08:30 to 09:30, 11:30 to 13:30 and 15:30 and 16:00 on any Monday to Friday when the Dallington Street School is in session.</p> <p>REASON: In order to avoid endangering pupils arriving at or leaving the school premises at the beginning or end of the school day or at lunchtimes.</p>
4	Flat Roof Not Used As Amenity Space (Compliance)
	<p>CONDITION: The roof areas created by the extensions hereby approved at fourth, fifth and sixth floor levels shall not be used other than for essential maintenance or repair, or for escape in the case of an emergency and shall not be used as an amenity or sitting out space of any kind whatsoever without first obtaining written permission from the Local Planning Authority.</p> <p>REASON: In order to avoid overlooking of neighbouring properties and to protect the privacy and amenity of neighbouring occupiers.</p>

5	Commencement
	<p>S73 - CONSENT LIMITED TO THAT OF ORIGINAL PERMISSION: The development hereby permitted shall be begun not later than the expiration of 17 March 2017.</p> <p>REASON: To ensure the commencement timescale for the development is not extended beyond that of the original planning permission granted on dated 13 March 2014 [LBI ref: P2013/4399/S73]. Furthermore, 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>
6	Privacy Screens
	<p>Condition: The details and samples of the approved privacy screens shall be submitted to and approved in writing by the Local Planning Authority within three months of the decision.</p> <p>The development shall be carried out and operated strictly in accordance with the details so approved. The physical enclosures shall be provided prior to the first use of the terrace and shall be maintained as such thereafter.</p> <p>REASON: In order to avoid overlooking of neighbouring properties and to protect the privacy and amenity of neighbouring occupiers.</p>
7	Hours of use of terrace
	<p>CONDITION: The roof terrace, shown on plan reference 5106.6/02/105 rev PL-1, shall only be in use between 08:00am until 20:00pm Mondays to Fridays and shall not be occupied outside of those times.</p> <p>REASON: To protect the residential amenity of adjoining and nearby properties.</p>

List of Informatives:

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

	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil.</p>
3	SUSTAINABLE SOURCING OF MATERIALS
	<p>SUSTAINABLE SOURCING OF MATERIALS: Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</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:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

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)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

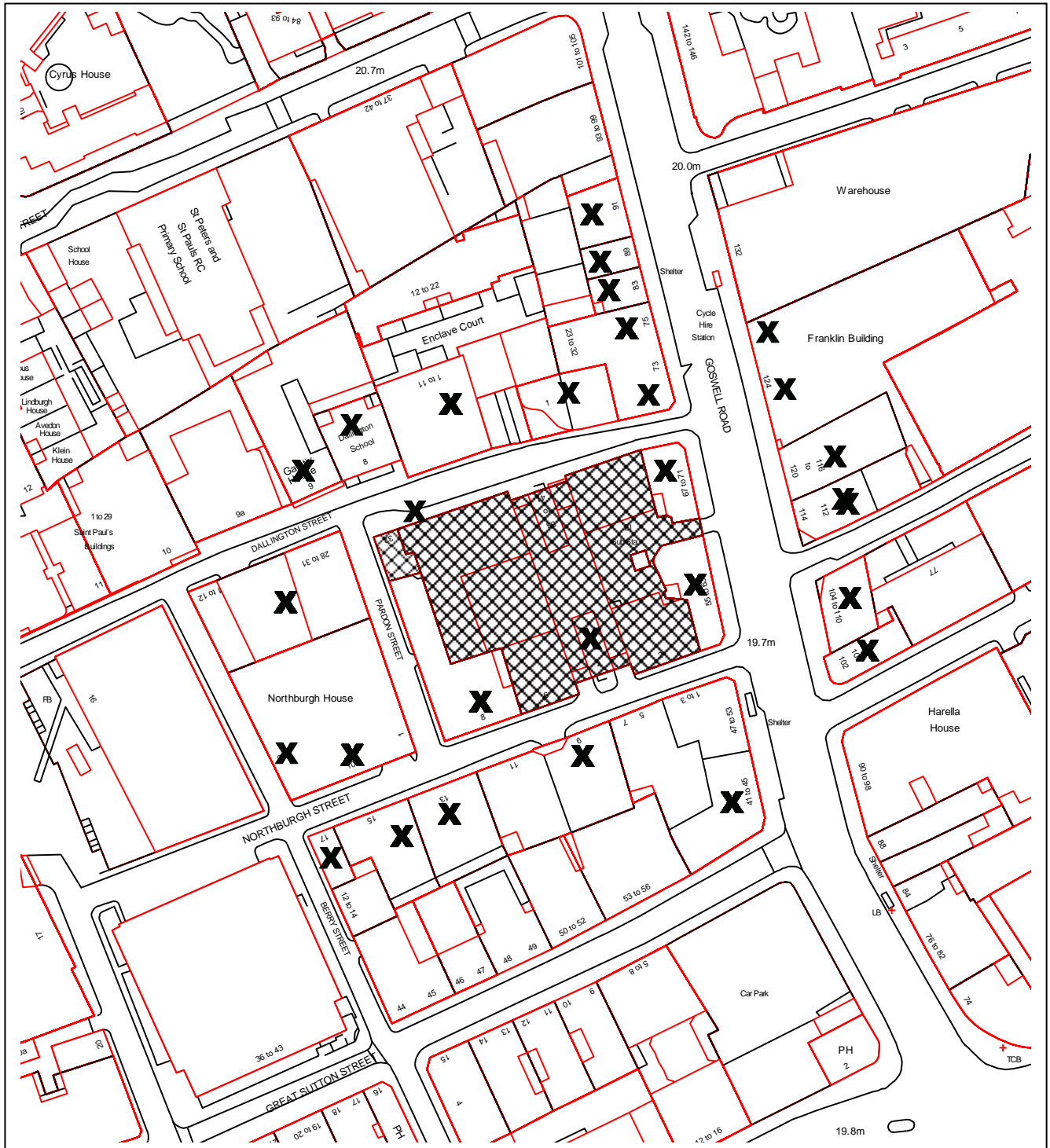
- Conservation Area Design Guidelines
- Urban Design Guide
- Inclusive Design SPD

London Plan

- Accessible London: Achieving and Inclusive Environment

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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:	30 th January 2017	NON-EXEMPT

Application number	P2016/3134/FUL
Application type	Full Planning Application
Ward	St Georges
Listed Building	Adjacent to two Grade II Listed Buildings (nos. 1 and 2 Hilldrop Road)
Development Plan Context	Adjacent to Hillmarton Conservation Area
Licensing Implications Proposal	None
Site Address	38 Hilldrop Lane, London N7 0HN
Proposal	Demolition of the existing house and redevelopment of the site to provide a two storey building with a setback third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking.

Case Officer	Daniel Jeffries
Applicant	Mr Jon Murch Davies Murch Woolbro Homes Limited
Agent	As above

1. RECOMMENDATION

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

- the unilateral agreement and conditions set out in Appendix to original report;

2 REASON FOR DEFERAL

2.1 This application was previously discussed at Planning Sub Committee A on 19th December 2016. At the meeting there were concerns in relation to the following:

- concerns about viability assumptions, existing land use valuations, small sites agreed contribution amount of £80,000 and whether 10 flats could be provided on site to trigger affordable housing provision on site.
- insufficient plans with windows missing,

- whether a petition had been received and
- whether the nine trees had to be lost.

The application was deferred in order for the applicant to consider these elements further and enable for the submission of amended drawings.

3 AMENDMENTS TO THE SCHEME

- 3.1 Following the meeting the applicant has provided amended drawings for the proposed scheme. The amended drawings show the missing windows at roof level accessing onto rear roof terraces to these lounge spaces. These alterations were fully reconsulted upon with local residents. In addition the applicant has provided additional information relation to concerns raised at the meeting.

4 PUBLIC CONSULTATION

- 4.1 Further letters were sent to occupants of (174) neighbouring properties on the 21st December 2016, for these amended drawings, providing residents with further opportunity to comment on the proposed scheme. The consultation process expired on 12th January 2017 however it is the Council's practice to consider representations made up until the date of decision.
- 4.2 At the time of the writing of this report 2 letters of objection had been received, to the initial consultation, for the application as a whole, with no additional objections received following this additional consultation since it was previously discussed at Planning Sub Committee A on 19 December 2016.
- 4.3 Officers can confirm that the Council has not received any petition as mentioned by a resident at the last committee meeting in relation to this application.

5. ASSESSMENT OF THE AMENDMENTS

- 5.1 The amendments received allowed for the missing windows and balcony access to the rear of the proposed building. The main issues to consider in terms of these amendments include the following:

- Design
- Amenity Impact
- Quality of Accommodation
- Viability
- Trees
- 10 unit scheme

Design

- 5.2 The proposed alterations which include glazed doors shown on the proposed floor plans rather than windows on the rear elevation, at second floor. These alterations are considered acceptable in design terms and would not differ significantly in its visual appearance to those shown on the previously submitted proposed rear elevation drawings, and would be similar to those on the other floors of the proposed building.

Amenity

- 5.3 The amendments are not considered to give rise to any significant amenity issues in terms of any loss of daylight/sunlight or outlook to neighbouring properties. Whilst it is acknowledged that the changes would result in use of these areas as private amenity space, the size is considered to restrict the potential for large gatherings and significant noise to the surrounding area and as such is not considered sufficient to warrant a refusal of permission. The rear edge of these terrace areas would be located just over 18 metres from the nearest residential habitable room windows to the rear of the site. This distance complies with planning policy guidance and therefore it is not considered that there will be any material loss of privacy or increased incidence of overlooking in this case to warrant refusal or omission of these useful amenity spaces in this case. However, should neighbouring properties experience any noise disturbance this can be reported to the Council's Noise Team.

Quality of Accommodation

- 5.4 The proposal would allow for the use of these balconies as private amenity for future occupiers of both Units 7 and 8, measuring an area of 6.6 and 7.6 square metres. Development Management Policy (2013) DM3.5 (Private outdoor space) states '*The minimum requirement for private outdoor space is 5 sqm for 1-2 person dwellings*' and '*For each additional occupant, an extra 1 square metre is required on upper floors*'. Given that Units 7 and 8 are 3 person dwellings, the size of proposed amenity space is considered to be acceptable and to accord with the aforementioned policy.

Viability

- 5.6 In terms of the viability of the scheme, as stated within the report, Appendix 1, presented at Planning Sub-Committee A on 19 December 2016, the submitted Viability Report has been reviewed by Adams Integra and the Council's Viability Officer.
- 5.7 Since this meeting the applicant has provided additional information and has confirmed that in the submitted viability assessment, a number of comparables were provided and had 2 local estate agents carry out an internal inspection of the property and provide sales opinions to justify the existing use value (EUV). The applicant confirmed that they adopted an EUV of £1,225,000 which equates to a very conservative sales rate of £405/ft², according to the applicant, and assumes the property is in need of modernisation throughout. The values/market were reviewed by Adams Integra on behalf of the Council, in addition to the Council's Viability Officer.
- 5.8 The applicant confirms that comparable evidence showed terraced houses within 0.5 miles of the site achieving sales rates between £666 - £1,010/ft². The applicant has noted that detached houses in the area are extremely rare; with only 1 detached house available for sale within 0.5 miles of the site, a 4 bedroom house at £1,750,000 at a sales rate of £919/ft². The property is 1,107 ft² smaller than the application property and within a smaller plot.
- 5.9 The applicant has confirmed that the host property is currently occupied, and that if the owner carried out a full refurbishment on the existing premises to create a modern contemporary home at £250,000, this could create a property with a market value in excess of £1,750,000 with a modest sales rate of £578/ft².



Image 1: Internal photo of Ground Floor Dining Room



Image 2: Internal photo of first floor corridor

- 5.10 The applicant notes that detached houses with parking are rare, and expects that there would be significant demand for the applicant property from owner occupiers/developers. Given that the host property is a single dwellinghouse, there is potential to increase the existing floor area and therefore the value of the existing property through permitted development rights or by carrying out a refurbishment as noted previously.
- 5.11 The applicant has stated that if the land owner were to move and find a replacement property of similar size and value, it would cost a minimum amount of 5% of Gross Development Value (GDV) on stamp duty and a further 3% of GDV for estate agent fees, home loss and disturbance payments (removal costs etc). Therefore, they have calculated that just to be in a similar house but elsewhere will cost the land owner 8% of GDV. To incentivise the land owner to move, the uplift on the existing use value of £1,225,000 must cover the break-even costs of 8% of GDV and incentivise the land owner to sell, assuming they can find a suitable replacement property. The net incentive of 12% is considered by the applicant to be a modest and reasonable and reflects market requirements and site specifics.
- 5.12 The sales and marketing allowance of 3% is considered by the applicant a standard allowance for a scheme of this size/type. The amount includes estate agent fees, advertising, show home dressing/furnishings etc. The applicant has confirmed that they have made no allowances for developer incentives such as furniture packages and stamp duty paid, which they believe they are now beginning to see as the market softens.
- 5.13 As part of the application process Adams Integra reviewed the figures within the submitted viability appraisal document. They have confirmed in the study the approach taken follows the well-recognised methodology of residual land valuation (RLV). Put simply the residual land value produced by a potential development is calculated by subtracting the costs of achieving that development from the revenue generated by the completed scheme.
- 5.14 The assessment has compared the results of the RLV to the existing use value (EUV) of the land, if the RLV is more than the EUV then the scheme produces a surplus and is viable, if not then there is a deficit and the scheme is not viable. The assessment was carried out using the Homes and Communities Agency's Development Appraisal Tool (HCA DAT), which is a recognised method of assessing viability, using the input values from the current scheme described above with no affordable housing contribution.
- 5.15 When compared to the "benchmark value" of £1,470,000 as stated above the appraisal of the current scheme produces a surplus of £80,000 demonstrating that the scheme is viable at a profit level of 17.5%. It is the opinion of Adams Integra that this appraisal demonstrates that the scheme is able to support an affordable housing contribution of £80,000 and remain viable. This view is supported by the Council's Viability Officer. Recent comparables for four and five bedroom dwellings in the area display properties selling for 1.5 to 1.7 million albeit to a high specification and overall standard. However it is considered with a reasonable budget for repair of circa £200,000 to £250,000 the host dwelling could achieve similar land values. Therefore after a full assessment by both Adams Integra and the Council's viability team it is considered that the land valuations are reasonable and offer a fair approach in which to evaluate the small sites contribution in this particular case.

- 5.16 Based on a site visit by officers at the host property and submitted photos the existing building is considered to be in need of renovation and modernisation, however it is considered the existing dwelling is structurally sound and the council have no relevant or substantive evidence to take a contrary view here.

Trees

- 5.17 A more detailed assessment of the existing trees to be lost has been made within the previous report presented at Planning Sub Committee A on the 19th December 2016, within Appendix 1. However, the loss of these trees was considered acceptable on balance, by the Council's Tree Officer given their value and that tree replacement would be secured by condition and the financial contributions by way of unilateral undertaking to mitigate the impact.
- 5.18 The applicant has stated that the removal of these trees will result in a significant improvement to the levels of light into some of the properties of Tansley Close as set out within the daylight and sunlight assessment that accompanied the application. The valuation of the trees was considered to be acceptable, on balance, given the value of the trees, being Category C, and the mitigation provided in the form of financial contribution secured by way of a legal agreement, in addition to tree replacement, and a landscaping scheme, secured by condition.

10 unit scheme

- 5.19 A concern was raised whether the proposal was able accommodate 10 units, rather than the 9 units proposed, and therefore require on-site affordable housing. In the event that an additional unit was incorporated with the scheme, either the units within the proposed building would be required to be reduced in size or result in the enlargement of the existing building footprint. It is considered that reducing the size of the units to try and accommodate more units would compromise a number of the Council's housing standards, in terms of housing mix, aspect, and other design features.
- 5.20 Given the mix of units proposed a minimum floorspace of 617 sqm is required and 658 sqm has been provided. This excess floorspace would not be sufficient for an additional unit. In order to incorporate an additional unit the proposal would require the amendment of the dwelling mix and provide one bedroom units.
- 5.21 It is also considered that the constraints of the application site, including the adjacent Listed Buildings and Conservation Area, any enlargement of the proposed building in terms of its scale would be resisted. It is therefore considered that the scheme is providing the maximum number of units given the constraints of the site and various other planning requirements.
- 5.22 The proposed building cannot be significantly enlarged over what is proposed at present in terms of depth or height without substantially harming the adjoining grade II listed buildings, it is considered that the site has maximised the provision of good quality and sized residential units with the overall final proposed number of 9 units.

Other matters

- 5.23 Following a review of the correspondence received, at the time of the writing of this report, no petition has been submitted in relation to the scheme.

6. SUMMARY AND CONCLUSION

Summary

- 6.1 The principle of the development and providing additional residential accommodation would be acceptable in land use terms, have an acceptable impact upon the character and appearance of the adjacent properties and street scene and will preserve the character and appearance of the adjoining Hillmarton Conservation Area, and Grade II Listed Buildings. In addition, it would not be unduly harmful to the amenities of adjoining residents.
- 6.2 Given the orientation of the application site, as well as the positioning and separation distances of the adjoining residential buildings, it is considered that the development would not result in the loss of daylight, sunlight to the occupiers of the adjoining residential properties, undue increase in enclosure levels, loss of outlook or have a significant detrimental impact upon their amenity levels taken as a whole.
- 6.3 The proposed units would provide acceptable standard of accommodation with all units achieving minimum internal floorspace standards, dual aspect, and either meet the required private amenity space standards and/or have access to the communal private rear garden. The proposal would achieve the Accessible Housing SPD standards including a wheelchair accessible unit and level access to the entrance; in addition to meeting the Sustainable development requirements.
- 6.4 The proposed mitigation in the form of a condition relating to a replacement tree planting and a financial contribution is considered acceptable; in addition to a financial contribution relating to small site affordable housing and carbon offsetting. These contributions would be secured by way of a Unilateral Agreement.
- 6.5 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions and Unilateral Agreement.

Conclusion

- 6.6 It is recommended that planning permission be granted subject to the unilateral undertaking and the conditions as set out in Appendix 2 – RECOMMENDATIONS and the alterations to the conditions set out below
- 6.7 It is recommended that
- condition 14 relating to a structural method statement is removed
 - condition 2 is amended to reflect the amended drawings

Revised Condition 2

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

Town Planning Statement dated 05/08/2016; Financial Viability Assessment dated October 2016; Arboricultural Survey (BS5837:2012) & Impact Assessment Report dated 23 August 2016 (Appendix B and Appendix C); Daylight & Sunlight Report dated 4 August 2016; Design and Access Statement dated August 2016; Heritage Statement 2016; 1462_GA_E/Rev.C; GA_E_02/Rev.C; GA_P-01/Rev.C; GA_P_00/Rev.D; GA_P_01/Rev.D; GA_P_02/Rev.C; 1462_GA_P/Rev.K; 16049-16-01; GA_P_03/Rev.B; 1462_EX_E_00; 1462_EX_P_01; 1462_EX_P_01; OS Plan;

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.

APPENDIX 1: December 2016 Committee Report

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:	19 th December 2016	NON-EXEMPT

Application number	P2016/3134/FUL
Application type	Full planning application
Ward	St Georges
Listed Building	Adjacent to two Grade II Listed Buildings (nos. 1 and 2 Hilldrop Road)
Conservation Area	Adjacent to Hillmarton Conservation Area
Licensing Implications Proposal	None
Site Address	38 Hilldrop Lane, London N7 0HN
Proposal	Demolition of the existing house and redevelopment of the site to provide a two storey building with a setback third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking.

Case Officer	Daniel Jeffries
Applicant	Mr Jon Murch Davies Murch Woolbro Homes Limited
Agent	As above

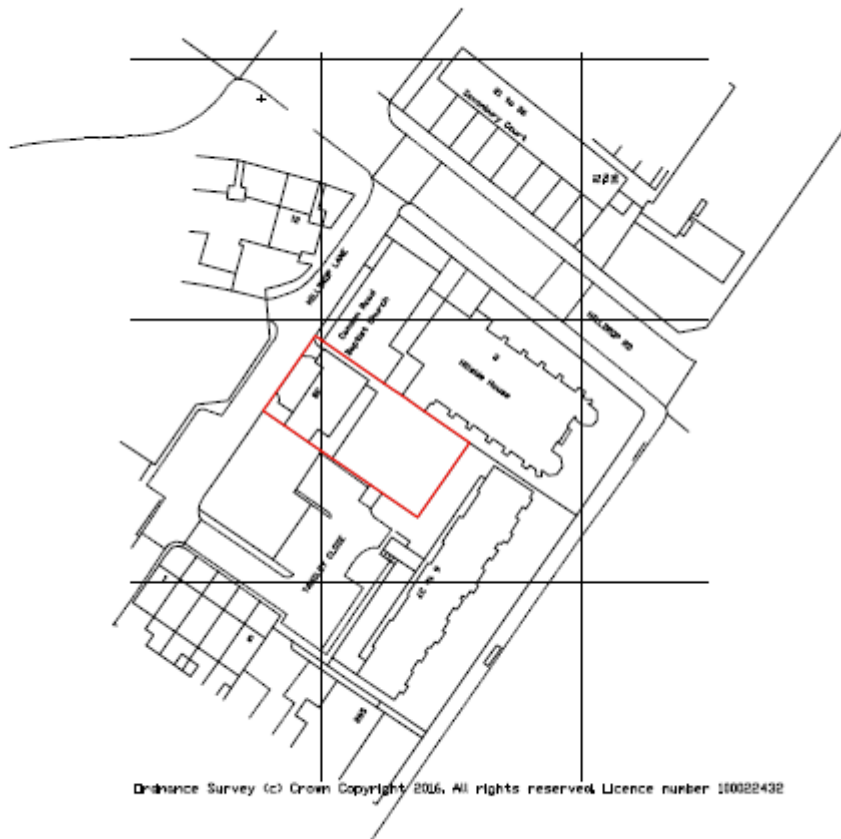
1. RECOMMENDATION

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

1. The conditions set out in Appendix 1; and

2. Completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the contributions for affordable housing, carbon offsetting, tree replacement and ensuring the development remains car free.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of site



Image 2: Front elevation of 38 Hilddrop Lane taken from north



Image 3: View of the west of the site along Hilddrop Lane



Image 4: Rear elevation to the south from rear garden

4 SUMMARY

- 4.1 The application seeks permission for the demolition of an existing single family dwellinghouse and redevelopment of the site to provide a two storey building with a set-back third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking.
- 4.2 The principle of the development is considered acceptable given that it would provide additional residential accommodation, being 9 units consisting of 7 x 2 bedroom units and 2 x 3 bedroom units.
- 4.3 The design, layout, scale and massing of the proposed development is considered to be visually acceptable and would visually integrate with the character and appearance of the surrounding area and nearby properties. It is considered that the proposal pay special regard to and preserves the historic character and visual appearance of the adjacent heritage assets of the Grade II buildings, being the Former Baptist Church and church hall, and the adjacent Hillmarton Conservation Area
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov 2012), incorporating a green roof and the methods included in the Sustainable Design and Construction Statement. The measures include financial contribution for carbon offsetting, and will ensure the proposal meets the 19% carbon reduction target over current 2013 Building Regulations, methods to minimise water consumption, biodiversity, climate change adaptation and the use of sustainable materials and other operational measures. The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. The proposed scheme provides a good mix of 2 and 3 bedroom residential units, which includes family sized accommodation, and is considered to comply with Policy CS12

(Meeting the housing challenge) and Development Management Policy DM9 (Mix of housing sizes).

- 4.5 Private amenity space in the form of gardens at ground floor level and terraces on the upper floors are provided in accordance with the Council's requirements. It is acknowledged that some of the units would not benefit from private amenity space, including the one of the proposed 3 bedroom units. However, in addition to the proposed roof terraces 106 sqm of private communal space is provided within the rear garden, which also includes the cycle parking storage for the proposal.
- 4.6 The proposed development will be car-free and therefore no vehicle parking is provided on site. Furthermore a condition is proposed to ensure that all future occupiers of the proposed units will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.

5 SITE AND SURROUNDING

- 5.1 The site is located on the south eastern side of Hilldrop Lane, which runs north east to south west connecting Hilldrop Road to the north with Hilldrop Crescent to the south. The site is at the north eastern end of Hilldrop Lane and is currently occupied with a two storey detached house with a pitched roof, set back from the road. The house has two garages, one at its northern end facing towards the public highway and one at its southern end, set back from the road and in line with the house. The host property benefits from a large south facing rear garden to its rear.
- 5.2 The north and east boundaries of the application site is shared with the Hillmarton Conservation Area. However, no part of the application site falls within this designation. In addition, the adjacent properties to the north and east which fall within this designation, consist of the Grade II listed buildings of Camden Road Baptist Church and the associated hall, which is now used as a hostel by St Mungo's Housing Association and is included in the listing. The church and the hall are large buildings of approximately three residential storeys. At the rear of the church and immediately adjacent to the site is a single storey building with a steep pitched roof that provides ancillary function space for the church. The church and associated building is adjacent to the house and the hostel is adjacent to the rear garden of the house.
- 5.3 To the eastern boundary of the site is the northern part of a four storey block of flats, which runs along the length of the site's eastern boundary and beyond onto Tansley Close. Separating the site from this block of flats, are a number of large coniferous trees at the end of the garden within the site.
- 5.4 To the south of the site is Tansley Close, which includes a small area of landscaped open space/ park, access road and car parking for residents. Facing onto the close, there are three and four storey residential buildings, being blocks of flats and terraced properties.
- 5.5 Located to the west of the site, and to the opposite side of Hilldrop Lane is an area of communal open space at the rear of the four storey blocks of flats fronting onto Hilldrop Crescent. The end of the terrace that forms the eastern end of the crescent is to the north of the site, opposite the Camden Road Baptist Church.

6 PROPOSAL (in Detail)

- 6.1 The application seeks planning permission for the demolition of the existing two storey single dwellinghouse to be replaced with a new two storey building, with a set back third floor, consisting of 9 residential units, being seven, two bed units, and two, three bed units.
- 6.2 The proposal would be a flat roofed building with maximum height of 8metres, and a maximum width of 16.5m, and a maximum depth of 20.5metres. The proposed building would be rectangular in shape, with both the first two floors having a similar footprint, in terms of its width. However, the ground floor would have a greater depth to the rear to allow for roof terraces at first floor and the north east side elevation to allow for the communal entrance and roof terrace above.
- 6.3 The building, which would be constructed using a mixture of brick types including Terca Stanford Weathered Buff and Wienerberger Hectic Black. The fenestration details on the front, rear and side elevation of the main part of the proposed building would consist of glazed panelled windows, which would align with those above. The central south west elevation windows would be obscure glazed. The roof terraces would be positioned to the north east/side and rear elevations at first floor, and at second floor to the front and rear elevations and would include glazed balustrades. Access to the block of flats, would be made via a path from the public highway of Hildrop Lane, which leads to the rear garden and cycle storage, along the north east boundary.
- 6.3 The proposal would incorporate external amenity space in the form of roof terraces, at first floor, to the side and rear elevations, in addition to the proposed private amenity space provided to the front and rear elevation at ground floor level. Some of the units on the upper floors would not have private amenity space but there would be 106 sqm of communal space to the rear garden. To the rear of the proposed building, there would be an area of communal private amenity space. The proposal would incorporate an area for refuse, which would be positioned adjacent to the entrance to the site, and area to the east corner of the site, designated for cycle storage provision.
- 6.4 The proposal would result in the loss of 9 trees, which are within and outside of the application site.
- 6.4 Revision 1: During the assessment of the application, a number of changes were incorporated into the final proposal. These changes included alterations to the design of the proposal, including altering the alignment of the windows on all four elevations, and the shape and height of the third level. In addition, there were alterations in terms of the articulation of the ground floor side elevations windows to improve the amenity impact of the proposed units.

7. RELEVANT HISTORY

PLANNING APPLICATIONS:

- 7.1 **None**

ENFORCEMENT:

- 7.2 **None**

PRE-APPLICATION:

- 7.3 **Q2016/1635/MIN Pre-application for the demolition of an existing two property and the erection of a three storey building with setback fourth floor to provide nine residential flats** – *provided advice that the proposal is large and bulky and over-dominant on the street; 2 storeys plus set back third storey would be appropriate and should be set away from the listed building; further interest needs to be added in order to break up the bulk e.g. detailing around windows & window reveal depths; Cantilevered balconies are not considered appropriate in this location.*

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of (174) neighbouring properties on the 30th September 2016, and subsequently on 14th November 2016, providing residents with opportunity to comment on the proposed scheme.
- 8.2 At the time of the writing of this report 2 letters of objection had been received. The issues raised are summarised follows (with paragraph numbers stated in brackets stating where the issue is addressed)
- The footprint of the proposed block of flats is too large (10.7)
 - Design and visual appearance of the surrounding area (10.11)
 - Loss of daylight/sunlight to neighbouring properties(10.23)
 - Loss of privacy to neighbouring properties(10.26)
- 8.3 In addition, 3 letters of support have been received. These letters of support included letters from the Chair of the Hilldrop TRA and the Treasurer of the Camden Road Baptist Church which adjoins the application site.

Internal Consultees

- 8.4 **Design & Conservation:** The proposal is an improvement on the pre-application stage proposal with the height and bulk reduced. However, the height of the top storey appears unnecessarily high, with a top heavy appearance. Alterations were suggested to the balustrade to the top floor terrace to the front to better integrate with into the design, and alterations to the proportions of the fenestration pattern and external appearance of the building. Once these amendments were secured the design and conservation officer had had no further objections to the proposal, including the impact on the adjacent heritage assets.
- 8.5 **Tree Preservation Officer:** Initially raised concerns in relation to a category B tree. However, following the proposed mitigation in terms of the mature tree replacement with at least 25-30cm girth to be provided to specification and species agreed in writing with the Local Authority, to include as a minimum a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed, and financial contributions of £20,000, they have confirmed there are no objections to the scheme.

- 8.6 **Acoustic Officer:** The development is in close proximity to residential properties and with the proposed demolition and subsequent construction there is the potential for disruption for nearby occupiers. Advised that a condition is attached to any approval in relation to construction and demolition.
- 8.7 **Refuse Team:** No comments received.
- 8.8 **Highways Officer:** No comments received.
- 8.9 **Transport Officer:** No comments received.
- 8.10 **Greenspace:** No comments received.
- 8.11 **Housing:** No comments received
- 8.12 **Viability Officer:** Has agreed with the assessment of the findings of the Adams Integra Viability Report and the conclusions of the small sites financial contributions. The assessment is based on substantial size of the existing property to be demolished and its residual land value.
- 8.12 **Sustainability Officer:** Has confirmed that subject to the sustainability measures outlined within the Sustainable Design and Construction Statement, and agreement to financial contributions in relation to carbon offsetting the proposal would be acceptable.
- 8.13 **Inclusive Design Officer:** Has confirmed that the proposal is generally inclusive design compliant with the use of a wheelchair accessible unit, with level access to the clear communal entrance, and lift to the upper floors.

External Consultees

- 8.14 **Thames Water:** Requested a condition to attached to any approval relating to drainage strategy and relating to sustainable urban drainage (SUDs).
- 8.15 **David Coates Adams Integra:** Confirms that the report appraisal demonstrates that the scheme is able to support an affordable housing contribution of £80,000 and remain viable due to the residual land value of the application site.

9 REVELANT POLICIES

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

National Guidance

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

Development Plan

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

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

- Principle of the development,
- Design and conservation,
- Standard of accommodation,
- Inclusive design,
- Neighbouring amenity,
- Highways and Transportation
- Tree Impact, and
- Contributions towards affordable housing and Carbon Off setting

Land use

- 10.2 The application proposes to demolish an existing two storey single family dwellinghouse and replace it with a two storey with a set back third floor building to be used for 9 residential units. Given that the proposal would include two family units the loss of the existing family sized single dwellinghouse, would be acceptable. In addition, it is considered that the principle of new residential accommodation is acceptable as policy CS12 seeks to meet and exceed the borough housing target which is set by the Mayor of London and that housing will be re-provided on the site.

Design and conservation

- 10.3 The host building, to be demolished, consists of a two storey red brick building, with a pitched roof with white render on first front elevation, with associated garages. This property is likely to have been constructed in the 1970's and has no contribution in terms of its visual appearance on the surrounding area. It is therefore considered that in design terms the loss of this property would be acceptable.
- 10.4 The proposal would involve the construction of a three storey flat roofed building. In terms of assessing its acceptability in design terms, it is important that any future development would be in keeping with the buildings found within the surrounding area. In this instance, the surrounding area consists of buildings which are predominately three storeys and the scheme as proposed will match the prevailing heights of surrounding properties.
- 10.5 The application site is adjacent to the Hillmarton Conservation Area and Listed Buildings to the north east of the site. The listed buildings comprise the larger Camden Road Baptist Church building with its associated hall, at nos. 1 and 2 Hilddrop Road. These are positioned adjacent to the north east boundary of the application site, and are a two and a single storey buildings respectively. As a result the proposal is required to have

special regard for these heritage assets and preserve or enhance the historic character and visual appearance of these designations. It is considered that the proposed building will not unduly harm the character and appearance of the area due to its sympathetic design and massing. The height of the scheme will match prevailing heights within the surrounding area and will compliment and reinforce the character of the area.

- 10.6 Whilst the proposal would consist of a total of three storeys, the main part of the proposed building would be set away from the shared north east boundary, with the Listed Buildings and Conservation Area, by 2.7m, at first and second floor level. The nearest part of the proposal would consist of a single storey element, being the communal entrance to the site, which would be similar height to the shared north east boundary wall, albeit with glazed balustrades and would be set away by 0.8m from this shared boundary. It is considered that in comparison to the existing situation, these separation distances from the adjacent heritage assets are considered acceptable in this instance.
- 10.7 The proposal would be broadly similar to what currently exists in terms of its maximum width and height, being increased by 0.5m and 1m respectively. It is acknowledged that the maximum depth of the host property would be increased, from 10m to 20.5m, however, it is considered given the design of the proposal and the depth of the rear garden, being 25 metres, this increased footprint would be acceptable in this instance as sufficient garden land remains and the proposed building is considered to provide a modern yet contextual building which enhances the character and appearance of the area.
- 10.8 In terms of the impact on of the Hillmarton Conservation Area and Listed Buildings to the north east of the site, it is important that the proposal would preserve and enhance these heritage assets. It is acknowledged that the nearest element of the proposal would be 0.2m closer to the shared boundary wall, with these heritage assets, in comparison to the nearest point of the existing two storey property. However, the nearest part of host property forms two storeys, whereas the proposed building has been reduced to a single storey along the shared boundary with the listed buildings. The main element of the proposed building, as described above, is set away 2.7metres, from this shared boundary, with the third storey benefiting from being set away from the eaves, towards the front and rear corners approximately 7metres in both corners, at 1metre to the north and 3.3metres to the south, with the remaining 6.5 metres level with the side elevation.
- 10.9 The building itself would be setback from the front boundary in line with the existing dwellings, and incorporates private amenity space in the front garden area for one of the ground floor units, and part of the rear garden for two of the ground floor units. The detailing of the fenestration details, the setbacks of the third floor and the articulation of the side elevation windows on the ground floor, has been amended from the original design. These amendments were made to address concerns raised by the Council's Design and Conservation Officer, and to improve the quality of accommodation of the ground floor units.
- 10.10 The materials proposed (predominantly facing brick elevations and timber framed windows) will ensure that the development is in keeping with the surrounding street scene and the heritage assets. A condition is proposed to ensure the exact brick used is appropriate to the surroundings.
- 10.11 The design is considered to be acceptable and will appear as a contemporary addition to the street scene which sits comfortably within the historic surroundings. It is therefore considered that the proposed development pays special regard to and will preserve and

enhance the character and appearance of the adjoining conservation area and listed buildings.

Standard of accommodation

- 10.12 Policy DM3.4 of the Islington's Development Management Policies (June 2013) sets out the standards expected of accommodation in the borough. The following table shows the proposed unit sizes and the required unit sizes as set out in Policy DM3.4:

Unit	Bedrooms	Required Floor Space (m2)	Provided Floor Space (m2)
Unit 1	2	70	76
Unit 2	2	61	75
Unit 3	3	86	86
Unit 4	2	70	76
Unit 5	2	61	68
Unit 6	3	86	86
Unit 7	2	61	68.6
Unit 8	2	61	62.4
Unit 9	2	61	61.6

All of the units would meet the minimum floorspace requirements and therefore comply with Policy DM3.4 in this regard.

- 10.13 In terms of amenity space, DMP policy DM3.5 states that all new residential developments and conversions are required to provide good quality private outdoor space. The table below shows the proposed private amenity space for each unit:

Unit	Required private amenity space (m2)	Private Amenity space
Unit 1	25	32
Unit 2	20	25
Unit 3	30	48
Unit 4	7	8.5
Unit 5	6	6.8
Unit 6	8	8.7
Unit 7	6	0
Unit 8	6	0
Unit 9	6	8.2

It is acknowledged that the proposal would not result in any private amenity space dedicated to Units 7 and 8. Whilst this does include a family sized three bedroom unit, the proposal does include a large communal amenity space to the rear garden measuring an area of 106 sqm. It is considered given this communal space and that these units are located on the upper floors the lack of dedicated private amenity space is acceptable in this instance.

- 10.14 Policy DM3.4 states that all new housing developments are required to provide dual aspect accommodation, adequate daylight and sunlight provision, legible, logical and level entrances, and acceptable shared circulation space.
- 10.15 The proposed mix of 2 and 3 bedroom (family sized) units are acceptable and compliant with DM3.1 of Development Management Policies 2013. Each of the units would achieve dual aspect and be of adequate size, complying with the minimum floorspace requirements in Table 3.2 of the London Plan 2015, with unit 2 being wheelchair accessible. The units are considered to have generally satisfactory layouts, and sized bedrooms and communal areas, and access to acceptable levels of daylight/sunlight and outlook to all habitable rooms. It should be noted that the windows to the ground floors units, being Units 1 and 2, are not ideal given the proximity to the shared boundary to the west, and the proximity to the communal entrance to the east elevation. The amendments to alter the articulation of these windows are considered to address the concerns in relation to outlook and privacy to future occupiers of these units.
- 10.20 Overall the proposal would, on balance, provide satisfactory living conditions for future occupiers of the proposed units. The proposal is compliant with policies DM3.1 DM3.4 and DM3.5 of the Development Management Policies (2013) and be acceptable in terms of the standard of accommodation.

Inclusive Design

- 10.21 The proposal is considered to have a logical entrance to the site with level access ,to the proposed building which is provided by a footpath from the public highway directly off Hilddrop Lane. This path leads to the communal/shared entrance to the building, and to the private communal rear garden. The communal entrance would be visible from the public realm, clearly identified and include a covered entrance for weather protection. In addition, all of the units would be accessed from the central core of the building, with the upper floors benefitting from a central staircase and lift access. The proposal would provide one wheelchair accessible unit (Unit 2) which would have level access and positioned at ground floor level. In addition, there would be both a wheelchair accessible lift and a staircase for the units on the upper floors. Overall the proposal is acceptable and the units would generally conform to the requirements found within the Accessible Housing SPD.

Neighbouring Amenity:

- 10.22 A daylight/sunlight report has been submitted to assess the potential impact of the proposal, in terms of daylight/sunlight impact on surrounding properties. These include the block of residential flats along Tansley Close situated to the south east of the proposal, the former church building to the north east, in use as St Mungo's shelter. The recommendations of this report conclude that there would not be any significant loss of daylight/sunlight to the surrounding properties as a result of the proposal.
- 10.23 The daylight/sunlight report states that in terms of daylight the impact on the properties along Tansley Close the results of the Vertical Sky Component (VSC) assessment, which calculates the amount of visible sky available to each window or to points on the façade of a building where windows have not yet been designed, shows that 33 of the 34 windows relevant for assessments retain VSC levels within 0.8 times their former values, with many windows experiencing an increase in light levels due to the removal of the trees to the boundary. The report concludes these impacts are considered to be excellent given the urban location of the scheme and are wholly in line with the BRE criteria. In terms of sunlight the report concludes that 'None of the windows that look towards the proposed scheme are within 90 degrees

of due south. They are therefore not relevant for assessment under the Annual Probable Sunlight Hours (APSH) criteria.

- 10.24 The VSC assessment on no. 2 Hilldrop Road demonstrates that 42 of the 46 windows that may be affected by the proposal would retain VSC levels on or in excess of 0.8 times their former values and are fully compliant with the BRE targets. In terms of sunlight none of the windows that may be affected by the proposed scheme serve main living spaces within 90 degrees of due south. This property is therefore not relevant for APSH sunlighting assessment under the BRE guide.
- 10.25 The orientation of the site means that the most significant impact in relation to any loss of daylight/sunlight from the proposed building would be the properties to the north, east and west of the building. However, the proposal would benefit from a significant separation distance between the nearest existing residential properties, including the public highway of Hilldrop Lane and an area of open space, to the north (approximately 20 metres), and an area of open space to the west (approximately 30 metres). The adjacent property to the east is used as a church building, and due to the setback of the additional third floor would not result in any significant loss of daylight/sunlight to neighbouring properties.
- 10.25 Given the existing separation distances, from the nearest residential properties, being 20 metres to the north, 30 metres to the west, including an area of open space, and 25 metres to the south, the proposal is considered not to result in any significant loss of outlook to occupiers of these properties. The properties to the east are the church buildings.
- 10.26 The proposed windows to the front and rear elevations, would not result in any loss of privacy to neighbouring properties over and above what currently exists. Whilst it is acknowledged that the proposed roof terraces would result in external elevated areas which potentially may result in increased noise and privacy issues to neighbouring properties, these areas are restricted in size to prevent large gatherings, and would include balustrades. The roof terraces are restricted to the rear and north east side elevation, meaning that they would be a significant distance away from the nearest residential properties. It is therefore considered that the proposal would not result in any significant loss of privacy or result in any significant noise impact on neighbouring properties.
- 10.27 The Council's Pollution team have advised that a condition be attached relating to the submission of a construction environmental management plan to assess the environmental impacts of the development, prior to the any works commencing.
- 10.28 Based on the above assessment the proposal is considered to have an acceptable amenity impact on neighbouring properties.

Trees

- 10.28 Policy CS15 of Islington's Core Strategy 2011, Policy DM6.3 and DM6.5 of the Development Management Policies include the protection of trees, open space and the landscape in their objectives. These policies state that there should be an over-riding planning benefits to offset loss, damage or adverse effects arising from development. The site is not a SINC or designated open space.
- 10.29 The trees and open space contribute materially to the amenity of the locality, providing textural diversity, a sense of scale and screening to the built environment. The trees do provide environmental benefits. There are currently 10 trees on site, positioned within

the rear garden of the host property and also the adjacent car park within Tansley Close. One is a Category B tree, being of moderate quality or value capable of making a significant contribution to the area for 20 or more years. and the other nine trees are Category C trees, being of low quality, adequate for retention for a minimum of 10 years expecting new planting to take place; or young trees that are less than 15 cms in diameter which should be considered for re-planting where they impinge significantly on the proposed development. The proposed development works are to incorporate the retention of 1 of the 2 trees neighbouring the site and the removal of 8 trees within the site which have been surveyed.

- 10.30 Following an assessment of the proposal, the Tree Preservation Officer objected to the proposal due to the proposed removal of the mature tree in the neighbouring site. This was due to the lack of mitigating re-planting within the original submission, and it being identified as a Category B tree.

Following discussions the applicant proposed the following mitigation measures and has agreed to condition relating to a landscaping scheme including a mature tree replacement specimen at least minimum a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed and a legal agreement secured by way of a Unilateral Undertaking which includes:

- A payment of £20,000.

- 10.31 Following an assessment of the impact on this tree from the proposed development, balanced with its current condition and future potential for this tree, the Tree Preservation Officer has agreed that this mitigation offer is acceptable in this instance.
- 10.32 On balance, subject to a condition regarding the submission of details relating to the replacement tree, and the commuted sum secured by way of a legal agreement, the proposal would not have a detrimental impact upon the biodiversity or ecological connectivity of the site. It is therefore considered compliant with Policy CS15 of Islington's Core Strategy 2011, and Policies DM6.3 and DM6.5 of the Development Management Policies.

Highways and Transportation

- 10.33 The development will be car free in accordance with the Core Strategy, and will therefore not add any additional parking pressure to Grosvenor Avenue and the nearby streets. The exceptions to this are blue badge holders and Islington residents who have already held a permit for the specified period of one year.
- 10.34 Policy DM8.4 states that minor developments creating new residential are required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible.
- 10.35 The proposal includes provision for cycle storage to the bottom of the rear garden, to the north east corner. In this instance, 1 cycle space per bedroom (20) should be provided.
- 10.36 Bin storage is provided at the front of the site adjacent to the entrance to the site
- 10.37 The proposed development provides acceptable cycle and bin storage.

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

- 10.38 The SPD 'Affordable Housing Small Sites' states that in line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough. The SPD states, in accordance with the NPPF, that in instances where the applicants consider that this level of contribution would leave the development unviable, that the council will accept viability assessments where the applicants should provide a statement with their application with a justification for not providing the full financial contribution. The applicants initially stated that no contribution was possible. In this instance the applicants originally provided information relating to viability and suggested any contribution would lead the scheme to be unviable.
- 10.39 The SPD states that 'a viability appraisal must include sufficient information to enable the council and/or an independent viability expert to review the appraisal without having to seek further information from the applicant'. The viability statement was independently assessed and it was concluded by the assessors that a contribution of £80,000 is reasonable. The Council's Viability Officer has agreed with the independent assessors conclusions, given the substantial size of the building and the residual land value of the site.

Sustainability

- 10.40 Policy DM7.2 requires developments to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.41 A Sustainable Design and Construction Statement has been submitted with the application as required by policy DM7.1 for new residential units. The report provides details of a number of sustainability measures including sustainable materials, water efficiency calculations for building regulations and design stage report demonstrating that an adequate standard of sustainable design can be achieved. The proposal also includes a green roof would be provided on the top of the proposal, a condition has been attached to submit details of the biodiversity of this roof.
- 10.42 The applicant has agreed to financial contribution in relation carbon offsetting, and the proposal would include a green roof to the top of the proposed building. In accordance with Policy DM6.5 a condition has been attached to ensure that the details of the biodiversity for the roof can be achieved.

Construction Method Plan

- 10.43 A condition requiring a construction method statement will ensure that any construction is undertaken in an appropriate manner.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks the demolition of the existing 2-storey detached house and the construction of a new two-storey building with a set third floor providing 9 residential dwellings

- 11.2 The principle of the development and providing additional residential accommodation would be acceptable in land use terms, have an acceptable impact upon the character and appearance of the adjacent properties and street scene and will preserve the character and appearance of the adjoining Hillmarton Conservation Area, and Grade II Listed Buildings. In addition, it would not be unduly harmful to the amenities of adjoining residents.
- 11.3 Given the orientation of the application site, as well as the positioning and separation distances of the adjoining residential buildings, it is considered that the development would not result in the loss of daylight, sunlight to the occupiers of the adjoining residential properties, undue increase in enclosure levels, loss of outlook or have a significant detrimental impact upon their amenity levels taken as a whole.
- 11.4 The proposed units would provide acceptable standard of accommodation with all units achieving minimum internal floorspace standards, dual aspect, and either meet the required private amenity space standards or have access to the communal private rear garden. The proposal would achieve the Accessible Housing SPD standards including a wheelchair accessible unit and level access to the entrance. In addition to meeting the Sustainable development requirements.
- 11.5 The proposed mitigation in the form of a condition relating to a replacement tree planting and a financial contribution is considered acceptable. In addition to a financial contribution relating to small site affordable housing and carbon offsetting. These contributions would be secured by way of a Unilateral Agreement.
- 11.6 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions and Unilateral Agreement.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS.

RECOMMENDATION A

That the grant of planning permission be subject to the prior completion of a unilateral undertaking in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/ Head of Service – Development Management or, in their absence, the Deputy Head of Service.

- a) A financial contribution of £80,000 towards the provision of off-site affordable housing.
- b) A financial contribution of £9000 towards CO2 off setting.
- c) A financial contribution of £20,000 towards tree replacement

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Town Planning Statement dated 05/08/2016; Financial Viability Assessment dated October 2016; Arboricultural Survey (BS5837:2012) & Impact Assessment Report dated 23 August 2016 (Appendix B and Appendix C); Daylight &Sunlight Report dated 4 August 2016; Design and Access Statement dated August 2016; Heritage Statement 2016; 1462_GA_E/Rev.C; GA_E_02/Rev.C; GA_P-01/Rev.C; GA_P_00/Rev.C; GA_P_01/Rev.C; GA_P_02/Rev.C; 1462_GA_P/Rev.J; 16049-16-01; GA_P_03/Rev.B; 1462_EX_E_01; OS Plan;</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
	Materials
3	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none">a) solid brickwork (including brick panels and mortar courses)b) window treatment (including sections and reveals);c) roofing materials;d) balustrading treatment (including sections);e) garden fences;f) bin store; and

	<p>g) divisions/ boundary treatment between gardens.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
	Accessible Homes
4	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
	Cycle parking
5	<p>CONDITION The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 20 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
	Car Free Housing
6	<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 residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least a year.</p> <p>REASON: To ensure that the development remains car free.</p>
	Construction Method Statement
7	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall</p>

	<p>be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works viii. mitigation measures of controlling noise from construction machinery during business hours <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
	<p>Green Roof</p>
8	<p>CONDITION: Details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80- 150mm); and b) 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. 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>

	Arboricultural Method Statement
9	<p>CONDITION: No development (including demolition works) shall take place on site unless and until an arboricultural method statement (AMS) including details of the replacement scheme has been submitted to and approved in writing by the Local Planning Authority. The replacement scheme shall include a mature specimen at least 25-30cm girth shall with the specification and species agreed in writing with the Local Authority. It shall include a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities.</p>
	Drainage Strategy
10	<p>CONDITION: Prior to the commencement of development a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved by, the local planning authority. The approved scheme shall be implemented in full, and maintained thereafter. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
	Sustainable Urban Drainage Systems (SUDS)
11	<p>CONDITION: Prior to the commencement of the development details of the implementation, adoption, maintenance and management of a sustainable drainage system shall be submitted to the Local Planning Authority and approved in writing . The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime. The approved scheme shall be implemented in full and maintained thereafter.</p> <p>REASON: To ensure sustainable drainage.</p>
	Sustainable Development
12	<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</p>

	<p>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>
	Lift Shaft Insulation
13	<p>CONDITION: Prior to the operation of the lift hereby approved sound insulation shall be installed to the lift shaft sufficient to ensure that the noise level within the adjoining residential flats does not exceed NR25(Leq) 23:00 - 07:00 (bedrooms) and NR30 (Leq. 1hr) 07:00 - 23:00 (living rooms). The sound insulation and noise control measures shall be maintained as such thereafter and no change therefrom shall take place without the prior written knowledge of the Local Planning Authority.</p> <p>REASON: To protect the amenity of adjacent residents.</p>
	Structural Method Statement
14	<p>CONDITION: No development shall be commenced on site unless and until an updated structural engineers report and excavation strategy including methodology for excavation and its effect on all neighbouring boundaries and neighbouring buildings has been submitted to and agreed in writing by the Local Planning Authority. This strategy shall be fully implemented in accordance with the approved details.</p> <p>REASON: to ensure that the proposed development would have no undue impact on the structural integrity of the neighbouring buildings.</p>
	No Plant Equipment
15	<p>CONDITION: In the event any plant equipment is proposed planning permission would be required.</p> <p>REASON: To protect the amenity of neighbouring residential properties.</p>
	Rooftop Enclosures
16	<p>CONDITION: No development shall be carried out until details of the rooftop enclosures/screening and the lift overrun are submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved plans and permanently maintained thereafter.</p> <p>Reason: To ensure the proposal does not have a detrimental impact on the street scene.</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.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	CIL Informative (Granted)
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
3.	Party Walls
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act"). Environmental Legislations and the Equality Act.</p>

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 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.1 Housing Mix

DM3.4 Housing Standards

DM3.5 Private Amenity Space

Energy and Environmental Standards

DM8.4 Walking & Cycling

DM8.6 Delivery & Servicing

Health and Open Space

DM6.3 Protecting open space

DM6.5 Landscaping, trees and biodiversity

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:

Adjacent to Hillmarton Conservation Area
and two Grade II Listed Buildings

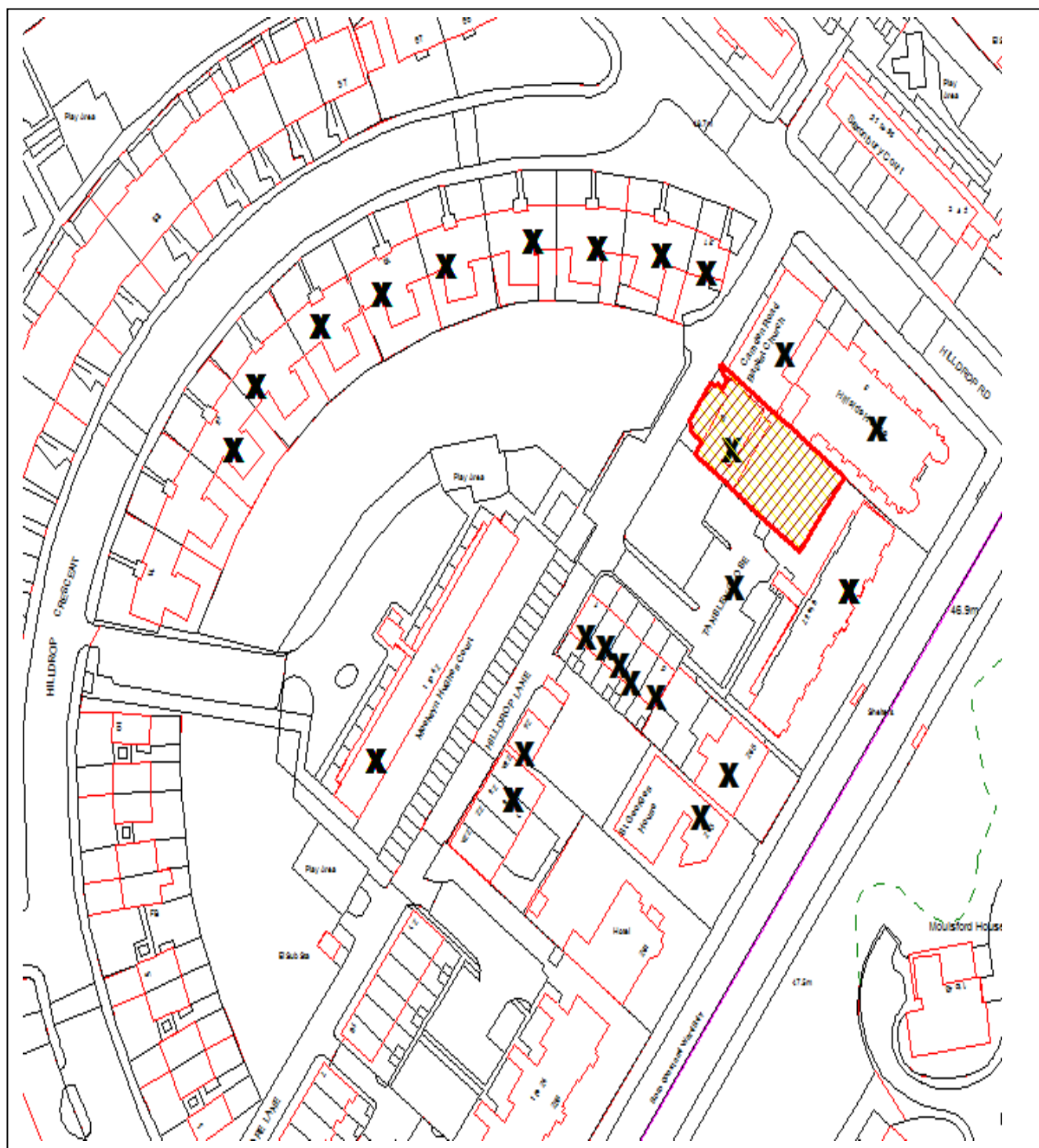
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

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

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Islington SE GIS Print Template



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P2016/3134/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

PLANNING SUB-COMMITTEE A		
Date:	30 January 2017	NON-EXEMPT

Application number	P2016/0139/FUL
Application type	Full Planning Application
Ward	Clerkenwell Ward
Listed building	Not listed
Conservation area	Clerkenwell Green Conservation Area
Development Plan Context	Archaeological Priority Area Bunhill & Clerkenwell Core Strategy Key Area Clerkenwell Green Conservation Area Central Activities Zone Local Cycle Routes Employment Priority Areas (General) Bunhill & Clerkenwell Finsbury Local Plan Area Local view from Archway Road Local view from Archway Bridge Mayors Protected Vistas - Alexandra Palace viewing terrace to St Paul's Cathedral
Licensing Implications	None
Site Address	Gate House, 1 St John's Square, London, EC1M 4DH
Proposal	Erection of roof extensions at third, fifth and sixth floor levels to create 6 residential units, and provision of an uplift in B1 office floorspace including reconfiguration at fourth and fifth floor and basement levels, erection of a seven storey lift shaft to north elevation, and associated external alterations and alterations to fire escape on western elevation. Relocation of existing air conditioning units.

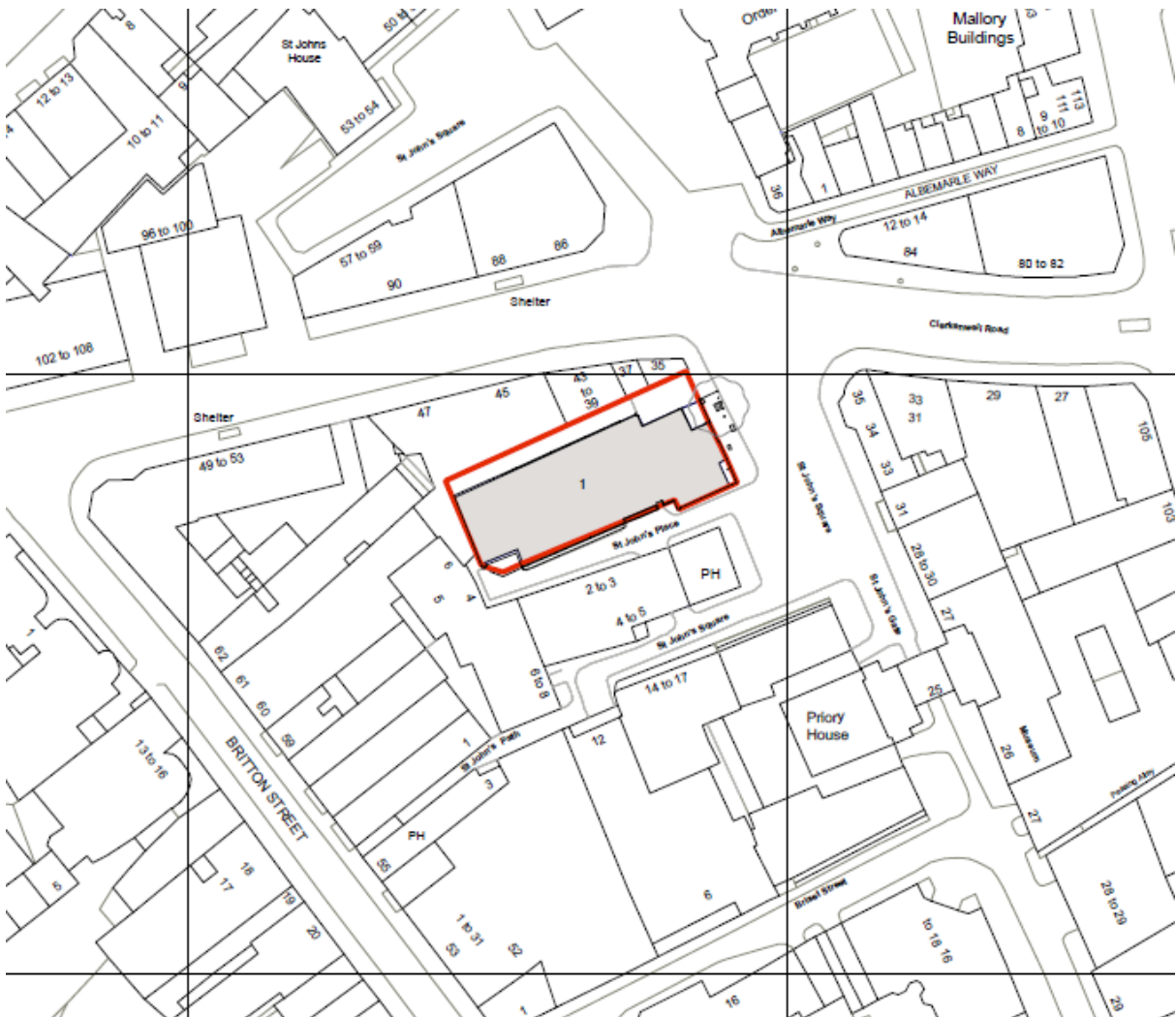
Case Officer	Thomas Broomhall
Applicant	Alexandria Bay Ltd.
Agent	Planning Sense Ltd - Mr Matt Bailey

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of the application site

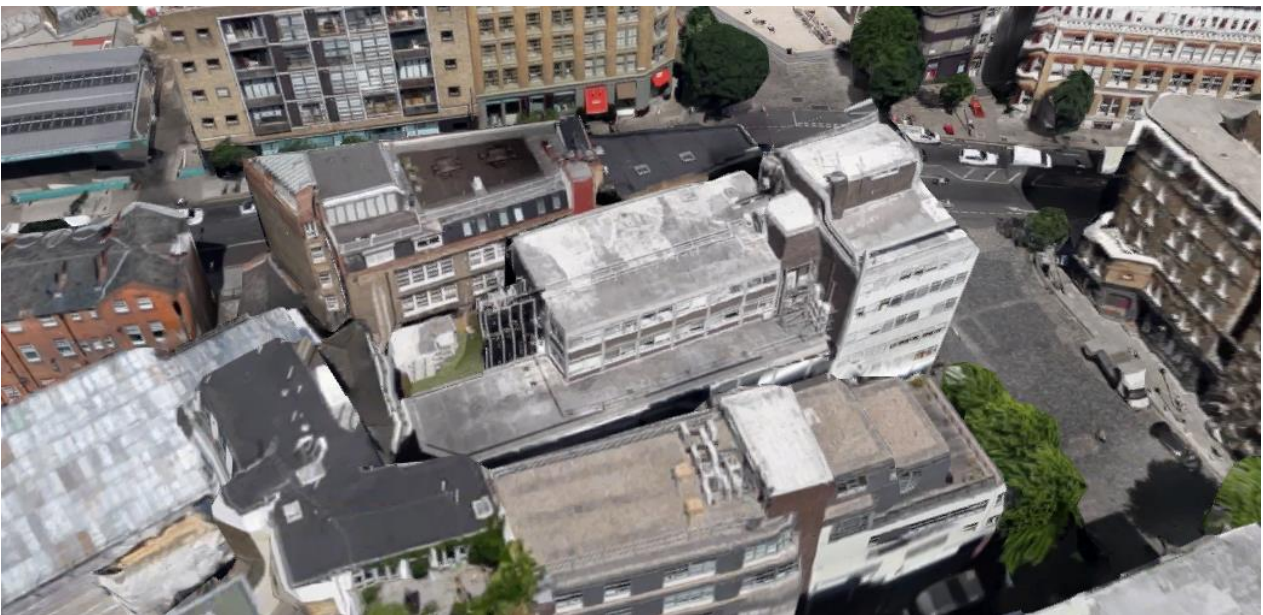


Image 2: Aerial view in northerly direction



Image 3: View towards the site from Clerkenwell Road



Image 4: View from St John's Square



Image 5: View from the site towards the rear of 45-47 Clerkenwell Road

4.0 SUMMARY

- 4.1 Planning permission is sought for the erection of roof extensions at third, fifth and sixth floor levels to create 6 residential units, and provision of an uplift in B1 office floorspace including reconfiguration at fourth and fifth floor and basement levels, erection of a seven storey lift shaft to north elevation, and associated external alterations and alterations to fire escape on western elevation. Relocation of existing air conditioning units.
- 4.2 The application is brought to committee because of the number of objections received.
- 4.3 The issues arising from the application are the impact on the character and appearance of the host building and surrounding conservation area, the standard of the new residential units and the impact on the neighbouring amenity of the adjoining and surrounding residential and commercial properties.
- 4.4 The design of the proposal is considered to be acceptable and would not detract from the character and appearance of the conservation area. The standard of the proposed new residential units is considered to be acceptable. The proposal would not detrimentally impact the amenity of the neighbouring properties.
- 4.5 The proposal is therefore considered to be acceptable and it is recommended that the application be approved.

5. SITE AND SURROUNDING

- 5.1 The site comprises a part five storey part six storey office building with an existing exposed framed water tank at sixth floor level. The front elevation has a mosaic panel running from first to sixth floor level and is visible from St John's Square to the east of the site. The property sits adjacent to the rear of 45-47 Clerkenwell Road to the north, 6 St John's Place to the west and 1 St John's Place and 2-5 St John's Place sit to the south of the site.
- 5.2 The surrounding buildings are of varying height, age and design. To the south east of the site is St. John's gate, a Grade I listed building and Scheduled Monument. The site is located within the Clerkenwell Green Conservation Area, the Central Activities Zone (CAZ), and Employment Priority Area (General) and within both local views from Archway Bridge and the Mayors Protected Vista from Alexandra Palace viewing terrace. The building is not statutory listed.

6. PROPOSAL (in Detail)

- 6.1 The application proposes the erection of single storey roof extensions at fifth floor level to the rear part of the building and at sixth floor level at the front of the building to create 6 x 2 bedroom residential units; and external alterations to create 4 no. roof terraces at fourth floor level on the southern elevation and at sixth floor level to create a single roof terrace.
- 6.2 The application also proposes a single storey third floor level roof extension to create office floorspace and change of use and reconfiguration at basement, fourth and fifth floor levels to create 96.4 square metres of additional B1 (office) floorspace across the site.
- 6.3 Further external works include installation of external lift shaft from ground floor to sixth floor level, on the northern elevation, reconfiguration of the existing fire escape at second to fifth floor levels, external alterations at ground floor level to facilitate the reconfiguration, provision of new access to new residential and office accommodation, access to cycle storage and bin storage, upgrading of the external façade and extension to main entrance canopy, and relocation of existing air conditioning units.
- 6.4 During the assessment of the application, two sets of amended drawings were received. Initially to address the concerns over standard of amenity of proposed apartment F at fifth floor level. Additional Daylight and Sunlight information was submitted following a case officer visit to the site and adjacent residential properties at 45-47 Clerkenwell Road, as an addendum to the initially submitted Daylight and Sunlight Report.
- 6.5 Following a further review of the application a second set of revisions were received to address concerns over mutual overlooking between the proposed new residential units on the fourth floor and the existing residential units on the fourth floor of 45-47 Clerkenwell Road through the addition of obscurely glazed windows, which are obscurely glazed up to a height of 1.8 metres above internal floor level.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 10/04/2013 - Planning Permission (ref: P2012/0454/FUL) granted for *installation of replacement air conditioning units with associated screening to rear of building at second floor level (retrospective)* at Gate House, 1 St. John's Square, London EC1M 4DH.
- 7.2 06/09/2013 - Planning Application (ref: P2013/2276/FUL) refused for *installation of three antennas and three dishes set on three free standing support poles, one equipment cabinet and ancillary works to roof* at 1 St. John's Square, London EC1M 5RN.

REASON: The proposed antenna, dish and support frame on the northern and southern edges of the property, by reason of their proximity to the roof edge, their height and prominent location, would be visible in views from St John's Square and Clerkenwell Road, detracting from the simple open parapet design of the application building and the character and appearance of the Clerkenwell Green Conservation Area. The proposal is contrary to policies 7.5, 7.6 and 7.8 of the London plan 2011, policies CS8 and CS9 of the Core Strategy 2011, policies DM2.1 and DM2.3 of the Development Management Policies 2013, the Conservation Area guidelines for Clerkenwell Green Conservation Area Design Guidelines 2002, and the Urban Design Guidelines 2006.

- 7.3 31/10/2013 – Planning Application (ref: P2013/2806/FUL) refused for *retention of decking installed to create roof terrace for existing office use, and retention of 2 no. bamboo screens* at Second floor, Gate House, 1 St. John's Square, London EC1M 4PN.

REASON: The existing bamboo screens cause unacceptable harm to neighbouring amenity by virtue of creation of sense of enclosure and cause an unacceptable loss of daylight to the windows on the adjacent neighbouring properties at no. 45-47 Clerkenwell Road and 6 St John's Place. The proposal would therefore be contrary to policies 7.1 of the London Plan 2011, policies CS8 and CS9 of the Core Strategy 2011, and policy DM2.1 of the Development Management Policies June 2013.

REASON: The existing bamboo screens are an inappropriate addition causing unacceptable harm to the visual amenity of the private realm due to their clear visibility from the adjacent neighbouring properties and therefore harmful to the character and appearance of the surrounding Clerkenwell Green Conservation Area. The proposal would therefore be contrary to policies 7.4 of the London Plan 2011, policies CS8 and CS9 of the Core Strategy 2011, and policies DM2.1 and DM2.3 of the Development Management Policies June 2013.

- 7.4 19/12/2013 – Planning Permission (ref: P2013/4275/FUL) granted for *Installation of three small antennas, one equipment unit and associated steel support frame, three 300mm dish antennas and ancillary works on the roof of the existing building* at The Gate House, 1 St. John's Square, London EC1M 5RN.

ENFORCEMENT

7.6 None.

PRE-APPLICATION ADVICE:

- 7.7 August 2014 Pre-application (ref: Q2014/2200/MIN) Advice was provided in relation to Change of use from B1 (Office) to part B1 (Office) and part C3 (Residential) including provision for six (6) new dwellings, construction of side extension at third floor level towards the rear, a single storey extension at fifth floor level towards the rear, a two-storey extension to the main building fronting St John's Square, construction of a new external lift shaft on the north-east corner of the building and other associated works. The applicant was advised that:
1. The infilling of the top floor, which is currently open and framed, forms an integral and important part of the original design. The proposal to infill this space would harm the appearance of the building, reduce its elegance and would not be supported.
 2. External cladding is likely to change the fineness and lightweight appearance of the building and would be resisted. Consideration should be given to internal cladding so the external appearance and architectural qualities of the building remain unharmed.
 3. The replacement of the original windows with double glazed windows would only be considered acceptable if they were replaced on a like for like basis in terms of materials, design and frame dimensions. Consent is unlikely to be granted for replacement of the steel windows with aluminium.
 4. The addition of a lift shaft on the side elevation, even if fully glazed, is likely to appear overly prominent in this sensitive location, drawing ones eye away from the Grade I listed St. John's Gate.
 5. The addition of a roof extension on the rear element of the building would be visible in long views above the rooflines of Nos.35-43 Clerkenwell Road. In terms of good urban design practice, buildings fronting a principal road should be taller than the buildings behind. Accordingly, as the addition of a roof extension to No.1 would result in the building being taller than the buildings fronting Clerkenwell Road, this would not be looked upon favourably. In addition, a roof extension to the rear element of the building would also unbalance the original design.
- 7.8 2015 Follow-up Pre-application (ref: Q2015/2357/MIN) Advice was provided in relation to the design and appearance of the proposed extensions and external alterations. The applicant was advised that a lift shaft to the north elevation is acceptable in principle; an additional storey to the rear is acceptable in principle as long as the concerns regarding the height in the pre-application advice have been addressed. White gloss mosaic tile finish and Crittal windows to match existing are welcome. The proposed infill extension within the existing framework with details to match existing floors below or Crittal with gloss mosaic tile finish are welcome.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 150 occupants of adjoining and nearby properties at Clerkenwell Road, St John's Place, St John's Square, Albemarle Way and Britton Street, on 28 January 2016. The initial public consultation of the application expired on 25 February 2016. A total of 16 objections were received following the first period of public consultation.
- 8.2 Following receipt of an amended proposed fifth floor plan drawing and an addendum Daylight and Sunlight Report, a second public consultation took place which ended on 17 May 2016. A total of 5 further objections were received following the second period of public consultation.
- 8.3 A further period of public consultation was required to ensure that the seven storey lift shaft had been correctly advertised and that the revised floor plans indicating the extent of the B1 uplift were correctly advertised. This ended on 16 June 2016. A total of 5 further objections were received following the third period of public consultation.
- 8.4 Following receipt of revised drawings indicating obscure glazing on the fourth floor level windows of the new residential units, a fourth period of public consultation took place which ended on 12 January 2017. At the time of writing this report 2 further objections had been received.
- 8.5 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report a total of 27 no. objections 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 in brackets):
- No consideration as to whether additional office floorspace could be used for SMEs or as affordable workspaces (See paragraph 10.10);
 - Impact of additional residential density on the neighbourhood (See paragraphs 10.11-10.14);
 - No active frontage to the building at ground floor level (See paragraphs 10.23);
 - External alterations do not comply with conservation area guidelines (See paragraphs 10.24);
 - Application gives no consideration to the conservation area and does not provide enhancements (See paragraphs 10.24);
 - Upgrading building cladding is inappropriate (See paragraphs 10.24).

- Increase in height would be harmful to the appearance of the historic St John's Square (See paragraphs 10.25);
- Impact on the residential properties at first to fourth floor level at 45-47 Clerkenwell Road due to loss of daylight and sunlight, loss of outlook and privacy, loss of view of the sky and increase in overlooking (See paragraphs 10.43);
- Loss of light/amenity to 2-5 St John's Square (See paragraphs 10.47);
- Details of the findings of the initially submitted Daylight and Sunlight Report are incomplete and therefore it's not possible to accurately consider the results and the impacts of the proposed works on 45-47 Clerkenwell Road (See paragraphs 10.36, 10.38 and 10.43);
- Increase in overlooking towards 1 St John's Place (See paragraphs 10.44);
- Loss of light to no's 1 and 4 St John's Place (See paragraphs 10.45);
- Enclosure to external fire escape staircase will lead to overshadowing and enclosure to 6 St John's Place (See paragraphs 10.46);
- Plant Equipment is harmful to 5 and 6 St John's Place (See paragraphs 10.48);
- Request for condition regarding noise disturbance from air conditioning units (See paragraphs 10.48);
- Relocation of office entrance and loading bay entrances will cause congestion and increase in noise pollution (See paragraphs 10.49);
- Request for Construction Management Plan due to disturbance to first and second floor offices within the site at 1 St John's Square (See paragraphs 10.50);
- Disturbance of water table, and damage to historic cobbles (See paragraphs 10.50);
- Disruption from and impact of, construction works on St John's Place due to noise and air pollution (See paragraphs 10.50);

Internal Consultees

8.6 Planning Policy: No comment.

8.7 Design and Conservation Officer: No objection subject to conditions.

8.8 Inclusive Design: Raised concerns over access to the apartments by lift access, with staircase shared with the office use; concerns over the feasibility of installing a stair lift into split level Flat A and the bathroom layouts in each of the proposed new flats.

8.9 Transport Planning Officer: No comment.

8.10 Highways: No comment.

8.11 Sustainability: No comment.

8.12 Noise Officer: No objection subject to condition.

8.13 Refuse and recycling: No comment.

External Consultees

8.14 None.

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Quality of Proposed Residential Accommodation
- Accessibility
- Neighbouring Amenity including sunlight/daylight
- Highways and Transportation
- Small Sites Affordable Housing

Land Use

- 10.2 The proposal results in the creation of 6 no. 2 bedroom residential units across fourth, fifth and sixth floor level and an overall uplift in B1 office floorspace across the site of 96.4 square metres. This is achieved through the creation of 376 square metres of office floorspace at basement level through the loss of the current car park, an increase in office floorspace at third floor level of 56.1 square metres. This increase is offset against the change of use from office to residential at fourth floor and fifth floor levels resulting in an overall uplift of 96.4 square metres.
- 10.3 The site is located within an Employment Priority Areas (General) and is located within the Central Activities Zone (CAZ) as well as the Clerkenwell Green Conservation Area.
- 10.4 Part C of Policy DM5.1 sets out that outside Employment Growth Areas, Town Centres and the Vale Royal/Brewery Road Locally Significant Industrial Site, business floorspace may be provided within mixed use developments where this would enhance the character and vitality of the local area, would not detrimentally impact on residential amenity, and would not compromise residential growth.
- 10.5 The surrounding area is a mix of commercial and residential and in pure land use terms the uplift of office floorspace and creation of 6 no. residential units is considered to enhance the character and vitality of the local area and enhance residential growth. The issues of the impact on residential amenity will be addressed in a later section.
- 10.6 Part F of Policy DM5.1 sets out that new business floorspace must be designed to: i) allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business accommodation, particularly for small businesses, and ii) provide full separation of business and residential floorspace, where forming part of a mixed use residential development.
- 10.7 The proposed new B1 floorspace across the site has independent access at each level. The separation of business and residential floorspace is achieved by maintaining one use on each floor except for fourth floor. At this level, the adjoining wall of the office, sits adjacent the hall way of Flat D and as such is considered to retain adequate separation. The design of the proposed floorspace is considered to meet the requirements of policy DM5.1 and the needs of small or micro enterprises as required by policy DM5.4.
- 10.8 Part B of Policy BC 8 of the Finsbury Local Plan sets out that development within Employment Priority Area (General) should include a proportion of non-B1 uses at ground floor. However given the existing B1 use of building, the lack of alterations to the existing use at ground floor and the nature of the access roads at St John's Place, it is not considered appropriate to require a provision of non-B1 floorspace at ground floor. The proposed alterations to the B1 floorspace are considered suitable to enable accommodation by micro and small enterprises. Therefore it would be unreasonable to refuse the application on this basis.
- 10.9 The proposed mix use development of B1 and C3 residential accords with the land use requirements of paragraph 1.5 of the Clerkenwell Green, Charterhouse Square

and Hat and Feathers Conservation Area Design Guide (CADG) which requires the provision of proposed floorspace for uses other than unfettered Class B1.

- 10.10 An objection was received concerning a lack of consideration as to whether the additional office floorspace could be used for SMEs or as affordable workspaces. However the design and layout of the proposals does result in office accommodation which given the existing constraints of the site, enables use for SMEs or as affordable workspaces and as such is considered to be acceptable.
- 10.11 An objection was received concerning the impact of additional residential density on the neighbourhood due to the impact on parking to service the existing residential buildings. However the additional six units are an appropriate scale given the dense urban location of the site and its surroundings and does not form grounds for refusal of the application.
- 10.12 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes 6 new residential dwellings comprised of 22 habitable rooms (hr). Density is expressed as habitable rooms per hectare (hr/ha) and is calculated by dividing the total number of habitable rooms by the gross site area.
- 10.13 The site covers an area of approximately 0.021 hectares, has a public transport accessibility level (PTAL) of 6a (Excellent) and in terms of the character of the area, this would be defined as Urban by the London Plan. The London Plan identifies such areas as appropriate for a residential density range of 45-185 u/ha or 200-700 hr/ha.
- 10.14 The proposed development has a residential density of 60 u/ha and 220 hr/ha. Although not maximising the intensity of the use of the land, the provision of residential development is in keeping with the local context and ensures that the proposal would not result in an overly dense development.

Design and Conservation

- 10.15 The scheme proposes the erection of single storey roof extensions at third floor level on the side elevation, at fifth floor level on the rear part of the building and a sixth floor level within the existing frame on the front part of the building. The application also proposes external alterations to facilitate the new residential units and additional B1 Office floorspace.
- 10.16 The new development section of the CADG sets out that new buildings and roof extensions to existing buildings should conform to the height of existing development in the immediate area. Normally no new building or extension will be permitted above five storeys (about 18 metres above ground level). All plant rooms and lift overruns should be located so as to be invisible from the street including long views from adjacent streets. Roof extensions visible from the street or a public open space will not be granted where this is harmful to the character and appearance of the building. The materials section of the CADG sets out that alterations and extensions to existing buildings should respect the building's materials, architectural style and proportions.

- 10.17 The proposed infill roof extension within the existing framework to the front of the building at sixth floor level does not raise the existing height of the front part of the building and is acceptable in principle subject to the materials. The detailed design of the infill matches the existing floors below and comprises Crittal windows and mosaic tile finish which are acceptable.
- 10.18 The proposed additional single storey roof extension on the rear part of the building at fifth floor level is acceptable as it rises no higher than the existing fifth floor to the front of the site and is largely hidden from public views except from eclipsed, long views, and the materials used are the same as those of the original building so will not distract the eye. The white gloss mosaic tile finish and Crittal windows to match existing are welcome.
- 10.19 The proposal to introduce a lift shaft to the north elevation although not generally acceptable given the design solution replicates the blue mosaic clad element to the west side this element will preserve the existing quality of the facade. The insertion of recessed infill panes in white to match the blue tiles is welcome.
- 10.20 The replacement of the existing cladding panels with back painted glass spandrel panels is welcome as the existing panels have a very tired appearance. The extension of the entrance canopy in line with the lift shaft which is acceptable as combined the interventions create a balanced appearance which integrates well into the exiting building.
- 10.21 Landscaping to the balcony is very welcome as it will enhance the appearance and aesthetics of the building which soften the stark rectilinear lines. A more contemporary finish to the secondary escape stairs is accepted however it is recommended that this element of the scheme should be conditioned to require further details to be submitted and approved.
- 10.22 The proposed alterations to the service entrance on the SE elevation as well as other interventions at ground floor level improve the visual impact of the building at street level and are welcome. The enclosure of the emergency staircase to the rear is welcome as it is a more contemporary finish which contrasts well with the enlarged main body of the building.
- 10.23 An objection was received raising concerns that there would be no active frontage to the building at ground floor level. However given that the existing provision of B1 office accommodation at ground floor level remains unchanged, and the proposal results in a greater active frontage than existing along St John's Place, the proposal is considered to be acceptable in this regard.
- 10.24 An objection was received concerning the external alterations not complying with conservation area guidelines and not providing enhancements. However the proposed works do provide improvements to the existing external appearance of the building as outlined earlier in this section, and are considered acceptable by the Council's Design and Conservation Officer following two sets of pre-application advice prior to the submission of the application. It is recommended that a condition is attached to any grant of consent requiring details and samples of all facing

materials to be submitted to and approved prior to works commencing. Therefore the proposed works are considered acceptable in accordance with the CADG.

- 10.25 Objections were received concerning the impact of the increase in height on the surrounding St John's Square and Conservation Area. However the proposed roof extensions will sit no higher than the existing height of the frontage of the building and remain in keeping with the scale and proportions of the building and are therefore acceptable in this regard.

Quality of Proposed Residential Accommodation

- 10.26 The proposal results in the creation of 6 no. 2 bedroom flats. 4 no. of the proposed flats (Flats A to D) are split level flats located at fourth and fifth floor level on the rear part of the building with roof terraces for each flat created on the existing flat roof at fourth floor level on the south elevation. Flat E is also a split level flat located across fifth and sixth floor levels at the front of the building with a roof terrace created on three sides. Flat F is located at fifth floor level within the existing building.

- 10.27 The principle of the dwelling mix of the proposed dwelling mix of 6 no. 2 bedroom residential units is considered to be generally acceptable in accordance with policy DM3.3

Flat Name	Floorspace (Square metres)	Accords
Flat A	77	Y
Flat B	87	Y
Flat C	86	Y
Flat D	87	Y
Flat E	113	Y
Flat F	71	Y

- 10.28 The total floorspace of all the units exceeds the minimum requirements of 70 square metres for two double bedroom units. Each of the units provides a minimum of dual aspect accommodation, with a good internal layout. Bedrooms and living/kitchen areas exceed the minimum floor space standards. Overall, given the constraints of the site, the general layout, room sizes and internal floor space (including private amenity space) would meet the recommended guidance set in policy DM3.4 of the Development Management Policies and would provide a satisfactory living condition for future occupiers of each unit.

- 10.29 Policy DM3.5 of the Islington Development Management Policies sets out the requirements for the provision of private outdoor space in new residential developments. The policy requires a minimum of 5 square metres of private outdoor space on new upper floor units with an extra square metre for each additional occupant. In this instance two bedroom four person units are required to provide a minimum of 7 square metres of private outdoor amenity space.

- 10.30 Five of the six units (Flats A-E) provide a good standard of private outdoor space which exceed the minimum standards. Flat F fails to provide any private outdoor amenity space, however consideration is given to the otherwise good standard of

amenity of this unit and the constraints of the site and its dense urban location and the access to a number of areas of public open space in walking distance from the site. Therefore on balance, it would be unreasonable to refuse the application purely on this basis. Therefore the proposal accords with the private outdoor amenity space requirements of policy DM3.5 of the Islington Development Management Policies.

Accessibility

- 10.31 The Inclusive Design Officer raised concerns that the proposed units rely on lift access with the escape staircase shared with the office use, whether it would be possible to install a stair lift in flat A to link the entrance and lower floors given the layout and that the bathrooms in the proposed units do not meet the Inclusive Design Criteria. However the rooms in the new units would generally be of suitable size and Lifetime Homes compliant (although these have been superseded by National Housing Standards).
- 10.32 The Inclusive Design Officer also requested that provision should be made for on street parking for 1 in every 33 employees and that should be secured by way of S106 agreement. However given the small proportional uplift in office floorspace and the sustainable location, it is not considered to be reasonable to apply this to the application.
- 10.33 Given the site's constraints, the proposal is considered to generally conform to accessible standards set out within the Inclusive Design In Islington Supplementary Planning Document and conform to Policy DM2.2 (Inclusive Design) of the Development Management Policies (2013).

Neighbouring Amenity including Sunlight and Daylight

- 10.34 The proposal would create a single storey infill roof extension at third floor on the southern elevation, a single storey roof extension to the rear part of the building at fifth floor level and an infill roof extension within the existing frame at sixth floor level in the front part of the building. The proposal also includes the provision of additional plant equipment to the rear part of the building and external alterations to each elevation.
- 10.35 Part X of Policy DM2.1 requires new development to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.36 The property sits adjacent to the rear of 45-47 Clerkenwell Road which comprises residential properties at first to fourth floor level. There is an existing level of overlooking between the existing offices on the application site at fourth floor level and the rear of the residential properties on Clerkenwell Road on the first to fourth floor levels which is separated by a private accessway within the boundary of the site. There is also an existing level of overlooking towards the communal roof terrace of 45-45 Clerkenwell Road. To prevent mutual overlooking between the

proposed new residential units on the fourth floor and the existing residential units on the fourth floor of 45-47 Clerkenwell Road, the windows of the new units will include integrated obscure glazing up to a height of 1.8 metres above internal floor level. It is recommended that the obscure glazing is conditioned to be installed prior to occupation and to be retained as such, in perpetuity. As part of these amendments an additional window is proposed to be installed on the western elevation at fourth floor level to allow an aspect and additional daylight to bedroom 2 of Flat A. The new windows on the northern elevation of the fifth floor roof extension would relate to an access corridor to the new residential units and given the narrow depth of the walkway would be unlikely to be used for amenity purposes. Therefore it is not considered that there would be a significantly harmful increase in overlooking or loss of privacy in this regard as to justify refusal of the application on this basis.

- 10.37 The proposed roof extension at fifth floor level would be recessed from the north elevation of the site and given the existing relationship with 45-47 Clerkenwell Road, the additions are not considered to result in a significantly harmful impact on outlook, over dominance or sense of enclosure as to justify refusal of the application on this basis.
- 10.38 A Daylight and Sunlight Report was submitted with the application assessing the impact of the proposed works on the surrounding properties. During the course of the assessment of the application and following public consultation, an addendum to the Daylight and Sunlight Report was received. The report and addendum sets out that no windows on the adjacent residential properties around the site would fail the British Research Establishment Guidelines (BRE) Vertical Sky Component Test. The report does conclude that one window on the rear of 45-47 Clerkenwell Road fails the BRE Available Sunlight Test however this is likely to be a communal staircase to the residential properties and therefore it would be unreasonable to refuse the application on this basis. The report and addendum concludes that one window from 4th Floor of 45-47 Clerkenwell Road fails the BRE Daylight Distribution Test which may be the most eastern window of the bedroom of Flat 12 at 45-47 Clerkenwell Road. However having visited the site, there are four windows to this room and therefore the impact on daylight and sunlight would not be so significantly harmful as to justify refusal on this basis. The report and addendum also identifies that one window at flat 3, 45-47 Clerkenwell fails the BRE winter sunlight test, however whilst it is acknowledged that this is a high percentage change, in real terms it is a change of 1 hour of sunlight. However, due to the very low existing level of winter sunlight received by these windows the percentage changes (80% and 75%) are disproportionately high and would be unlikely to result in a perceptible loss of sunlight and therefore it would be unreasonable to refuse the application on this basis. The report does identify that three windows of the property at 2 St John Square to the south of the site would fail the BRE Daylight distribution Test. However windows to a commercial property are not required to comply with the BRE Test in this regard and therefore it would be unreasonable to refuse the application on this basis.
- 10.39 There are no windows on the rear elevation of the commercial properties at 39-43 Clerkenwell Road and therefore there would not be an impact on the amenities of these properties.

- 10.40 The council's records indicate that there are residential properties to the south west of the site at 4 St John's Place. No new windows are proposed on the south western elevation. Consideration is given to the position and proximity of the proposed roof extensions to adjacent windows of residential properties at 4 St John's Place. There is not considered to be a significantly harmful impact on outlook or sense of enclosure of these properties as to justify refusal on this basis.
- 10.41 The Council's records indicate that there are residential properties to the south of the site at 1 St John's Square, however this is across a public highway and as such the Council's policies do not resist an increase in overlooking in this regard. Given the existing relationship and the position and extent of the increase in height, there is not considered to be a harmful impact on the amenities of the properties at 1 St John's Square in terms of outlook, sense of enclosure or loss of privacy, as to justify refusal of the application on this basis.
- 10.42 In summary the proposal would not conflict with Policy DM2.1 of the Islington's Development Management Policies with regards to the protection of neighbouring amenity or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm to residential amenity and is therefore acceptable in this regard.
- 10.43 Objections have been received concerning loss of daylight and sunlight to the rear elevations of the properties at 45-47 Clerkenwell Road and concerns have been raised over the findings of the daylight and sunlight report and the addendum. The findings of the report have been considered in paragraph 10.38 and is considered to conclude that, on balance, the scheme does not result in a significantly harmful impact on the amenities of the surrounding properties in terms of levels of daylight and sunlight as to warrant refusal of the application on this basis.
- 10.44 Objections have been received concerning the impact on 1 St John's Place due to increase in overlooking and loss of privacy from the proposed fourth floor roof terraces. However the Council's policies do not resist an increase in overlooking across a highway and given the dense urban location and existing levels of overlooking, there is not considered to be a significantly harmful impact on neighbouring amenity as to warrant refusal of the application on this basis.
- 10.45 Objections have been received concerning the impact on loss of daylight to no. 1 and to no. 4 St John's Place. The submitted Daylight and Sunlight Report indicates that there would be no conflict with the BRE Guidelines in relation to the impact on the building identified as 2-3 St John's Place which includes no. 1, and also in relation to no. 4 St John's Place. No new windows are proposed on the south western elevation. Consideration is given to the position and proximity of the proposed roof extensions to adjacent windows of residential properties at 4 St John's Place and the existing relationship. There is not considered to be a significantly harmful impact on outlook or sense of enclosure of these properties as to justify refusal on this basis.
- 10.46 Objections have been received concerning the impact of the enclosure of the fire escape staircase on 6 St John's Place to the west of the site, leading to overshadowing and increase in sense of enclosure. However the reconfiguration of

the staircase will shift the existing structure further away from this building and given the separation distance, the additional height from the enclosure will have minimal impact on a non-residential building.

- 10.47 Objections were received concerning a loss of light and amenity to 2-5 St John's Square. Whilst it is acknowledged that three windows in this building fail the BRE guidelines, given the commercial use is not required to meet the same test, the dense urban location across a highway and the small number of failed windows, it would be unreasonable to refuse the application on this basis.
- 10.48 Objections were received concerning an increase in noise disturbance from the proposed relocation and additional plant equipment. The Council's Acoustics Officer has not raised an objection to the application subject to a condition regarding noise levels and a report to demonstrate how the equipment will achieve compliance with the noise condition.
- 10.49 Objections were raised over the relocation of the office entrance and loading bay entrances however given the existing relationship to the surrounding buildings and the dense urban location, the impact of additional footfall at basement level would be negligible. The loading bay entrance is separated from neighbouring residential properties and would be unlikely to have any noticeable impact in this regard.
- 10.50 Comments were received concerning the impact of construction works on the other commercial occupiers of the building, and on St John's Place, and on the water table and on historic cobbles, and a request for a Construction Method Statement. It is recommended that a condition is attached requiring details of a Construction Method Statement to be submitted and approved prior to commencement of works.

Highways and Transportation

- 10.51 Policy CS 10 requires all new developments to be car-free, which means no parking provision will be allowed on site and occupiers will not have the ability to obtain parking permits. Therefore as the proposed units would not be eligible to apply for car parking permits in the area, it is recommended that a condition is attached to any grant of consent preventing residents from obtaining further on street parking permits unless they have already held a permit for in excess of one year. Cycle parking spaces have been provided in accordance with the number of bed spaces which accords with Development Management Policy DM8.4 (Walking and cycling). As such, the scheme complies with the Councils transport policies.
- 10.52 The Development Management Policies sets out that redevelopment of existing car parks, for alternative uses, will be subject to the car free policy. As such there is no objection to the loss of the current basement car park.

Small sites (Affordable Housing) and Carbon Off-setting Contributions

- 10.53 The development results in a net increase of 6 additional units and as such would require a contribution towards affordable housing in the Borough, in line with policy CS12 of the Core Strategy and the council's Supplementary Planning Document- 'Affordable housing-small sites' 2012. A draft Unilateral Agreement has been

provided and it is understood that a signed and agreed Unilateral Agreement for payment of the full contribution to off-site Affordable Housing of £360,000 will be provided to the local planning authority, prior to issuing of a decision notice.

10.54 Therefore, the proposal complies with policy CS12G of the Islington Core Strategy (2011) and the Islington Affordable Housing Small Sites Contributions SPD (2012).

10.55 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 affordable housing is exempt from CIL payments and the payments would be chargeable on implementation of the private housing.

11. SUMMARY AND CONCLUSION

Summary

11.1 The proposal for roof extensions at fifth and sixth floor level to create 6 x 2 bedroom C3 residential units, a third floor level roof extension to create office floorspace and reconfiguration at basement and fourth floor levels to provide an additional 96.4 square metres of B1 office floorspace across the site, and associated external alterations and relocation of existing air conditioning units is acceptable.

11.2 The impact of the proposal on the character and appearance of the host building and surrounding conservation area is considered to be acceptable. The standard of the proposed new residential units is considered to be acceptable. The impact on neighbouring amenity of the adjoining and surrounding properties is considered to be acceptable.

11.3 A draft Unilateral Agreement has been provided and it is understood that a signed and agreed Unilateral Agreement for the full contribution to Affordable Housing and Carbon Offsetting will be provided to the local planning authority, prior to issuing of a decision notice.

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

Conclusion

11.5 It is recommended that planning permission be granted subject to conditions and 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 - RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

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

The Heads of Terms are:

- £360,000 contribution towards the provision of off-site affordable housing within the Borough

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved plans list
	CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans: 445-PA.01, 445-PA.02, 445-PA.03, 445-PA.04, 445-PA.05, 445-PA.06, 445-PA.07, 445-PA.08, 445-PA.09, 445-PA.10, 445-PA.11, 445-PA.12, 445-PA.13, 445-PA.14, 445-PA.15, 445-PA.16, 445-PA.17, 445-PA.18, 445-PA.19 RevA,

	<p>445-PA.20 RevA, 445-PA.21, 445-PA.22 RevB, 445-PA.23 RevB, 445-PA.24 RevA, 445-PA.25, 445-PA.26 RevA, 445-PA.27, 445-PA.28 RevA, 445-PA.29 RevA, 445-PA.30 RevB, 445-PA.31, 445-PA.32, 445-PA.33 – Proposed South East Office Entrance, 445-PA.34, 445-PA.35, 445-PA.33 – Existing North West Main Entrance, 445-PA.37, 445-PA.38, 445-PA.39, 445-PA.40, 445-PA.41, 445-PA.42, 445-PA.43, 445-PA.44, 445-PA.45, 445-PA.46, Daylight & Sunlight Report Dated 30th September 2015, Daylight & Sunlight Report Addendum Dated 5th April 2016, Planning Heritage Design and Access Statement Dated October 2015, Noise and Vibration Assessment Report Ref: 14271-002 Dated October 2015, Sustainability and Energy Statement ref: 5365 dated 21/10/2015, Area Schedule – Commercial (B1 Office) dated 18/05/16</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Details)
	<p>CONDITION: Notwithstanding the approved drawings, details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Mosaic work: how this will be affixed. Which tiles will be used b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) spandrel panels including fixings g) 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	Car Permits (Compliance)
	<p>CONDITION: All future occupiers of the additional residential units, hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of the resident who is an existing holder of a residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>Reason: To ensure that the development remains car free.</p>
5	Cycle Parking Provision Compliance

	<p>CONDITION: Prior to the first occupation of any of the dwellings hereby permitted at least sixteen secure bicycle storage spaces shall be provided within the site. These spaces shall be used solely for the benefit of the occupants of the development and their visitors and for no other purpose and shall be permanently retained as such thereafter.</p> <p>Reason: To ensure adequate cycle parking is available and easily accessible on site and promote sustainable modes of transport.</p>
6	Construction Method Statement
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
7	Sustainable Design and Construction Statement
	<p>CONDITION: A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the dwellings hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwellings will achieve a 25% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2010, and not exceed water use targets of 95L/person/day.</p> <p>REASON: To ensure a sustainable standard of design</p>
8	Lifetime Homes
	<p>CONDITION: Notwithstanding the drawings hereby approved, all residential units shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p>

	<p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with LPP 3.8</p>
9	Details of the design of secondary staircase enclosure
	<p>CONDITION: Notwithstanding the approved drawings, details of the design of secondary staircase enclosure shall be submitted and approved in writing by the LPA prior to construction.</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>
10	Details of proposed windows
	<p>CONDITION: Notwithstanding the approved drawings, existing window profiles and manufacturers details of proposed windows shall be submitted and approved in writing by the LPA prior to construction.</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>
11	Noise Levels of Plant Equipment
	<p>CONDITION: 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: For the protection of neighbouring residential amenity.</p>
12	Report for noise levels of Plant Equipment
	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 11. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained</p>

	thereafter. REASON: For the protection of neighbouring residential amenity.
13	Obscure Glazing
	CONDITION: Prior to occupation of the new residential units hereby approved, the windows on the fourth floor of Flat A and Flat B on the northern elevation shall be obscurely glazed and fixed shut. The windows shall be obscurely glazed to a height of 1.8 metres above internal floor level, as shown on drawing 445-PA.30 RevB and shall be retained as such, in perpetuity. REASON: For the protection of neighbouring residential amenity.

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>
2	Unilateral undertaking
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
3	Community infrastructure Levy (CIL)
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at</p>

	http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/ .
4	Details of Crittal Window profiles
	The existing Crittal window profiles are a key element in the design of the building. The loss of these slim profiles could compromise the overall aesthetic of the building. Where the windows are to be replaced the profiles should replicate the originals or be overhauled.

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

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

2. Development Plan

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

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

Policy 7.4 Local Character

Policy 7.6 Architecture

Housing Supplementary Planning Guidance

Appendix 1 - Summary of the quality and design standards

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 8 – Enhancing Islington’s character

Policy CS 9 - Protecting and enhancing Islington’s built and historic environment

Policy CS 10 – Sustainable Design

Policy CS 12 – Meeting the housing challenge

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.2 – Inclusive Design
- Policy DM2.3 – Heritage
- Policy DM3.1 - Mix of housing sizes
- Policy DM3.3 - Residential conversions and extensions
- Policy DM3.4 – Housing Standards
- Policy DM3.5 – Private outdoor space
- Policy DM5.1 - New business floorspace
- Policy DM5.2- Loss of existing business floorspace
- Policy DM5.4 - Size and affordability of workspace
- Policy DM7.1 - Sustainable design and construction

- Policy DM7.2 - Energy efficiency and carbon reduction in minor schemes
- Policy DM7.4 – Sustainable Design Standards
- Policy DM8.4 - Walking and cycling
- Policy DM8.5 - Vehicle parking

D) Finsbury Local Plan June 2013

- Policy BC 8 - Achieving a balanced mix of uses

3. Designations

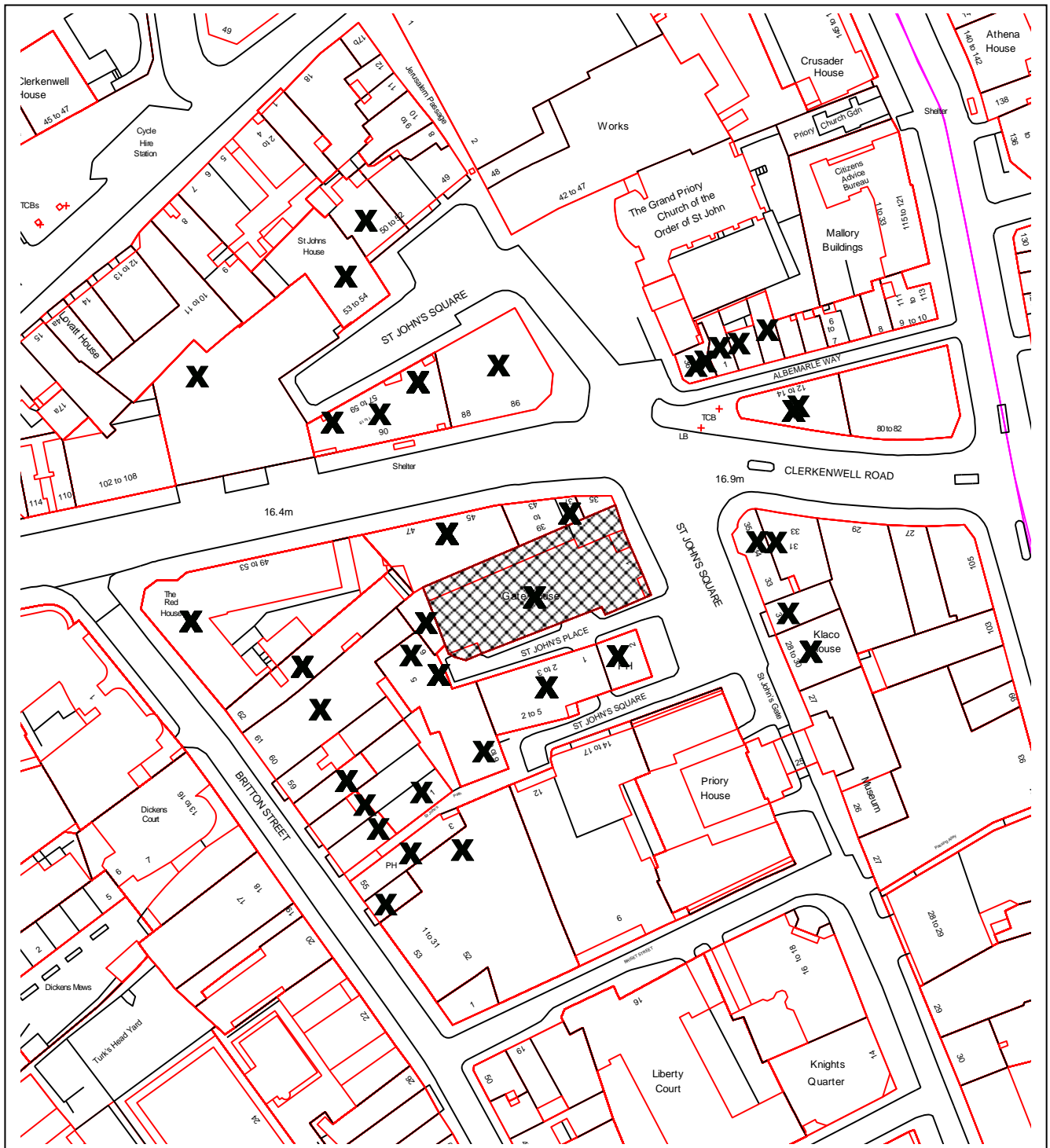
Clerkenwell Green Conservation Area
Employment Priority Areas (General)

4. SPD/SPGS

Urban Design Guidelines
Conservation Area Design Guidelines
Small Sites Affordable Housing SPD
Environmental Design SPD
Inclusive Design SPD
Finsbury Local Plan

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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:	30 January 2017	NON-EXEMPT

Application number	P2016/3563/FUL
Application type	Full Planning Application
Ward	St. Peter's
Listed building	Not listed
Conservation Area	Arlington Square Conservation Area
Development Plan Context	Arlington Square Conservation Area Within 100m of a SRN road
Licensing Implications	None
Site Address	Land Rear of 21-45 Arlington Avenue, London, N1 7BE.
Proposal	Retention of external alterations to form new window and doors in the first floor south west elevation.

Case Officer	Nathan Stringer
Applicant	Mr Edward Ledwidge on behalf of Porterway Ltd
Agent	Montagu Evans

1. RECOMMENDATION

- 1.1 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

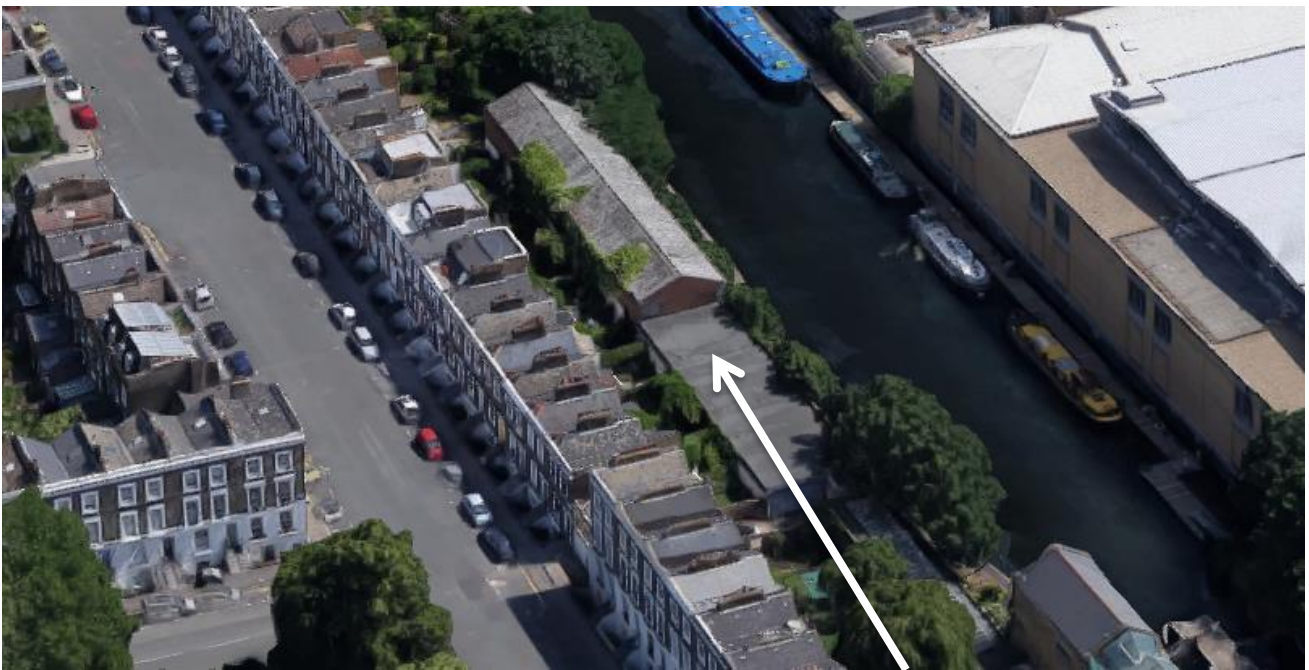


Image 1: Aerial of site from the west

Site



Image 2: Aerial view of site from the east

Site



Image 3: Photo of the site

4. SUMMARY

- 4.1 Planning permission is sought for the removal of the existing opening on the first floor of the south west elevation of the building and the retention of new windows and patio doors. External vertical louvres are proposed for the standalone window to the north, and for one of the windows adjacent to the patio doors. A balustrade would be fixed to the internal window cill at a height of 1100mm above the internal finished floor level.
- 4.2 The proposed alterations to the buildings are considered to have a neutral impact on the character and appearance of the surrounding streets. The proposals would not give rise to any adverse impact on the amenity of neighbouring properties.

5. SITE AND SURROUNDINGS

- 5.1 The application site is a two storey office building fronting the Regents Canal. The gardens of the properties at 21-45 Arlington Avenue lie immediately to the north of the building.
- 5.2 The building is not listed, however it is located within the Arlington Square Conservation Area. The surrounding area is predominantly residential in character. A number of light industrial uses exist on the opposite side of the Regent's Canal.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for the removal of the existing opening on the first floor of the south west elevation of the building and the retention of new windows and patio doors. External vertical louvres are proposed for the standalone window to the north, and for one of the windows adjacent to the patio doors. A balustrade would be fixed to the internal window cill at a height of 1100mm above the internal finished floor level.
- 6.2 The application originally included a 1.8 metre trellis on the flat roof adjacent to the new fenestration. However, following concern raised by Council regarding the amenity impact of the trellis on the rear gardens of the adjacent properties at Arlington Avenue, the application revised the application to remove the proposed trellis. The application was further updated to include the proposed external vertical louvres and the internal balustrading following officer concerns.

7. RELEVANT HISTORY

PLANNING APPLICATIONS:

- 7.1 P2015/1444/FUL: Use of premises for Class B1 offices. Approved with conditions 02/06/2015.
- 7.2 P2014/4237/COL: Certificate of Lawfulness (Existing) to confirm that the lawful use of the building falls within Use Class B1. Refusal of permission 15/12/2014.
- 7.3 P2014/4237/PRA: Prior approval application for proposed change of use of the building to create nine residential units (C3), comprising five x two-bedroom terraced houses and four x studio flats. Prior approval required – refused 15/12/2014.
- 7.4 P2013/5101/PRA: Prior approval application for proposed change of use to nine residential units comprising five x two-bedroom duplex flats and four x studio flats. Prior approval required – approved 07/02/2014.

- 7.5 P2013/2048/COL: Certificate of Lawfulness (existing) in connection with the use of the premises on the land rear of nos. 21-45 Arlington Avenue as office use (B1 Use Class). Refusal of permission 13/08/2013.

ENFORCEMENT:

- 7.6 None.

PRE-APPLICATION ADVICE:

- 7.7 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 19 adjoining and nearby properties at Arlington Avenue and Arlington Square on 6th October 2016. A site notice and press advert were displayed on 6th October 2016. The public consultation of the application therefore expired on 3rd November 2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report six objections had been received from the public with regard to the application. The issues raised can be summarised as follows (and the paragraph numbers responding to the issues included in brackets):
- Impact to neighbouring amenity, including loss of access to sunlight/daylight, reduced privacy, increased noise pollution (10.9 and 10.10)
 - Increased access to light within the building is not necessary (not a material planning consideration)
 - Concern that the roof would be used as a terrace by office tenants (10.10)
 - Removal of trees at the towpath along the Regents Canal side of the building (10.14)
 - Applicant has not demonstrated what maintenance on the roof is required, and therefore has not justified why access is necessary (10.13).

External Consultees

- 8.3 **Canal & River Trust:** No objection.

Internal Consultees

- 8.4 **Design and Conservation:** No objection.

9. RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future

generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

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

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

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

- Design
- Neighbouring Amenity

Design

- 10.2 Islington's Planning Policies and Guidance help encourage high quality design which complements the character of the area. In particular, DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
- 10.3 The fenestration for which permission is sought is not visible from public views from the adjacent canal, or from any other viewpoint within the conservation area.
- 10.4 It is considered that the changes have a minimal visual impact on the private realm. Whilst the fenestration is visible from the rear gardens of properties along Arlington Avenue, it is not considered to significantly alter the external appearance of the building. As such, it is not considered that these works detrimentally impact upon the character and appearance of the building.
- 10.5 The windows are powder coated aluminium framed, which is considered appropriate given the style of the building and conservation area context.
- 10.6 The application originally included the proposed erection of a 1.8 metre high trellis on the boundary with the gardens of properties on Arlington Avenue. This would have increased the visual impact of the proposal. However, this aspect of the application has since been removed.
- 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 7.6 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

Neighbouring Amenity

- 10.8 Policy DM2.1 of the Development Management Policies 2013 requires all new development to protect the amenity of nearby properties in terms of the loss of daylight, sunlight, outlook, privacy and overlooking.
- 10.9 Concern was raised by the Council that the new windows and patio doors may impact upon the privacy at the rear of the adjacent residential dwellings on Arlington Avenue. To minimise the potential impact, the proposal has been revised to provide external vertical louvres for the standalone window to the north, and for one of the windows adjacent to the patio doors. The louvres would be 150mm wide and would be spaced 150mm apart. It is considered that these louvres would minimise the impact of the proposal on adjacent residential amenity.
- 10.10 The applicant has expressed that the patio door would be used to maintain the flat roof only and that the flat roof would not be used for amenity purposes. However, following concern raised by the Council, the proposal has been revised to include a 50mm balustrade fixed to the internal window cill at a height of 1100mm above the finished floor level. It is considered that this balustrade would further impede access onto the roof for amenity purposes by future commercial occupants of the property. Further, a condition has been included requiring the doors be fixed shut at all times and restricting access to the rooftop for maintenance purposes only.
- 10.11 The 1.8 metre trellis originally proposed may have reduced access to sunlight/daylight on the rear gardens of properties on Arlington Avenue. This element of the proposal has since been removed.
- 10.12 The revised proposal is therefore not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington's Development Management Policies 2013.

Other Issues

- 10.13 An objector raised concern that the application has not demonstrated why maintenance on the roof is required. The applicant has expressed that the solar panels on the flat roof would require maintenance works. It is considered that periodical maintenance for the solar panels would be required, and a condition has been included requiring the doors be fixed shut at all times except for the purpose of maintenance works.
- 10.14 An objection was received regarding the removal of trees at the towpath along the Regents Canal side of the building. These works do not form part of this application and the matter has been referred to the Planning Enforcement team.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The alterations to the fenestration 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 Management Plan and Supplementary Planning Documents and should be approved at Page 105

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	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Design and Access Statement dated September 2016, Location Plan, 12AS/ P/ 011, 12AS/ P/ 012 Rev A and 12AS/ P/ 014 Rev D</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
2	Materials
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
3	Installation of louvres/balustrade
	<p>CONDITION: The external louvres and internal balustrade shall be installed prior to the first occupation of the commercial space and shall be retained thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
4	Flat roof not used as amenity space
	<p>CONDITION: The flat roof area shown on plan no. 12AS/P/012 Rev A hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever. The patio doors hereby approved shall be locked and shall not be used other than to allow access to the roof for essential maintenance or repair.</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>

	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.
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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

- 7 London's living places and spaces
 - 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 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

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

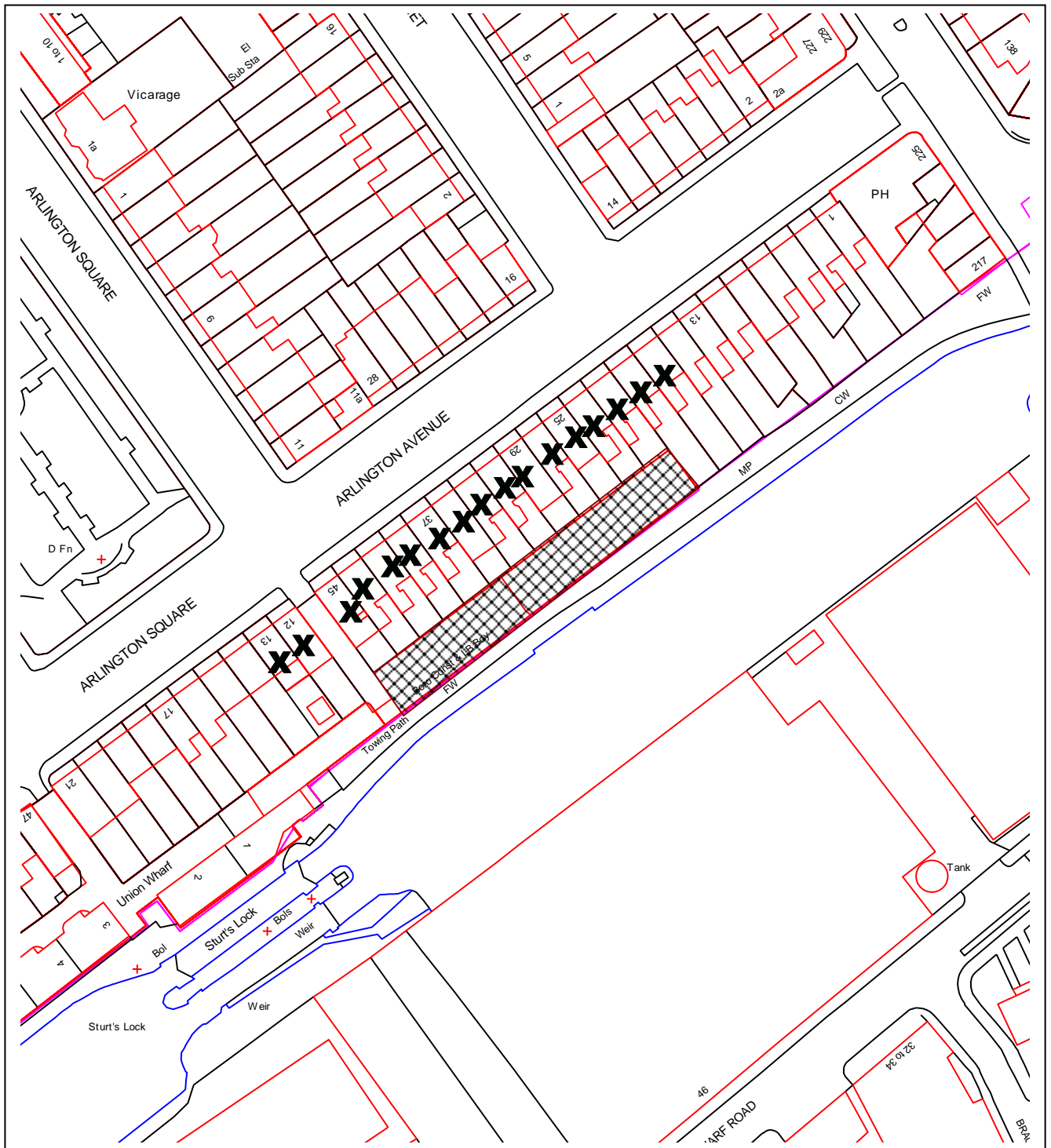
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Urban Design Guide
- Arlington Square Conservation Area Design Guideline

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Islington SE GIS Print Template



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P2016/3563/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:	30 January 2017	Non-Exempt

Application number	P2016/4231/FUL
Application type	Full Planning Application (Council's Own)
Ward	Finsbury Park Ward
Listed building	Grade II Listed
Conservation area	Not in a conservation area
Development Plan Context	Tollington Settlement Archaeological Priority Areas Finsbury Park Core Strategy Key Areas Local cycle routes Major Cycle Route Mayors Protected Vistas Alexandra Palace viewing terrace to St Paul's Cathedral Site within 100m of a TLRN Road Grade II Listed
Licensing Implications	None
Site Address	Montem Primary School, Hornsey Road LONDON N7 7QT
Proposal	Redevelopment of existing playground comprising of removal of existing surfacing and play equipment and replace with new surfacing and play equipment including replacement of wooden picket fence with new picket fence, replace the existing steps with a ramp and associated works.

Case Officer	Sandra Chivero
Applicant	Mrs Sara Hopkins - Montem Primary School
Agent	None

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 site



Image 2: Existing Street view of Application Site

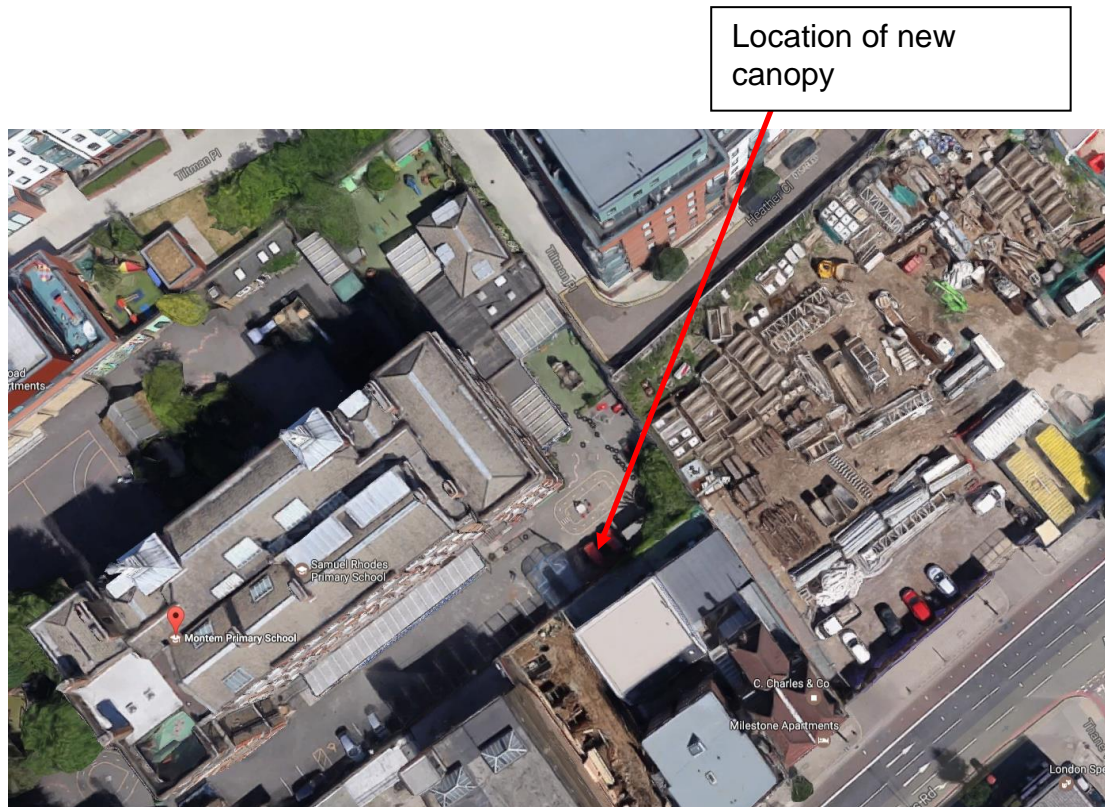


Image 3: Location of new canopy

4. SUMMARY

- 4.1 It is proposed to install replacement play equipment, surfacing and picket fence to existing playspace. It is also proposed to replace a small piece of wet pour rubber surface adjacent to the existing playspace and the existing play equipment situated beside it. It is proposed to resurface this area and install new play equipment, designed to encourage and develop social, imaginative, creative and physical play opportunities for the pupils at Montem Primary School. The redevelopment of the play park will also improve the appearance of the school.
- 4.2 The resulting play area with play equipment will not be attached to any listed wall and is positioned away from the listed school building and as such will not cause harm to the significance of the host listed Victorian Board School building.
- 4.3 Due to design and appearance the redeveloped play area is considered not to harm the visual amenity and character of the surrounding area. The proposal is also not considered to have any material adverse impacts on adjoining residents' amenity levels in terms overshadowing, loss of light, over-dominance, increased sense of enclosure nor loss outlook.
- 4.4 Overall, the proposed development is considered to be acceptable with regards to the design and neighbour amenity and would also be in accordance with relevant planning policy.

- 4.5 The application is brought to committee because it is a Council application.

5. SITE AND SURROUNDING

- 5.1 The site comprises a Grade II listed former board school built in 1897. The building is listed for its significance as a former board school. It was built in 1897 and designed by T. J. Bailey for the London School Board. The surrounding area is a mix of commercial and residential uses.

6. PROPOSAL (IN DETAIL)

- 6.1 It is proposed to replace the existing play equipment and surrounding picket fence with new play equipment, surfacing and picket fence around the playspace located at the front of the school building. The playspace was developed 14 years ago and the play equipment and surfacing is in need of replacement. It is proposed to replace a small piece of wet pour rubber surface beside playspace and the play equipment.
- 6.2 The area will be excavated to a depth of 100mm and the existing levels will be reinstated by installing MOT type one stone, onto which a new all year round use surfacing would be installed. The new surfacing includes a mix of rubber wetpour and play lawn surfacing. The colour of the wetpour is two-tone green, along with the play lawn surfacing, this will provide the space with a natural looking aesthetic. The two different surfaces will offer the children new textures to experience.
- 6.3 The new play equipment proposed is designed to encourage and develop social, imaginative, creative and physical play opportunities for the pupils at Montem Primary School. The redevelopment of the play park will also improve the appearance of the school. No change is proposed to the size or use of the playarea or the adjacent smaller area of wet pour. The height of the equipment to the play space will also remain the same.
- 6.4 The existing picket fence is 0.9m high and would be replaced with a 1m high picket fence made from wood (natural colour) to secure the new playspace. It is also proposed to replace the existing stepped access to the play park with a ramp to allow level access to the to the play area.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 April 2016: Planning application ref. P2016/1526/FUL submitted for Installation of play area canopy to existing outdoor play area, under consideration at this Planning Sub A Committee.

- 7.2 July 2014: Listed Building Consent ref. P2014/1680/LBC Approved in connection with removal of the existing single storey canopy to the rear of the playground and the construction of a single storey extension to provide a dedicated Two Year old facility for pre nursery infants. (Full planning application ref: P2014/1591 also submitted
- 7.3 November 1989: Planning application (Ref.891080) Granted for Construction of a covered play and seating area.

PRE APPLICATION

- 7.4 None

ENFORCEMENT

- 7.5 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 279 adjoining and nearby properties along Seven Sisters Road, Tiltman Place and Hornsey Road on 01 September 2016. A site notice was displayed on 08 September 2016. The public consultation of the application expired on 29 September 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 no objections had been received from the public.

External Consultees

- 8.3 None

Internal Consultees

- 8.4 **Design and Conservation** Raised no objection.
- 8.5 **The Tree Officer** stated that the playground refurbishment has the potential to cause significant damage to tree roots if carried out without due care and attention to the roots of the trees. A condition is therefore recommended requiring detail of how the impacts are to be minimised and the trees protected during the development works.

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:
- Tollington Settlement iArchaeological Priority Areas 170914
 - Finsbury Park iCore Strategy Key Areas 170914
 - Local cycle routes
 - Major Cycle Route
 - Mayors Protected Vistas Alexandra Palace viewing terrace to St Paul's Cathedral
 - Site within 100m of a TLRN Road
 - Grade II Listed

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:

- Design
- Trees
- Neighbouring Amenity
- Inclusive Design

Design

- 10.2 The proposal includes new play equipment and a new all year round use surfacing which includes a mix rubber wetpour and play lawn surfacing. The colour of the wetpour is two-tone green, along with the play lawn surfacing this will provide the space with a natural looking aesthetic.
- 10.3 The improvements will be of visual benefit to the school and restore the site. The new play equipment would also encourage and develop social, imaginative, creative and physical play opportunities for the pupils at Montem Primary School.
- 10.4 In terms of design and appearance the fencing to the refurbished playspace is considered not to detract from the streetscene. Due to its low level the 1m high fence will maintain the open character of the site. The refurbishment and the provision are considered to enhance the appearance of the area and would create a more inviting and usable space for the pupils at Montem Primary School.
- 10.6 As such the proposed works will not adversely affect the special architectural or historic interest of the listed building. The proposal is, therefore, considered to satisfy the objectives of policies, in particular policy 12 of the NPPF 2012 which seek to conserve and enhance the historic environment, policy 7.8 of the London Plan 2015 which seek to preserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011 which seek to protect and enhance Islington's built and historic environment and policy DM2.3 of Islington's Development Management Policies which seeks to protect and enhance Islington's historic environment.

Trees

- 10.7 The existing trees contribute materially to the amenity of the locality, playing an important part in providing a sense of scale, maturity and textural diversity to the immediate vicinity. The Tree Officer raised concerns regarding the playground refurbishment's potential to cause significant damage to the trees roots if carried out without due care and attention to the roots of the trees. As recommended by the Tree Officer a condition is recommended requiring detail of how the impacts are to be minimised and the trees protected through the development.

Neighbouring Amenity

- 10.8 The play area is not located adjacent or directly facing habitable windows to neighbouring residential properties. The proposal is therefore considered not

to have any material adverse impacts on adjoining residents' amenity levels in terms overshadowing, loss of light, over-dominance, increased sense of enclosure nor loss outlook. The proposal would therefore accord with policy DM2.1 which seeks to safeguard the amenity of residential properties.

Inclusive design

- 10.9 Access to the school and around the school will not be affected as a result of the proposal. The existing play space is current accessed via a large step. It is proposed to replace this with a new access ramp made from wood. The removal of large step and replacement with ramped access is welcome. This is considered to improve access to the redeveloped place space for children with mobility issues. This would be in line with the objectives of in line with policy DM2.1 and the Inclusive Design SPD which seek development shall be designed in accordance with the principles of Inclusive Design in order to facilitate and promote inclusive and sustainable communities.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The redevelopment of the playspace, new play equipment, new access ramp and replacement fence is considered acceptable in principle. The proposed works are considered to be acceptable in terms of design and appearance. The proposed works are not considered to impact on the setting of host listed School building. The proposals would not be prominent from public views is also considered not to harm the visual amenity of the surrounding area.
- 11.2 The proposal is therefore considered not to have any material adverse impacts on adjoining residents' amenity levels.
- 11.3 Overall, the proposal is considered to accord with relevant policies.

Conclusion

- 11.1 It is recommended that planning permission be granted subject to conditions for the reasons and details 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 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	Approved plans list DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: Ref 001 Play Lawn surfacing, Ref 002 Wet pour, Ref 003 Perch Benches, Ref 004 Nest Swing, Ref 005 Net climber and scrambler, Ref 006 Play cabin, Ref 007 Treetops Triple Tower, Ref 008 Trapeze swing, Ref 009 Hump back bridge and tunnel, Ref 010 Rock and roll log, Ref 011 Hanging Role Traverse, Ref 012 Timber play fence panel, Ref 013 Plan of Play Park, Ref 014 Play Park Plan, Ref 015 3D picture of Play Park, Ref 016 Site Plan, Ref 017 View from KS1 Tarmac Playground looking NW, Ref 018 View looking SW (1), Ref 019 View looking SW (2), Ref 020 View looking S, Ref 021 View looking W, Ref 022 Entrance to Play Park, Ref 023 Existing Play Park Equipment (1), Ref 024 Existing Play Park Equipment (2), Ref 025 Existing Play Park Equipment (3), Ref 026 Existing Play Park Equipment (4), Ref 027 Existing Play Park Equipment (5), Ref 028 Drawing of existing area, Ref 029 Design and access statement, Ref 030 Heritage statement Play Park. 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	Tree Protection CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection and working methods around the roots of the trees has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

	REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.
4	Access Ramp (Compliance)
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall install:</p> <ul style="list-style-type: none"> - A permanent access ramp fully compliant with Building Regulations, a 1:20 gradient should be a maximum of 10m long, the ramp should have a clear width of at least 1500mm, 100mm upstands each side, a level landing 1500mm x 1500mm clear of the door swing and appropriately designed handrails and the surface of the ramp should be non-slip under all conditions <p>The access ramp shall be fully installed prior to the first use of the playspace</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Inclusive Design
	<p>INFORMATIVE: The applicant is advised that if a gradient is 1:21 or above this is considered gently sloping and does not require upstands, handrails and other ramp design features.</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:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

3. London's people

Policy 3.18 Education facilities

7 London's living places and spaces

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS6 (Nag's Head and Upper Holloway Road)

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**Health and open space****DM6.5** Landscaping, trees and biodiversity**DM6.6** Flood prevention**3. Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

Islington Local Plan

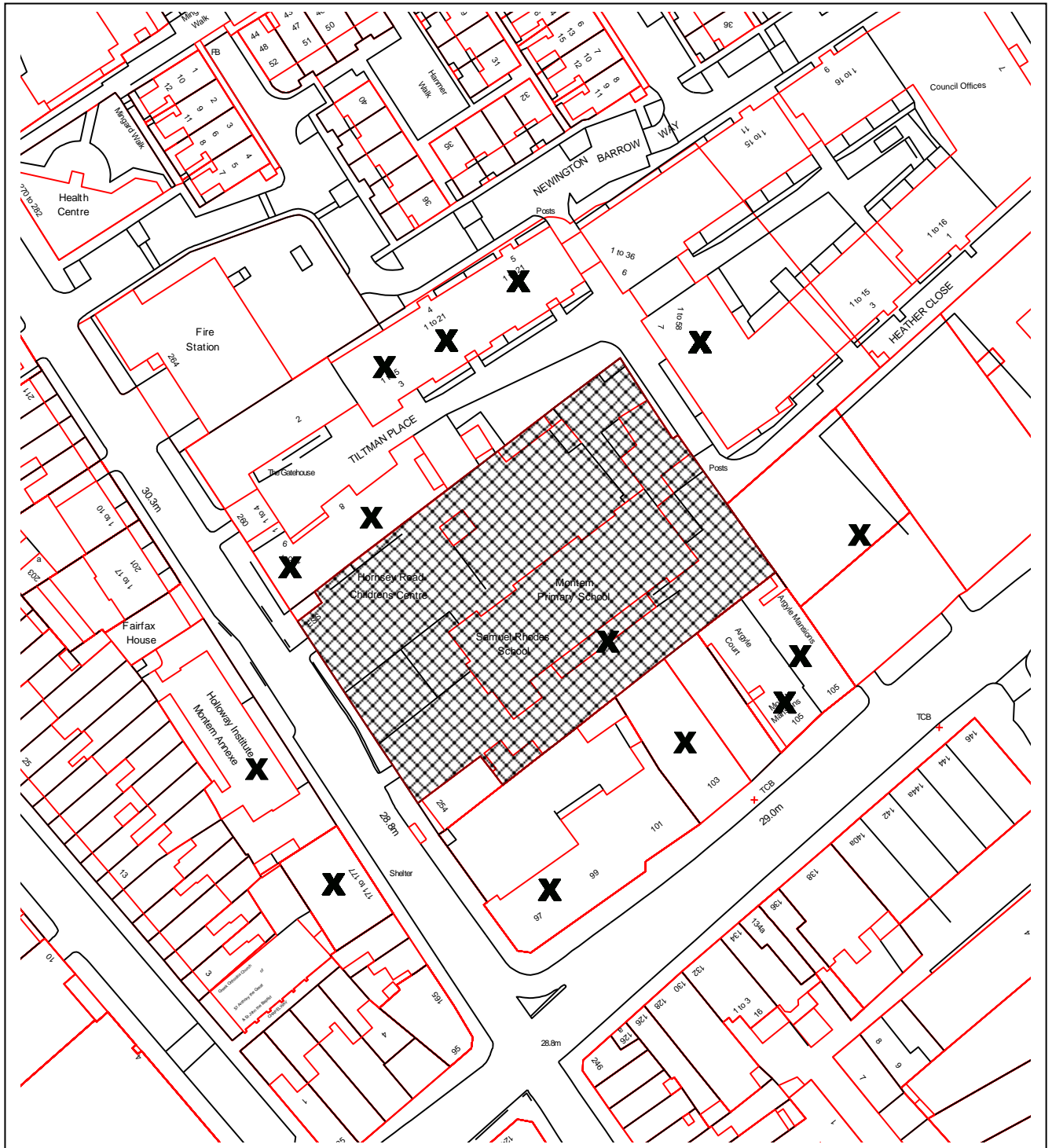
- Environmental Design
- Inclusive Landscape Design
- Urban Design Guide

London Plan

- Accessible London: Achieving an Inclusive Environment
- Sustainable Design & Construction

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Islington SE GIS Print Template



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P2016/1526/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:	30 January 2017	NON-EXEMPT

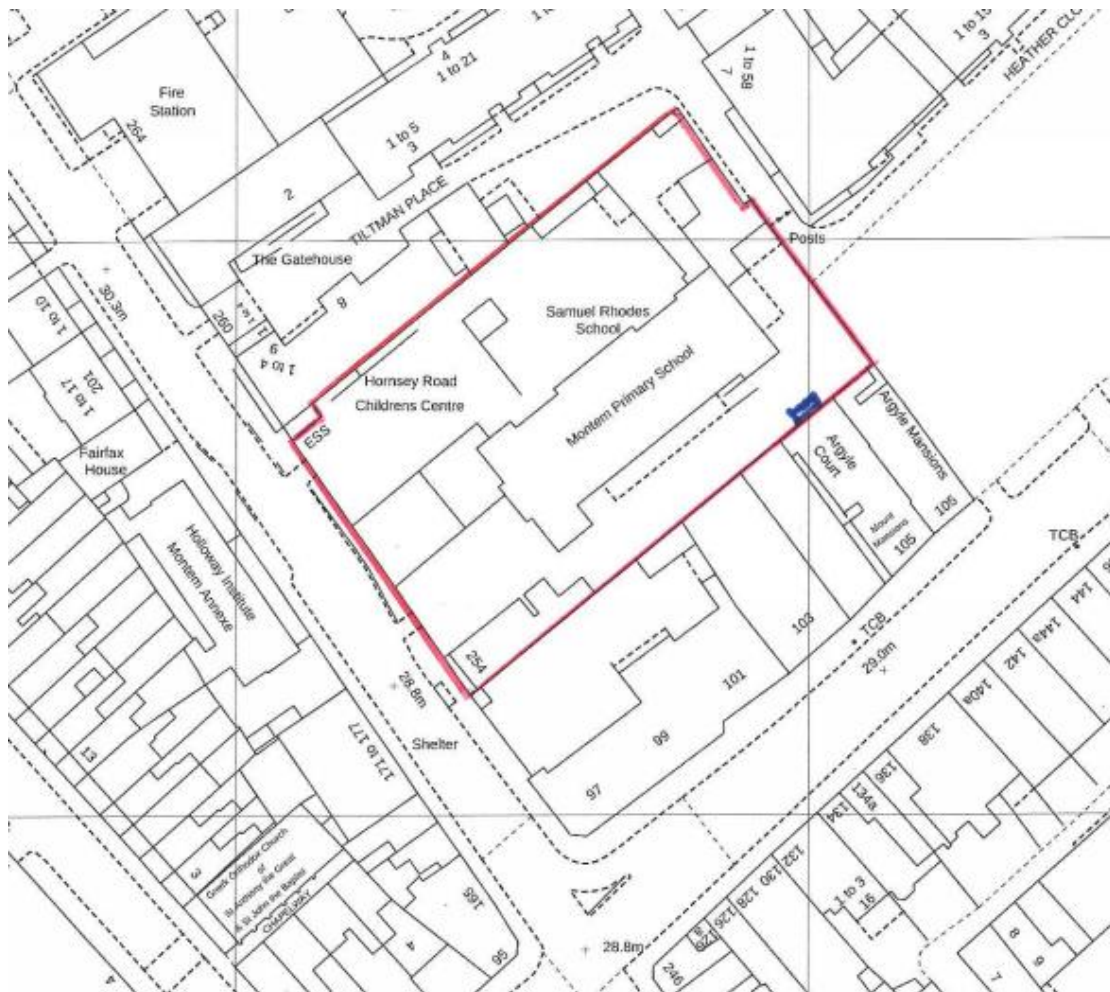
Application number	P2016/1526/FUL
Application type	Full Planning Application (Council's Own)
Ward	Finsbury Park Ward
Listed building	Grade II Listed
Conservation area	Not in a conservation area
Development Plan Context	<ul style="list-style-type: none"> - Tollington Settlement Archaeological Priority Areas - Finsbury Park Core Strategy Key Areas - Local cycle routes - Major Cycle Route - Mayors Protected Vistas Alexandra Palace viewing terrace to St Paul's Cathedral - Site within 100m of a TLRN Road - Grade II Listed
Licensing Implications	None
Site Address	Montem Primary School, Hornsey Road LONDON N7 7QT
Proposal	Installation of a play area canopy located to the south-western side of the application site.

Case Officer	Sandra Chivero
Applicant	Mrs Sara Hopkins - Montem Primary School
Agent	None

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

Application Site

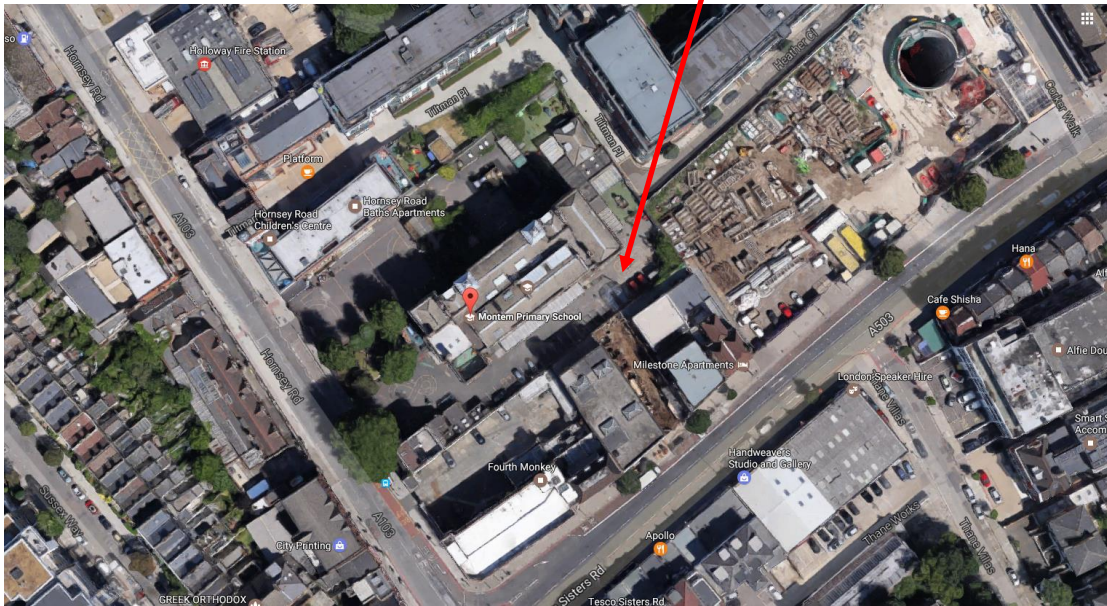


Image 1: Aerial View of site



Image 2: Existing Street view of Application Site

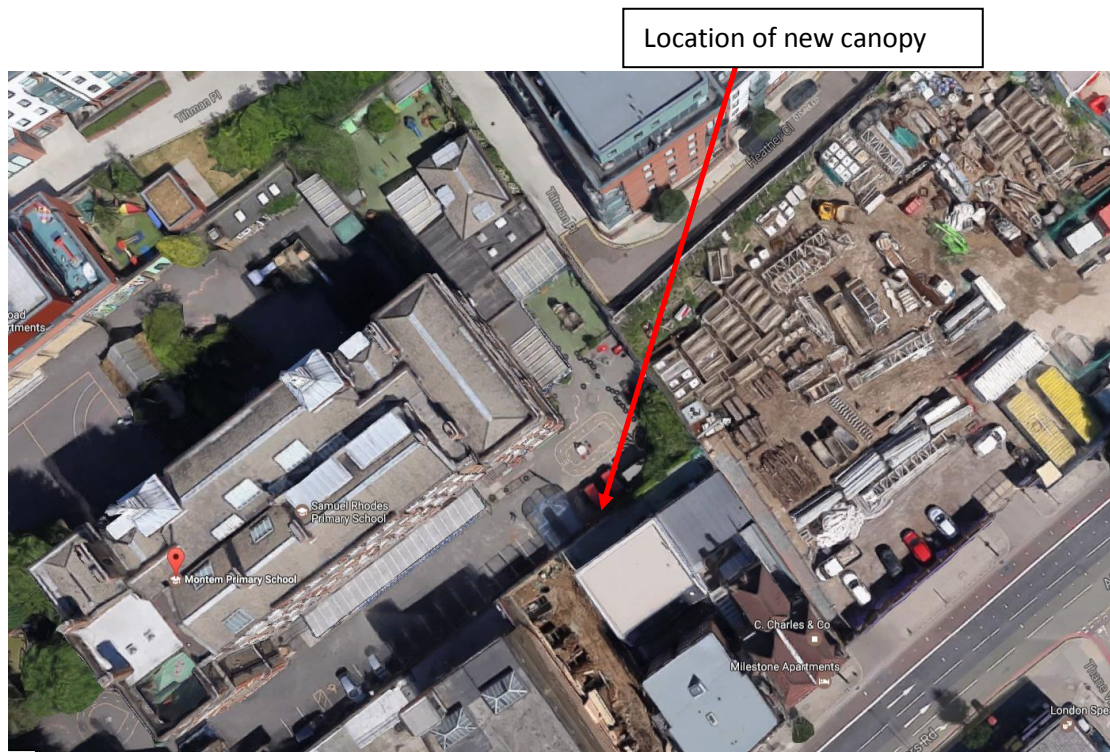


Image 3: Location of new Canopy

4. SUMMARY

- 4.1 Planning permission is sought to construct a canopy to cover an area of 15.39sqm playspace to the south-eastern side of the application site. The structure will incorporate a silver aluminium frame and arched roof cover made from solid translucent polycarbonate.
- 4.2 The proposed canopy is considered acceptable in principle. The resulting structure would be transparent and lightweight. Due to its detachment from any listed walls and location away from the listed school building separate listed building consent is not required and the canopy is considered not to cause harm to the significance of the host listed Victorian Board School building.
- 4.3 The proposed canopy would be situated in a concealed location to the rear of the site and would not be prominent from public views. It is therefore considered not to harm the visual amenity and character of the surrounding area.
- 4.4 The proposed structure is also not considered to have any material adverse impacts on adjoining residents' amenity levels in terms overshadowing, loss of light, over-dominance, increased sense of enclosure nor loss outlook.

- 4.5 Overall, the proposed development is considered to be acceptable with regards to the design and neighbour amenity and would also be in accordance with relevant planning policy.
- 4.6 The application is presented to the planning committee because it is a council own application.

5. SITE AND SURROUNDING

- 5.1 The site comprises a Grade II listed former board school built in 1897. The building is listed for its significance as a former board school. It was built in 1897 and designed by T. J. Bailey for the London School Board. The surrounding area is a mix of commercial and residential uses.

6. PROPOSAL (IN DETAIL)

- 6.1 It is proposed to erect an outdoor canopy incorporating an arched roof cover supported by four posts. The structure will incorporate a silver aluminium frame and translucent roof cover made from solid polycarbonate. The canopy is proposed to create an outdoor covered area 15.39sqm (15m X 2.7m) to the south-western side of the application site.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 October 2016: Planning application ref. P2016/4231/FUL submitted for Redevelopment of existing playground comprising of removal of existing surfacing and play equipment and replace with new surfacing and play equipment. Replacement of wooden picket fence with new picket fence, replace the existing steps with a ramp and associated works under consideration at this Planning Sub A Committee.
- 7.2 July 2014: Listed Building Consent ref. P2014/1680/LBC Approved in connection with removal of the existing single storey canopy to the rear of the playground and the construction of a single storey extension to provide a dedicated Two Year old facility for pre nursery infants. (Full planning application ref: P2014/1591 also submitted
- 7.3 November 1989: Planning application (Ref.891080) Granted for Construction of a covered play and seating area.

ENFORCEMENT

- 7.4 None

PRE _APPLICATION ADVICE

7.5 None

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 279 adjoining and nearby properties along Seven Sisters Road, Tiltman Place and Hornsey Road on 01 September 2016. A site notice was displayed on 08 September 2016. The public consultation of the application expired on 29 September 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 no objections had been received from the public with regard to the application.

External Consultees

8.3 None

Internal Consultees

8.4 **Design and Conservation** Raised no objection.

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:

- Tollington Settlement iArchaeological Priority Areas 170914
- Finsbury Park iCore Strategy Key Areas 170914
- Local cycle routes
- Major Cycle Route
- Mayors Protected Vistas Alexandra Palace viewing terrace to St Paul's Cathedral
- Site within 100m of a TLRN Road
- Grade II Listed

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:

- Design and Appearance
- Neighbouring Amenity

Design and Appearance

10.2 The proposed canopy is considered acceptable in principle, the resulting structure is transparent and lightweight. To ensure that the resulting appearance and construction of the development is of a high standard and respects the character and appearance of the host listed building, a condition has been attached requiring development to be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement.

10.3 The canopy would be located towards the rear of the site bounded by a large boundary wall to the south-east. The new structure would be positioned away from the Grade II Listed school building and will not be fixed to the adjacent southern boundary wall. The proposed canopy would be the same height as the southern boundary wall with Argyle Court and would only extend up to 400mm away from the boundary. It is situated in a concealed location to the rear of the site and will not be visible from Hornsey Road or Heather Close. The proposal would not be prominent from public views and is therefore

considered not to harm the visual amenity and character of the surrounding area.

- 10.4 Given its detachment from any listed walls and location away from the listed school building the canopy is considered not to cause harm to the significance of the host listed Victorian Board School building.
- 10.5 The proposed works will not adversely affect the special architectural or historic interest of the listed building. The proposal is, therefore, considered to satisfy the objectives of policies, in particular policy 12 of the NPPF 2012 which seeks to conserve and enhance the historic environment, policy 7.8 of the London Plan 2015 which seeks to preserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011 which seek to protect and enhance Islington's built and historic environment and policy DM2.3 of Islington's Development Management Policies which seeks to protect and enhance Islington's historic environment.

Neighbouring Amenity

- 10.6 The lower section of the proposed canopy would be the same height as the southern boundary wall with Argyle Court and the higher part would only project by up to 400mm above the boundary. The lower section abuts the southern boundary. The structure would also not be located adjacent to any habitable windows to neighbouring residential properties including Argyle Court. The proposal is therefore considered not to have any material adverse impacts on adjoining residents' amenity levels in terms of overshadowing, loss of light, over-dominance, increased sense of enclosure nor loss of outlook. The proposal would therefore accord with policy DM2.1 which seeks to safeguard the amenity of residential properties.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed canopy is considered acceptable in principle. The resulting structure is considered to be acceptable in terms of design and appearance. Due to detachment from any listed walls and location away from the listed school building the canopy is considered not to impact on the setting of the host listed School building. The proposed canopy is not prominent from public views and is also considered not to harm the visual amenity of the surrounding area.
- 11.2 The proposal is considered not to have any material adverse impacts on adjoining residents' amenity levels.
- 11.3 Overall, the proposal is considered to accord with relevant policies.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement 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	Approved plans list DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: Site Plan; Location Plan, SW 04/16, SW08/16; Heritage Statement, Design and Access Statement. 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	Material MATERIALS (COMPLIANCE): 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. 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.

List of Informatives:

1	Positive Statement To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages
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	<p>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>
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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

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A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

Policy 7.4 Local character

B) Islington Core Strategy 2011

Policy CS8 (Enhancing Islington's Character)

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

Policy CS10 (Sustainable Design)

C) Development Management Policies June 2013

DM2.1 Design

DM2.3 Heritage

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

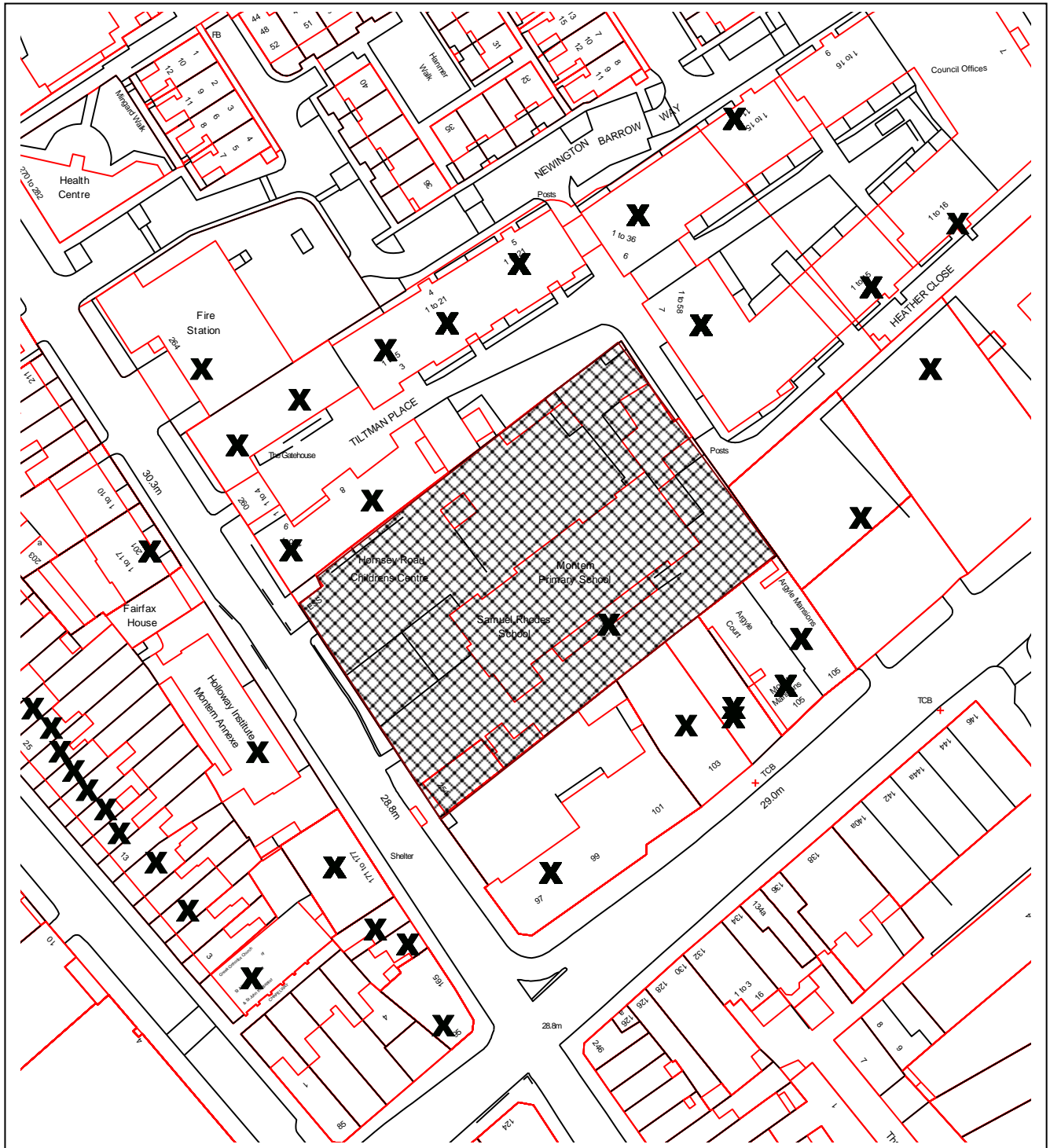
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan:

- Urban Design Guide

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