



PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:
Date:	2 nd October 2017	NON-EXEMPT

Application numbers	P2016/4087/FUL
Application types	Full Planning
Ward	Bunhill Ward
Listed building	None
Conservation area	Within 50m of Hat & Feathers Conservation Area
Development Plan Context	Bunhill & Clerkenwell Core Strategy Key Area Central Activities Zone Employment Priority Areas (general) Finsbury Local Plan Site Allocations Within 50m of Hat & Feathers Conservation Area
Licensing Implications	None
Site Address	Orchard Building, 25 Pear Tree Street, London, EC1V 3AP
Proposals	The erection of two roof extensions, stair, lift core and stair walkway over existing roof level to provide 3 x self-contained 2 bedroom residential units together with private terraces and a green-brown roof.

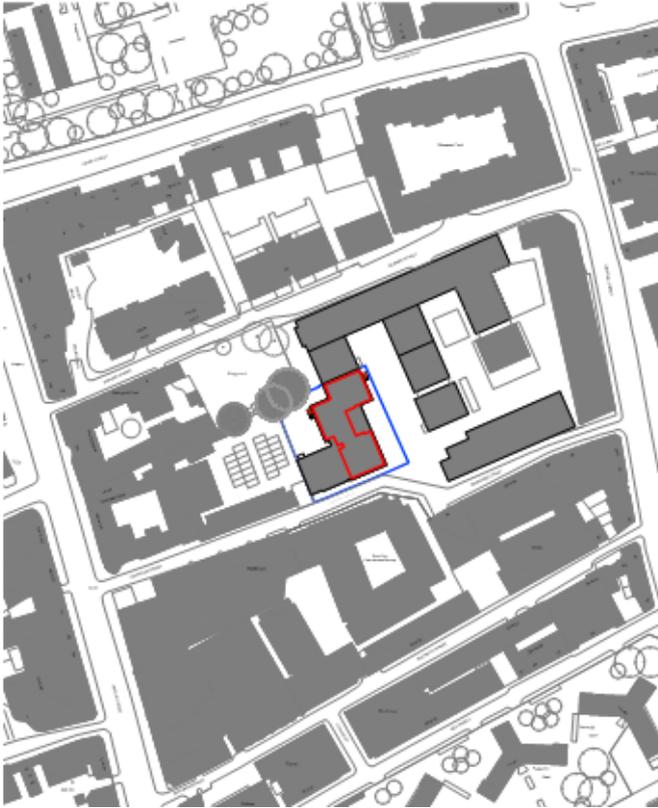
Case Officer	Joe Aggar
Applicant	Central Street (Pear Tree) Ltd
Agent	Montagu Evans

1 RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

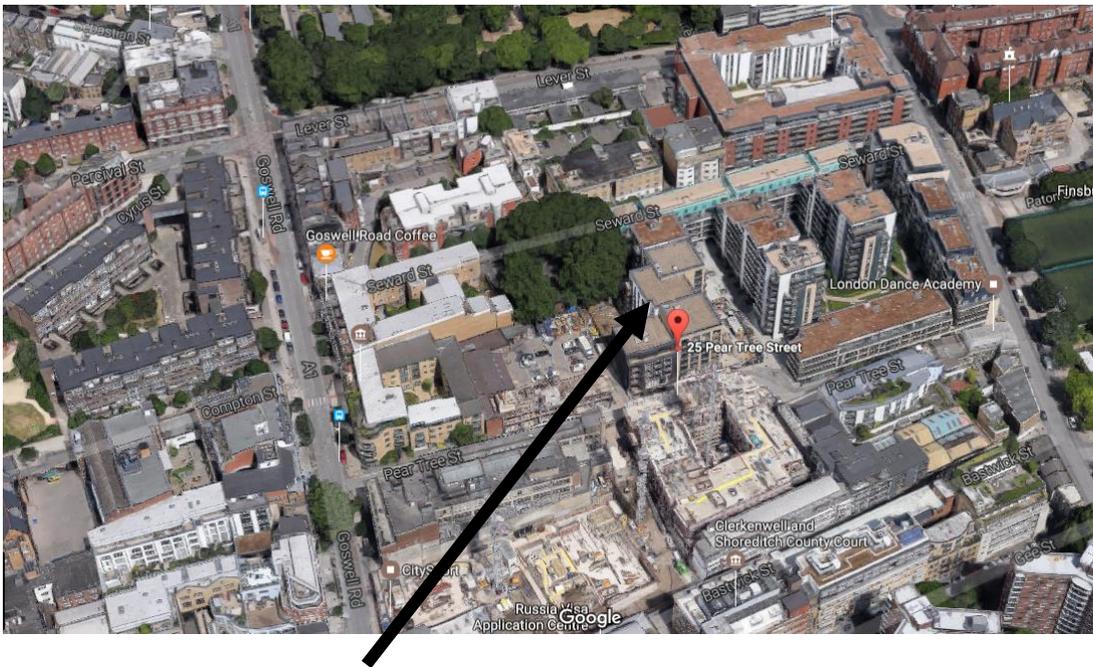


Image 1 - Aerial view of the site and surroundings



Image 2 - Aerial view of the site and surroundings



Image 3 – View of front of the site and adjoining properties beyond



Image 4 – View looking west



Image 5: View looking west from roof level

4 SUMMARY

- 4.1 The application site currently forms four linked blocks comprising 5 and 6 storeys. The development comprises commercial and residential units overlooking a new public square.
- 4.2 The proposal is to erect two roof additions with a stair walkway to provide three, 2 bedroom residential units with private roof terraces. The proposed additions are considered to relate to the existing built forms in the vicinity. The design, layout scale and massing of the proposed development is considered, on balance acceptable. The proposed new dwellings would not detract from the appearance of the host building, the street scene or the setting of the adjacent Hat and Feathers Conservation Area.
- 4.3 During the course of the application the proposal has been amended with the height of the proposed roof addition reduced to 3.6m in height from existing roof level. The resultant height of the building would be 24m. The layout plan has been annotated to clarify the terrace areas that are for access only and common parts and a reduction in the terrace areas. The balustrades of the roof terraces on all have been set back from the parapet line by 0.5m. The position and size of external doors and windows have been adjusted. Additional information has also been submitted with a sunlight/daylight assessment to demonstrate no undue harm to adjoining neighbouring occupiers.
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan (2016). The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion two bedroom units. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. The provision three two units is considered in line with the above stated policy.
- 4.5 Private amenity space is provided in accordance with DM3.5 of the Development Management Policies. It is proposed that the new build dwellings would be constructed to meet the Category 2 standards set by Building Regulations.
- 4.6 The proposal is not considered to prejudice the residential amenity of neighbouring properties insofar of loss of light, outlook or increased sense of enclosure and would not be contrary to policy DM2.1 of the Islington Development Management Policies June, 2013.
- 4.7 The redevelopment of the site proposes no vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. The applicant has signed and completed a Unilateral Undertaking in respect of small sites affordable housing and carbon offsetting.
- 4.1 The application is referred to committee as based on the number of objections. The proposal is considered acceptable in terms of land use, the quality of the proposed residential accommodation, dwelling mix, affordable housing, transportation and servicing, sustainability and energy, subject to conditions and to an appropriate Section 106 (S106) agreement, the Heads of Terms of which have been agreed with the applicant. The main shortcomings of the proposed development relate to loss of light to neighbouring windows. These and other matters are outweighed by the benefits of the proposed development and are minor in nature.
- 4.2 The proposal, on balance is considered to be acceptable and in accordance with the Development Plan policies and planning permission is recommended for approval.

5 SITE AND SURROUNDING

- 5.1 The existing site comprises a relatively recent completed mixed use development comprising 45 residential flats and office space (Class B1). The development was granted planning permission in 2011 (Ref. P110653) and was completed in 2012.
- 5.2 Pear Tree Street is within the Clerkenwell and Bunhill Area of Islington. The street comprises a mix of residential and commercial uses. Historically the area has had a mixed use of industrial and warehouse buildings although many sites have been redeveloped as employment space, residential units and student housing. The surrounding area is characterised by a mixture of residential, commercial, business and leisure uses. The site inspection confirmed that there are numerous examples of buildings from the Victorian, interwar, post war periods along with modern and contemporary structures. Heights of buildings also vary greatly from 10 storey residential tower blocks to 3-storey commercial buildings. The area is characterised by buildings of varying architectural styles, heights and materials.
- 5.3 The site to the west is currently in use by National Grid as a depot to support and carry out emergency repairs for National Grid gas infrastructure in and around central London. There is an existing vehicular entrance from Pear Tree Street, a car park and small single and two storey buildings on site associated with the National Grid operation. The application site is phase 1 of site allocation BC16 and is adjacent to site allocation BC15 at the Seward Street playground as laid out in the Finsbury Local Plan. This application follows the recent redevelopment of phase 1 of site allocation BC16. An extant application (P2015/4725/FUL) exists for demolition of existing National Grid building and replacement with a 4 and 5 storey building to create circa 4,240sqm (gross) B1 office floorspace including 600sqm National Grid office accommodation at part first and second floors and parking at ground floor both associated with depot use (also referred to as Phase 2 in the Finsbury Local Plan).
- 5.4 The application site is located on the north side of Pear Tree Street. It is approximately equidistant between Central Street (east) and Goswell Road (west) which form part of the strategic road network. The site is located within 800m of Farringdon Underground and mainline rail station. Barbican and Old Street Underground stations are approximately 700m and 800m away respectively. There are a number of bus and cycle routes serving the area. The site has a Public Transport Accessibility Level (PTAL) of 6a which indicates a very high level of accessibility to local public transport facilities. Pear Tree Street is a narrow street with an enclosed nature created by the building frontages and the kink in the street between Central Street and Goswell Road, the latter being in a Conservation Area although the application site lies outside of a conservation area.
- 5.5 To the south of the site, on the opposite side of Pear Tree Street, are Finsbury and Heyworth Halls of Residence providing student accommodation for the City University. The buildings opposite the application site are 5-7 storeys. The complex is accessed from Bastwick Street. Adjacent to the west of the site is a 5 storey mixed use development providing commercial office space at ground floor and first floor and 8 flats above. The site is not located within a designated Conservation Area. It however is located close to the Hat and Feathers and the St. Luke's Conservation Area to the east and south.

6 PROPOSAL (in Detail)

- 6.1 The application seeks permission for the erection of two single storey roof additions to accommodate 3 x 2bed self-contained flats linked via common walkway, plus the insertion of an extended lift core and stair core. Each of the proposed new units would have access to an external amenity space with associated balustrade to the perimeter. The external finish is proposed to be painted render. The proposed units would be sited above the

existing flat green/brown roof and set in approximately 2.5 meters from the edge of the roof. The proposed terraces would be set back approximately 0.5m from the roofs edge.

- 6.2 The proposed terraces would have timber decking and the external walkways and terraces enclosed by stainless steel balustrades with laminated glass. The roof to the proposed extensions would have a biodiversity roof. The application has been referred to the planning sub-committee due to the number of objections received.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS

1 Pear Tree Street (to the west of application site)

- 7.1 1, Pear Tree Street, planning application re: P112369 for the 'Erection of a five storey building with office use (Use Class B1) on ground floor and first floor; 8 flats, 6 two bedroom flats at second and third floor, 1 one bedroom flat and 1 four bedroom flat at fourth floor (including demolition of existing two storey office/industrial building (Use Class B1/B8)' was REFUSED on the 08/12/2011. APPEAL ALLOWED with CONDITIONS

- 7.2 1, Pear Tree Street, planning application re: P120025 for the 'Demolition of existing 2 storey building and erection of a 5 storey mixed use building to provide 446m² of commercial office space (Use Class B1) at ground and first floor and 8 flats above (comprising 1 x four-bed, 6 x two-bed and 1 x one-bed flats)' was APPROVED on the 30/03/2012.

- 7.3 1, Pear Tree Street, planning application re: P2013/4817/S73 for the 'Minor material amendment to Planning Permission Ref P120025 dated 30/3/12 including increase in footprint of 4th floor and alterations to elevations' was APPROVED on the 5/02/2014.

44 Pear Tree Street (to the south of the site)

- 7.4 44 Pear Tree Street, planning application re: P2017/0865/FUL for the 'Demolition of the existing building and the redevelopment of the site to include the construction of a 5 storey including basement level mixed use development containing 863sqm office floorspace GIA (Class B1) on the lower ground, ground and first floors and 8 residential units (Class C3) on the second, third and fourth floors (6 x 2 beds, 2 x 3 beds). Provision of refuse & recycling facilities and cycle parking facilities on the ground floor and associated alterations. (AMENDED PLANS: Amendments include alterations to the screening and relationship with the Pietra Lara Building (Flats 1 and 4) and alterations to the layout of units 7 and 8 at the fifth floor level), under consideration.

1 Pear Tree Street (application site)

- 7.5 1, Pear Tree Street, planning application re: P2013/0927/NMA for the 'Non material minor amendment of planning permission reference P110653 dated 9 November 2011. The amendments involve: (i) Replacement of cycle cages with 2 tier cycle racks (ii) Reduction in height of gates leading to rear courtyard (iii) reduction in height of metal grills connecting the building to the neighbouring development' was APPROVED on the 24/04/2013.

- 7.6 1, Pear Tree Street, planning application re: P110653 for the 'Erection of part 5, part 6-storey building providing for 45 dwellings and 354sqm business (class B1) floorspace together with the creation of public realm/open space and associated works' was APPROVED on the 09/11/2011.

122 Goswell Rd and 15 Bastwick St (to the south of the application site on Pear Tree St)

- 7.7 122-130, Goswell Road, 15 Bastwick Street, planning application re: P111829 for the 'Redevelopment of the site to provide student accommodation (805 rooms), sports centre (3,175sqm), university teachings space (2,525sqm) and associated works and landscaping.

(Reconsultation: Amendments to the scheme not limited to and including: Updated drawings showing window changes in response to neighbour relationships; additional drawings showing neighbour relationships; illustrative details of gates for Pear Tree Street entrance; detailed drawings illustrating accessible rooms; building facing material change to student accommodation courtyard) was APPROVED on the 30/03/2012.

ENFORCEMENT:

7.8 None.

PRE-APPLICATION ADVICE:

7.1 None

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 1,086 adjoining and nearby properties at Dance Square, Goswell Road, Pear Tree Street, Central Street, Seward Street, Gee Street and Bastwick Street.

8.2 A site notice was also displayed. Consultation expired on the 12th January 2017. It is the Council's practice to continue to consider representations made up until the date of a decision. A further period of consultation was carried out on the 28/03/2017. This expired on the 13/04/2017. A further consultation period was carried out on the 25/07/2017 and expired on the 07/08/2017. The reason for additional consults being carried out were the submission of amended plans including the reduction in height of proposed roof addition, layout of plans clarified in relation to terrace areas and common parts, balustrades set in by 0.5m, updated sunlight/daylight report and alteration to the position and the design of doors and windows, along with the reduction in the size of terraced areas and a bat survey.

8.3 At the time of writing this report 60 responses have been received from the public with regard to the application. Members will be updated at committee of any additional responses received. The issues raised are summarised as follows (with officer comments in brackets):

- Loss of daylight (10.35)
- No public benefit (10.7; 10.59-10.60)
- Loss of property value for residents (10.68)
- The buildings current height is not in harmony with the surroundings (10.15)
- Disruption as a result of works including noise (10.43-10.44)
- Use of crane and scaffolding will hinder daily lives (10.44)
- Poor lift maintenance (10.57)
- Overlooking and loss of privacy (10.41-10.42)
- Contrary to Human Rights (10.70)
- Overdevelopment of the site (10.3; 10.17)
- The gardens to Orchard development will be overshadowed (10.72)
- Loss of natural light to communal areas by losing skylights (10.31)
- Loss of existing green roof (10.64)
- Bat activity in Orchard Place (10.66)
- Loss of sunlight (10.39)
- Increase in sense of enclosure (10.40)
- Piecemeal development or 'creep' development (10.69)
- Take into account other recent permission and changes (10.69)
- Congestion to existing highway (10.44 & 10.61)

- If permission granted a number of certain agreements should be obtained, no Saturday working, strict security, a developer community liaison, a pre-build meeting, no storage of building materials (10.43-10.44)
- S106 should go to improvements to Pear Tree Street (10.59-10.60)
- Submission of application over the Christmas period (8.2)
- Uncovered proposed common parts (10.57)
- Not notified about the proposal (8.2)
- Safety of residents during construction (10.43-10.44)
- Nursey at ground floor level will be adversely impacted (10.34)
- Notification process not properly followed (8.2)
- No social housing provided (10.59)
- Planning application fails to show any noise mitigation (10.44)
- Existing refuse not large enough to take rubbish (10.58)
- Structural implications on the existing building (10.71)
- Limit ability to install solar panels on the roof (10.64)
- Poor air quality (10.44)
- Shadowing of the square (10.72)

External Consultees

8.4 None

Internal Consultees

- 8.5 **Design and Conservation Officer:** The proposed roof additions to the existing buildings may be considered acceptable in principle if it can be demonstrated that they will not be visible from the street. As currently proposed it appears that both the roof extensions and balustrades associated with the proposed roof terraces will be visible from the street, resulting in a cluttered and disjointed appearance that does not relate well to the buildings below. If the roof extensions were reduced in height as far as possible and set back further so as to reduce the visual impact, they may be considered acceptable. Terraces should only be provided where they are not visible from public spaces due to the increased perceived bulk created by clutter associated with use of the terrace i.e. planting, furniture etc. It may also assist in reducing the impact of the roof extensions if they are darker in colour. Recommends the refusal of this application.
- 8.6 **Energy Officer:** Since this is over 100m from the Bunhill network and not required to assess connection. Policy DM7.3A requires minor new-build developments should be designed to be able to connect wherever reasonably possible. As this is an extension to an existing building, envisage the best approach would via be connection to the heating / hot water systems in the existing building, if feasible.
- 8.7 **Access Officer:** Approve subject to condition relating to Category 2 Homes.
- 8.8 **Planning Policy Officer:** No objection
- 8.9 **Waste Officer:** No comments at the time of writing.
- 8.10 **Public Protection Officer:** The new development is proposed on top of existing residential and the potential disruption that construction will cause for the residential and office occupiers below. Access to the roof will be difficult via the existing lift or crane onto the roof and quiet periods/delivery times will have to be arranged in liaison with the existing occupiers. If the application is recommended favourably a condition is advised.
- 8.11 **Building Control:** As the proposal would result in a residential floor above 18m the proposal should comply with B3 (Internal fire spread (structure)), B4 (External fire spread) and B5 Access and facilities for the fire service of the Building Regulation 2010.

9 RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
 - Deregulation Bill received Royal Assent 26th March 2015

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 1 to this report.

Designations

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

Whitehall Park Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

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

- Land Use
- Design, appearance and impacts on the Conservation Area
- Impact on the amenity of neighbouring residents
- Residential Mix
- Quality of Accommodation
- Accessibility
- Small Site Housing Contributions and Carbon Offsetting
- Highways
- Sustainability
- Community Infrastructure Levy
- Other Matters

Land Use

- 10.2 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should normally approve applications for residential development, provided that there are not strong economic reasons why such development would be inappropriate.
- 10.3 Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy 3.4 (and table 3.2) seeks to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.
- 10.4 The application site is located within the Central Activities Zone and the Bunhill and Clerkenwell key area as identified by the Core Strategy. The diagram supporting policy CS7 of the Core Strategy identifies the site within a mixed use development area. Part D of policy CS7 the policy states that housing growth will be sought across the area with a wide range of dwelling types, affordable tenures and family sized homes.
- 10.5 The Finsbury Local Plan recognises this part of Islington has experienced significant change in recent years. The area's residential population, in particular, has undergone considerable expansion. The previous development of the site was largely residential led. The development for residential is conducive to the surrounding area and is considered to bring economic and social benefits by delivering a new accommodation in an accessible and sustainable location and would be of a size for which there is a need.
- 10.6 It is therefore the case that there is a policy presumption in favour of the delivery of new housing, and the site is considered to be a sustainable location for new housing.
- 10.7 The scheme would deliver 3 residential units which would contribute towards the Borough's targets. Subject to compliance with other policies, the introduction of these residential units is supported in principle.

Design and Conservation

- 10.8 The current block form is articulated into four components comprising two large and small blocks. The two large blocks are 6 storeys (20m in height) and both have a raised 6th floor height which emphasise their prominent position and highlight both a significant corner (Pear Tree Street/Public Square) and the neighbouring 7 storey housing block to the north. The block that links the two large blocks along the public square drops to five storeys with a set-back sixth storey which emphasises the scale of the two larger blocks. The current block fronts the public space and Pear Tree Street.
- 10.9 The proposed development would principally comprise the addition of a single storey extension with two distinct parts linked via a common walkway. The plan accommodates 2 no. two-bed flats in a single volume to the south of the extended core and 1 no. two-bed flat to the north. All facades would incorporate operable glazed partitions opening out onto private terraces. External walls are proposed to be render clad and painted white.
- 10.10 Policy CS8 of Islington's Core Strategy set the general principles to be followed by new development in the Borough. In terms of design the key, relevant policy from the council's policy is Policy DM2.1 of the adopted 2013 Development Management Policies. Policy DM2.1 sets out a series of criteria that should be applied to new development. It emphasises the need for design to be of high quality that makes a positive contribution to an area's local character and distinctiveness.

- 10.11 In particular, the Islington Urban Design Guide (UDG) advises there is usually more scope for change in the roofline and facades within streets where there are a variety of frontages and building heights. The UDG also advises, outside conservation areas, there is more scope to introduce roof extensions. The proposed roof additions would rise approximately 3.6m above the existing parapet and be set back a 2.5m from the majority of the edge of the existing building with the presence of balustrades and rooftop terraces. The uncovered walkway enables the mass and bulk of the building to be mitigated.
- 10.12 Pear Tree Street is relatively narrow and enclosed by the surrounding built forms. However, there is a kink in the road where the application site can be appreciated from public views which is aided by the presence of a public space. This affords the site a greater visual presence than other buildings in the vicinity. There are also views of the subject building from Seward Street.
- 10.13 The height existing building drops along Pear Tree Street which was designed to reflect the building heights on the south side of the street, comprising 4 four storeys with a setback fifth storey. This part of the roof would remain unaltered.
- 10.14 The proposed development would involve change at roof top to three of the four 'blocks' which front onto the public space and Pear Tree Street. The proposed roof additions are modestly set back from the buildings parapet and this is considered to reduce the overall visual impact of the proposal.
- 10.15 The prevailing building heights in the area are between 3 and 6 six storeys. However, of particular note, within this context is 194-262 Dance Square, which rises between 7-10 storeys. Immediately opposite to the south of the site, are Finsbury and Heyworth Halls of Residence which totals 6 storeys in height. There has also been recent approval and built out scheme for a roof addition at 31-41 Pear Tree Street at fourth floor level and Worcester Point at 7th floor level. Within the street scene of Pear Tree Street and Dance Square the proposal of a setback 6th floor, from ground level upwards would not appear incongruous given the general scale of surrounding development. In this context, the proposed roof additions at the subject application site would appear no more visually overbearing or incongruous. The proposed roof form, finish and set back position is not considered to be visually jarring given similar treatments in the locality.
- 10.16 In addition, paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It is acknowledged that the site is adjacent to a conservation area. Views in and out of a conservation area are a material consideration. However, based on the reasons stated above and the general acceptability of the design there is considered to be no material harm to the character and appearance of the Hat and Feathers Conservation Area.
- 10.17 Whilst it would appear modestly taller it is not considered the height differentials in terms of overall height and corresponding individual storey heights to be significantly inconsistent or visually discordant. Consequently, the proposal is considered to be in accordance with the Islington Core Strategy 2011 Policies CS8 and CS9; Islington Development Management Policies 2013 (DMP) Policy DM2.1 and Policy DM2.3; London Plan, 2015, Policy 7.6 and the Council's Urban Design Guide 2017. In combination, these policies seek to protect the character and appearance of the public realm.

Neighbouring Amenity

- 10.18 The council's planning policies seek to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise.

- 10.19 London Plan Policy 7.6 requires buildings and structures not to cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing, in particular. DMP Policy 2.1 requires development to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, sunlight and daylight, over-dominance, sense of enclosure and outlook. One of the core principles is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 10.20 Daylight and Sunlight: The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.
- 10.21 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:
- The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight);***
- And
- The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.*
- 10.22 A Daylight and Sunlight Assessment was submitted in support of the application and an updated report has been submitted dated March 2017 to show the potential impact to the west and south facing windows at first, second, third and fourth floor level to 194-262 Dance Square and 13-18 Dance Square. If the obstruction angle is less than 25 degrees to the horizontal, a new development is unlikely to have a significant effect on daylight. The student halls of residence to the south of Pear Tree Street and the western facing windows to 116 to 139 Pear Street have also been tested.
- 10.23 There are a number of properties with inset balconies to the east and north of the application sites that may potentially be affected. Where proposed VSC values are less than 27%, adverse effect may only occur if proposed VSC is not less than 27% but also less than 0.8 its former value. The BRE Guidelines recognise that balconies and projecting access ways can restrict daylight to rooms. This is a factor that needs to be considered in the assessment of the proposals to those south and west facing windows.
- 10.24 Whilst the BRE guidance (at paragraph 2.2.11) suggests that overhangs could be disregarded in order to ascertain whether it is the presence of the overhang (rather than the proposal) that is the main cause of a loss of daylight, the BRE guidance does not state that this *must* be done in all analyses. The overhangs of south and west facing balconies within Dance Square will remain in place, and these neighbouring residents would have to live with the post-development results. The most relevant results are those 'with the balconies in place'.
- 10.25 The following paragraphs and tables summarise and comment on the results from the submitted daylight/sunlight report.

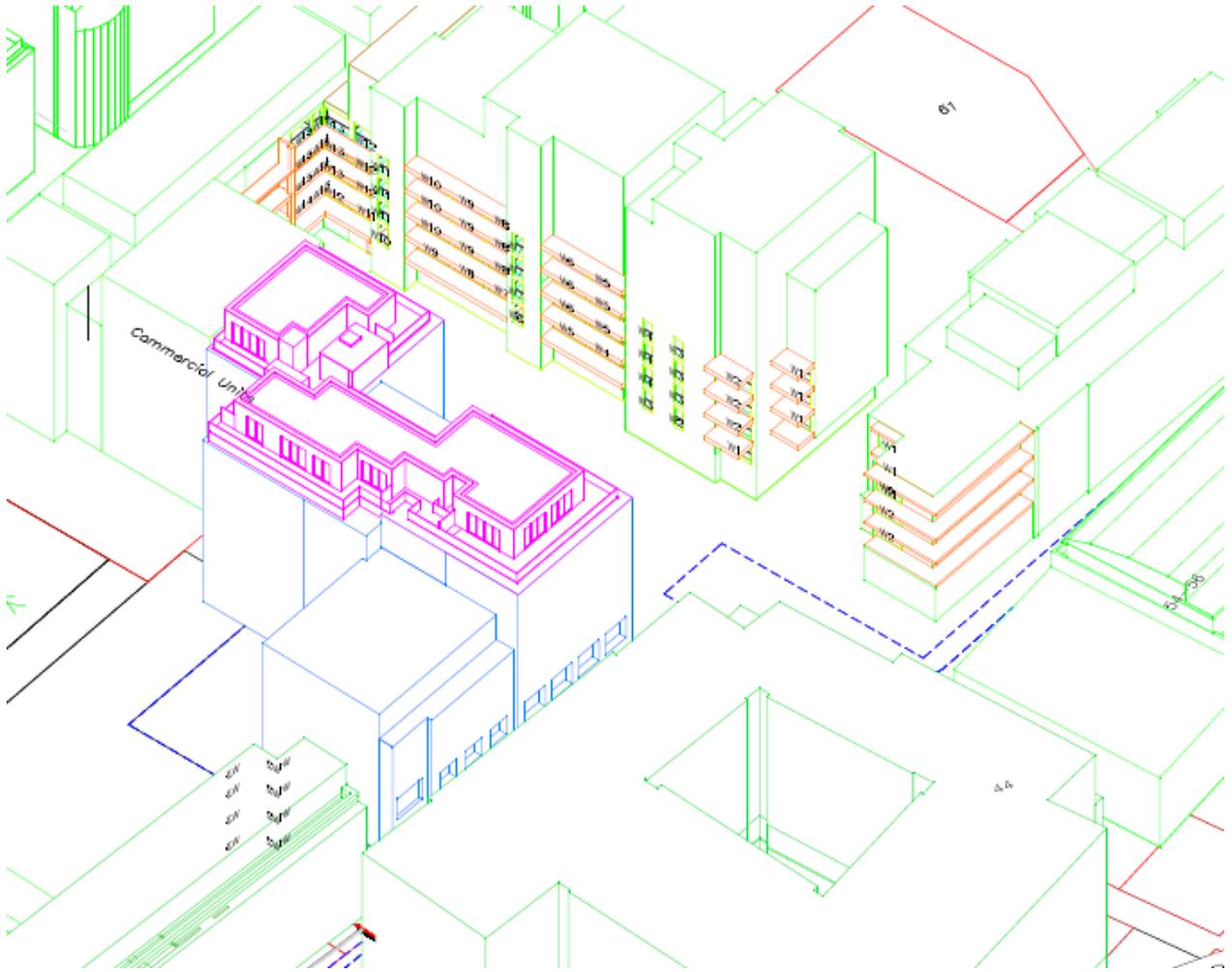


Figure 1: Perspective view of existing neighbouring properties.

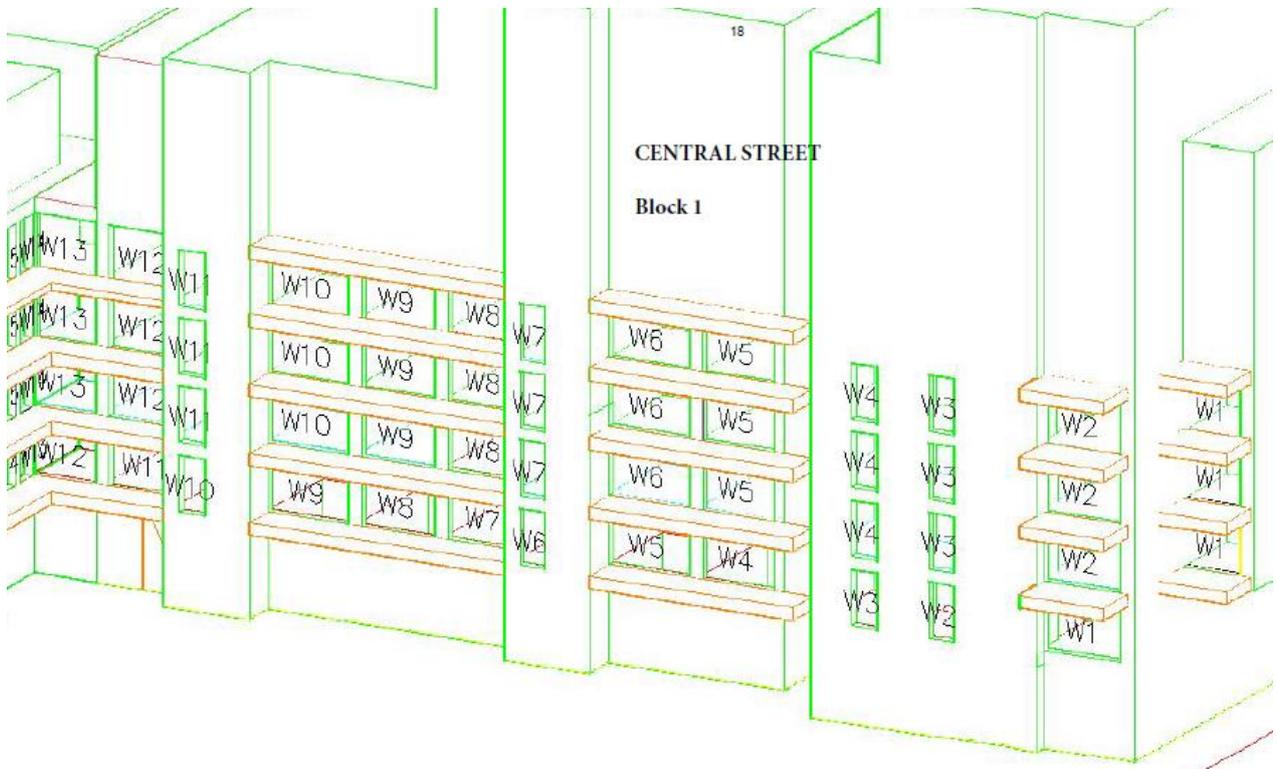


Figure 2: Perspective view of existing neighbouring properties

		Vertical Sky Component			No skyline (daylight distribution)			
Room Window /	Room Use	Existing VSC	Proposed VSC (%)	VSC reduction (%)	Whole room m ²	Previous m ²	Proposed m ²	NSL reduction (%)
1 st Floor R4/W4	LKD	2.02	1.36	0.67				
1 st Floor R5/W5	LKD	1.47	1.2	0.69				
1 st Floor R7/W7	LKD	0.56	0.27	0.48	20.79	2.12	1.5	0.71
1 st Floor R8 / W8	LKD	0.66	0.42	0.64				
1 st Floor R9 / W9	LKD	0.56	0.39	0.7				
1 st Floor R12 / W12	Bedroom	0.13	0.1	0.77				
2 nd Floor R5 / W5	LKD	3.85	2.81	0.73				
2 nd Floor R6 / W6	LKD	3.28	2.38	0.73				
2 nd Floor R8 / W8	LKD	1.35	0.82	0.61				
2 nd Floor R9 / W9	LKD	1.52	1.08	0.71	20.79	5.39	4.68	0.76
2 nd Floor R10 / W10	LKD	1.31	0.99	0.76				
2 nd Floor R13 / W13	Bedroom	0.81	0.29	0.69				
3 rd Floor R5 / W5	LKD	7.22	5.5	0.76	20.97	10.69	7.77	0.73
3 rd Floor R6 / W6	LKD	6.41	4.79	0.75	16.48	10.9	7.63	0.7
3 rd Floor R8 / W8	LKD	4.95	3.74	0.76	20.79	8.2	6.35	0.77
3 rd Floor R9 / W9	LKD				16.48	8.85	7.31	0.79
4 th Floor R5/W5	Bedroom				20.97	20.2	10.7	0.53
4 th Floor R6/W6	Bedroom	9.75	7.71	0.79	16.48	16.42	10.82	0.66

Table 1: Windows to 194-262 Dance Square that fail VSC and Daylight Distribution Tests.

- 10.26 194-262 Dance Square: The Daylight and Sunlight report indicates failures to the west facing habitable rooms in relation to VSC windows within 194-262 Dance Square. These properties have a particular sensitive relation to the site, being located directly opposite. At first floor level there are fails to 5 windows (W4, W5, W7, W8, W9 and W12). The worst affected window is W7 which shows a reduction in 52% of its former value. At second floor level windows W5, W6, W8, W9, W10 and W13 fail VSC. At third floor, windows W5, W6 and W8 fail VSC and at Fourth Floor level window W6 also fails.
- 10.27 Difference values of 0.7 to 0.79 indicate that reductions in daylight would be noticed, however such reductions of between 20% to 30% are generally considered to be a lesser or minor infringement in dense urban areas such as this. The BRE guidance does acknowledge that its guidance should be applied flexibly in central locations. This is a central location, in a densely populated area of the borough. A higher degree of obstruction may also be unavoidable if new developments are to match the height and proportions of existing buildings. The majority of the windows that fail the VSC test fall between or just below the above stated numerical range and their starting VSC percentage, as existing, to a number of windows is relatively low.
- 10.28 A similar test, in relation to daylight is daylight distribution. The BRE Guide explains that the daylight distribution of a neighbouring property may be adversely affected if, after the development, the area of the working plane which receives direct skylight is reduced to less than 0.8 times its former value.
- 10.29 Window W7 fails at first floor level, W8 at second floor and windows W5, W6, W8 W9 at third floor and W5 and W6 at fourth floor. At fourth floor level, windows W5 and W6 fail the daylight distribution test. However, these are identified by the applicants as bedrooms and therefore the loss of daylight to these rooms is less important.
- 10.30 1 Pear Tree Street: The rectangular building to the west of the application site, has habitable windows which face north and eastwards. These windows are considered to serve living rooms at second, third and fourth floor levels. The Daylight and Sunlight report shows no adverse impact in relation to loss of light or sunlight to these particular windows.
- 10.31 The Orchard Building: The loss of light to communal areas by the removal of roof lights, within The Orchard Building itself, is not given the same importance as light to habitable rooms. Therefore, little weight is given to the loss of light to the top floor of The Orchard Building.
- 10.32 13-28 Dance Square: The properties with balconies facing south to 13-28 Dance Square will continue to have an uninterrupted view due south. Therefore, in section these windows not be obstructed and would be considered to retain sufficient daylight and sunlight.
- 10.33 City University Student Accommodation: The applicants Daylight Sunlight Report measures the Average Daylight Factor (ADF) to the north facing rooms the student accommodation. This accommodation is for students during their time at university. Individual students would occupy the accommodation for less than a year and the main function would be for sleeping and studying. It is not permanent living accommodation. As such it is considered inappropriate to strictly apply the BRE guidance. The impact of the development on adjoining properties in terms of demonstrable harm to daylight is not considered adverse.
- 10.34 Concerns have been raised to the loss of light to a ground floor nurse. The BRE Guide does not protect commercial space in the same way as residential. Any loss of light to a commercial premises is not considered reason to justify refusal in this instance
- 10.35 Summary: overall, in relation to the two tests, windows W8 at first floor level and W8 at second floor level fail both VSC and Daylight Distribution tests. These rooms serve living/kitchen/dining rooms. In relation to Daylight Distribution these losses are considered

marginal with those in relation to VSC slightly worse at 36% and 39% their former value (failing outside the recommended range of 20%). However, based on the dense urban nature of the site, the loss of daylight as tested by VSC and Daylight Distribution to these windows is not considered, on balance, significant, as to justify refusal.

- 10.36 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

- 10.37 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.
- 10.38 Residential dwellings at the following properties listed, detailed above (please refer to Figure 2) have been considered for the purposes of sunlight impacts as a result of the proposed development. The APSH test can also be used to check the impact of a development on the sunlight availability to neighbouring properties. The test should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south.
- 10.39 The results show both annual and winter probable sunlight hours. Those most affected are located at the residential properties located at first floor level to Dance Square. The Daylight and Sunlight report acknowledges fails in winter sunlight to W5, W7 and W8. However, the existing values are considered low at 3% and 1% respectively. Any loss comparative to these existing values is considered marginal. The Daylight and Sunlight report shows no adverse in relation to annual probable sunlight hours. Overall there is considered to be no significant adverse impact on loss of sunlight to those properties.

Outlook and Sense of Enclosure

- 10.40 The proposed development would be located above a six storey existing building. It would be set a considerable distance from any adjoining residential occupier. Whilst the development would be appreciated from upper levels of nearby residential properties, based on the relative separation distances the proposal is not considered to have an adverse impact.

Overlooking/Loss of Privacy

- 10.41 The proposed roof extensions and external amenity space easterly, southern and western direction. The properties with a most sensitive relation to the application site is 192-262 Dance Square and 13-28 Dance Square. There are similar balconies elsewhere in the vicinity, including Dance Square. These properties are located approximately 20m to the east of the proposed site. To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy. As the distance are

over the minimum stated and across a square there is considered to be no adverse impact in terms of overlooking to those properties at 194-262 Dance Square. The area of roof terraces have been reduced in order to prevent any overlooking backwards, obliquely or otherwise into The Orchard building.

- 10.42 The residential dwellings to the west of the application site are located over 20m away. As such there is considered to be no adverse impact on those properties identified. It is considered to attach a condition in relation to screening to ensure no overlooking to the properties located to the north of the site (1-12 & 13-28 Dance Square).

Construction Work

- 10.43 Policy DM3.7 of the Development Management Policies seeks to ensure all residential development proposals shall demonstrate how potential adverse noise impact on and between dwellings will be mitigated. The residential units at roof level are proposed to be constructed on a supporting structure elevated above the existing roof. Construction impacts of developments of this nature are not normally a material planning consideration. Noise and pollution from demolition and construction works is also subject to control under the Control of Pollution Act 1974, which states that any building works that can be heard at the boundary of the site may only be carried out between 0800 and 1800 Monday to Friday and 0800 to 1300 on Saturday and not at all on Sundays or Public Holidays.
- 10.44 The Environmental Protection Officer has raised concerns over the potential disruption that construction may cause for the residential and office occupiers below. The Environmental Officer has stated access to the roof is considered to be difficult via the existing lift or potential use of crane onto the roof and quiet periods/delivery times will have to be arranged in liaison with the existing occupiers. Based on the dense nature of the site and the concerns raised by neighbouring occupiers and the Environmental Protection Officer, it is therefore recommended to attach a condition in the form of a Construction Management Plan to ensure no adverse harm to the neighbouring occupiers amenity. The Environmental Protection Officer has not raised concern regarding the air quality in the vicinity of the site and there is not information to suggest additional residential units would compromise the existing air quality of neighbouring or the proposed units themselves.

Summary

- 10.45 The development of a new dwelling would result in a material intensification of the use of the site. Nonetheless, given the predominant character of the surrounding area and the overall extent of existing residential development nearby, it is considered that the development of the site for three new dwelling in this location would be relatively limited in its impact on neighbouring living conditions.
- 10.46 For these reasons, it is considered that the proposed development would not significantly harm the living conditions of the occupiers of No 158. Accordingly, it does not conflict with Policies CS8 and CS9 of Islington's Core Strategy and Policy DM2.1 of Islington's Local Plan: Development Management Policies insofar as they aim to safeguard residential amenity. The scheme would also adhere to a core principle of the National Planning Policy Framework, which is to always ensure a good standard of amenity for all occupants of land and buildings.

Residential Mix

- 10.47 Planning policy and guidance requires a range of unit sizes to be provided on all new developments in order to meet specific housing demand and to help foster stable and balanced communities. Policies within the London Plan, in particular Policy 3.9, stress that communities 'mixed and balanced by tenure and household income' should be promoted across London'.

- 10.48 Policy DM3.1 (Mix of housing sizes) of the Islington Development Management Policies (2013) seeks to secure a good mix of housing sizes on all sites. The proposal consists of 3 x 2 bedroom flats. The proportion of 2 bed units is considered to provide an acceptable range of unit sizes in line with Policy DM3.1.

Quality of Accommodation

- 10.49 In terms of new residential development, as well as having concern for the external quality in design terms it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also be dual aspect. London Plan (2016) policy 3.5 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 10.50 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015 which post-dates the determination of the application by the Council. From this date Councils are expected to refer to the NDSS in justifying decisions.
- 10.51 Policy DM3.4 of the Islington's Local Plan: Development Management Policies (adopted June 2013) sets the context for housing standards for new development. Table 3.2, which supports this Policy gives the minimum gross internal areas (GIA) that new residential developments would be expected to achieve. For 2 bed, 4 person flat the table states that a GIA of 70SqM. The proposed floor area of the three flats are 73.4SqM, 78.8SqM and 86.2SqM. The proposal would exceed the floor area required by the above prescribed standards in the NDSS and Development Management Policies. The internal layouts of the proposed residential unit are considered to be of a functional and satisfactory unit sizes. The units are dual aspect with good outlook and natural ventilation. The proposed units would also comply with the DM3.4C, exceeding the internal head height of 2.6m.
- 10.52 The Development Management policy DM3.5 requires the provision of 5 square metres plus 1 SqM per person, of good quality private outdoor space at upper levels. The proposed development would consist of private terraces which would exceed the amount of private space required under policy DM3.5.
- 10.53 The proposed units would 'oversail' the current roof. The Environmental Protection Officer has not raised concerns regarding the potential for noise between the proposed units and those existing. Based on the above there is considered no reason that those existing properties would be adversely impact from noise being transferred.
- 10.54 For the above reasons it is concluded that the proposed dwelling provide acceptable living conditions for future occupants in terms of the standard of accommodation and amenity space and complies with Policy 3.5 of the London Plan 2015, Policies CS8 and CS9 of the Islington Core Strategy 2011 and Policies DM2.1, DM3.4 and DM3.5 of the Islington Development Management and the National Space Standard, 2015.

Accessibility

- 10.55 As a result of the change introduced by the Deregulation Bill (Royal Assent 26th March 2015) Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor wheelchair housing standards. The London Plan Housing SPG states, all dwellings entered at the seventh floor (eighth storey) and above should be served by at least two lifts. The

proposal would be served by a single lift offering level access and therefore is considered compliant in this regard.

- 10.56 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements, if they are not conditioned, Building Control will only enforce the basic Category 1 standards. The applicant has stated that access to all three new units has been designed and will be built to comply with Part M4(1) of current Building Regulations. Conflicting information has also been supplied which states the units will comply with Lifetime Homes Standards which exceed the requirements of Category 2.
- 10.57 The London Housing SPG requires all entrances to ground floor flats should be visible, identifiable and accessible from the public realm. The existing common entrance would remain unaltered. The new dwellings have level access via a lift and it is acknowledged the common parts are uncovered. A condition is recommended to ensure the new dwellings internal arrangements comply with Category 2.

Refuse

- 10.58 The proposal intends to use the existing waste and recycling facilities within the building. This accounts for 6 110 litre bins. It is stated the existing store has spare capacity for new bin units. Details of these have not been provided in conjunction with the application. It is therefore considered appropriate that these details be submitted and reserved by condition.

Affordable Housing and Carbon Offsetting

- 10.59 The Affordable Housing Small Site Contributions document was adopted on the 18th October 2012. This document provides information about the requirements for financial contributions from minor residential planning applications (below 10 units) towards the provision of affordable housing in Islington. As per the Core Strategy policy CS12, part G and the Affordable Housing Small Sites Contributions SPD the requirement for financial contributions towards affordable housing relates to residential schemes proposing between 1 – 9 units which do not provide social rented housing on site. Schemes below this threshold will be required to provide a financial contribution towards affordable housing elsewhere. The reasons for this approach are explained in the supporting text and in the Affordable Housing Small Site Contributions SPD which refers in turn to relevant aspects of policy found in the London Plan (2016). The SPD sets out a tested viability requirement for a contribution of £60,000 per new dwelling (£180,000 in total).
- 10.60 The council adopted the Environmental Design Planning Guidance Supplementary Planning Document (SPD) on 25 October 2012. This document is supplementary to Islington's Core Strategy policy CS10 Part A, which requires minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the off-set contribution is a flat fee based on the development type as follows: Houses (£1,000 per flat). Both small site housing contributions and carbon offsetting have been secured via a Unilateral Undertaking and the scheme is considered compliant in this regard.

Highways

- 10.61 Islington policy identifies that all new development shall be car free. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people. This has been secured via condition and legal agreement.
- 10.62 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle

Parking Standards – TfL Proposed Guidelines’. Subject to there being sufficient capacity, the secure and integrated location of the proposed cycle storage is required. Policy DM8.4 of the Development Management Policies supports sustainable methods of transport and requires the provision of 1 cycle space per bedroom. No cycle spaces have been indicated in the proposed submission. It is stated secure cycle storage facilities are available within the existing building, ‘The Orchard’. It is therefore recommended this detail be conditioned to ensure compliance with DM8.4.

Sustainability

- 10.63 Policy DM7.3 requires minor new-build developments located within 100metres will be required to connect to that network including provision of the means to connect to that network. The application is beyond 100m from the nearest potential pipework connection. Also the development is an extension to an existing building. The development is not considered of scope of scale for the new units to be required to connect.
- 10.64 Policy DM7.2 requires minor developments to achieve best practice energy efficiency standards, in terms of design and specification. It is acknowledged there are no solar panel proposed as part of the development. The applicant has stated passive design features offer a simple way of increasing sustainability. In order to ensure the appropriate level of control a condition is recommended to ensure these sustainable targets are met in relation to carbon reduction and water efficiency. Water efficiency standard of 110L/p/day is also required as required by Core Strategy Policy (CS10). Policy DM6.5 states that developments should maximise the provision of green roofs and the greening of vertical surfaces as far as reasonably possible, and where this can be achieved in a sustainable manner, without excessive water demand. New-build developments should use all available roof space for green roofs, subject to other planning considerations. The proposal development would sit above the existing biodiversity roof. This is therefore likely to impact is function without direct access to daylight or rain. In accordance with ICS policy CS10 a condition is recommended to ensure acceptable replacement of the green/brown roof by to the roof of the proposed development.
- 10.65 In accordance with the Council’s Zero Carbon Policy, the council’s Environmental Design SPD states “after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution”. The Environmental Design SPD states “The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.” A carbon offset contribution of £3,000 would be required, based on the three new-build flats, in accordance with the Environmental Design SPD.
- 10.66 There are existing bat boxes on the roof. Bats and their roosts are fully protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). The legislation affords all bat species European Protected Species (EPS) status. The external structures and cladding were inspected from roof and ground level and no evidence of bats were found. The Tree Service have also provided comment stating no evidence of bats have been seen when inspecting the nearby trees. Overall, subject to attached conditions and legal agreement the proposal offers a sustainable form of development.

Community Infrastructure Levy

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

Other Matters

- 10.68 An objection has been received regarding stagnating or loss in property value. The value of property is not a material consideration in this regard and therefore carries no weight in the assessment of the application.
- 10.69 Whilst it is acknowledged that there a number of extant permission and building works within the vicinity if the site, it is well known within planning that each application must be considered on its own merits. Any granting of permission in this particular instance is not considered to individually or cumulatively prejudice other developments or neighbouring occupiers.
- 10.70 Overall, the development is considered to be in accordance with planning policies. Furthermore, whilst it is acknowledged that residents would experience change to their surroundings, it is considered there would be no undue harm to their living conditions. Accordingly, the degree of interference that would be caused would be insufficient to give rise to a violation of rights under Article 1 or Article 8 of the Human Rights Act.
- 10.71 The structural implication of the proposed roof extensions to the existing building are not a material planning consideration in the assessment of an application of this nature. As such little weight is afforded to this issue.
- 10.72 Overshadowing information has not been submitted in relation to the application. However, in relation to the square, it is already largely enclosed on three sides. The proposed roof addition would be set back 2.5m and rise 3.6m. The proposal is not considered to significantly enclose or overshadow the existing square based on the existing relative height of the surrounding buildings. It is acknowledged there may be some overshadowing to the open courtyard to Seward Street, however this area contains a number of large trees with large canopies which shadow the area. The proposed roof additions are not considered to significantly cause adverse overshadowing to either the square or the open courtyard to the north west of the application site.
- 10.73 Fire safety can be a material consideration but the planning authority is entitled to assume that the building regime would be correctly and properly applied.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the development and providing roof extensions, comprising three flats to a residential building is considered acceptable in land use terms. The proposal would result in new residential units.
- 11.2 The additional, set back storey and balustrade would be noticeable in visual and streetscape terms. The proposed roof additions are set back from the buildings parapet and this is considered to reduce the overall visual impact of the proposal. Overall, the proposed extensions are considered to be appropriate in townscape terms and accord with Policy DM2.1 of Islington's Development Management Policies, Policy CS9 of Islington's Core Strategy 2011 as well as guidance in the Council's Urban Design Guide 2017 (SPD). Collectively these seek to ensure that development respects and responds positively to existing buildings, the streetscape and the wider context.
- 11.3 It is acknowledged there would be some impact to the sunlight and daylight to occupiers of at Dance Square. However, on balance, overall the proposal would not result in unacceptable loss of daylight or sunlight to these occupiers of the adjoining residential properties, in particular 194-292 Dance Square. The proposal would not cause an unacceptable increase in enclosure levels, loss of outlook nor have a detrimental impact

upon their amenity levels taken as a whole. Subject to condition there would be no adverse impact on adjoining occupiers living conditions in terms of noise, vibration or air quality.

- 11.4 The proposed residential units would provide acceptable standard of accommodation with all units achieving minimum internal floorspace standards, dual aspect, and meet the required private amenity space standards. A condition is attached to ensure the proposal would achieve Category 2 Homes in relation to Building.
- 11.5 Water usage is limited and carbon emissions reduced via condition. There is the provision of a green roof. In addition, Small Sites Affordable Housing (£180,000) and Carbon Offsetting (£3,000) contributions would be secured by way of a Unilateral Agreement.
- 11.6 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.7 It is recommended that planning permission be granted subject to conditions and S106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – Recommendations

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- a) A financial contribution of £180,000 towards the provision of off-site affordable housing.
- b) A financial contribution of £3,000 towards CO2 off setting.
- c) Car free development

RECOMMENDATION B

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

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>PL-001; PL-100; PL-101 Revision D; PL02 Revision B; PL302 Revision C; PL-300 Revision C; PL-301 Revision C; PL-303 Revision C; Construction Management Statement; Daylight and Sunlight Report to Neighbouring Properties dated March 2017.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none">a) render (including colour, texture and method of application);b) window treatment (including sections and reveals);c) roofing materials;d) lift overrun; <p style="text-align: center;">and</p> <ol style="list-style-type: none">e) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Bin and Cycle Storage</p> <p>CONDITION: Notwithstanding the details shown on the approved plans, no occupation of the dwellings hereby permitted shall take place until detailed drawings of the bin and bicycle store to serve the residential properties have been submitted to and approved in writing by the local planning authority and these facilities have been provided and made available for use in accordance with the details as approved.</p> <p>REASON: In the interest of securing sustainable development.</p>
5	<p>Construction Management Plan</p> <p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise & vibration and air quality including dust, smoke and odour) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to protect the living conditions of neighbouring occupiers.</p>
6	<p>Carbon and water efficiency</p> <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>REASON: In the interest of securing sustainable development.</p>
7	<p>Access</p> <p>CONDITION: 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.</p>
9	<p>Green/Brown Roof</p> <p>CONDITION: Notwithstanding the plans and details hereby approved, the roof shall be planted with a biodiversity (green/brown) roof. This shall be biodiversity based with extensive substrate base (depth 80-150mm);</p>

	<p>planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focussed on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>REASON: in the interests of sustainable design.</p>
10	Screening
	<p>CONDITION: Notwithstanding the approved drawings details of screening to the northern elevation of Unit 6.03, as shown on drawing PL-101 Revision D shall be submitted to and approved in writing by approved prior to commencement of the development.</p> <p>REASON: In order to protect the living conditions of neighbouring occupiers.</p>
11	Car Free Development
	<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> <p>i) In the case of disabled persons;</p> <p>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> <p>Reason: To ensure that the development remains car free.</p>

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</p>
2	Surface Water Drainage
	<p>It is the responsibility of a developer to make proper provision for drainage to ground, water course or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.</p>
3	Signage
	<p>Please note that separate advertisement consent application may be required for the display of signage at the site.</p>

4	Car-Free Development
	INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
5	CIL
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>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>

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 and Regional 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.

- NPPF - Policy 12 - Conserving and Enhancing the Historic Environment
- Planning Practice Guide (2014)

2. Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 - Spatial Development Strategy for Greater London

2 London's places

Policy 2.9 Inner London

3 London's people

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.15 Water use and supplies

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

8 Implementation, monitoring and review

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS 8 (Enhancing Islington's Character)

Strategic Policies

Policy CS 9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS 10 (Sustainable Design)

Policy CS 11 (Waste)

Policy CS 12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Design and Heritage

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.7 Noise and vibration (residential use)

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.4 Sustainable design standards

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new Developments