

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB COMMITTEE A		AGENDA ITEM: B5	
Date:	27 March 2018	NON-EXEMPT	

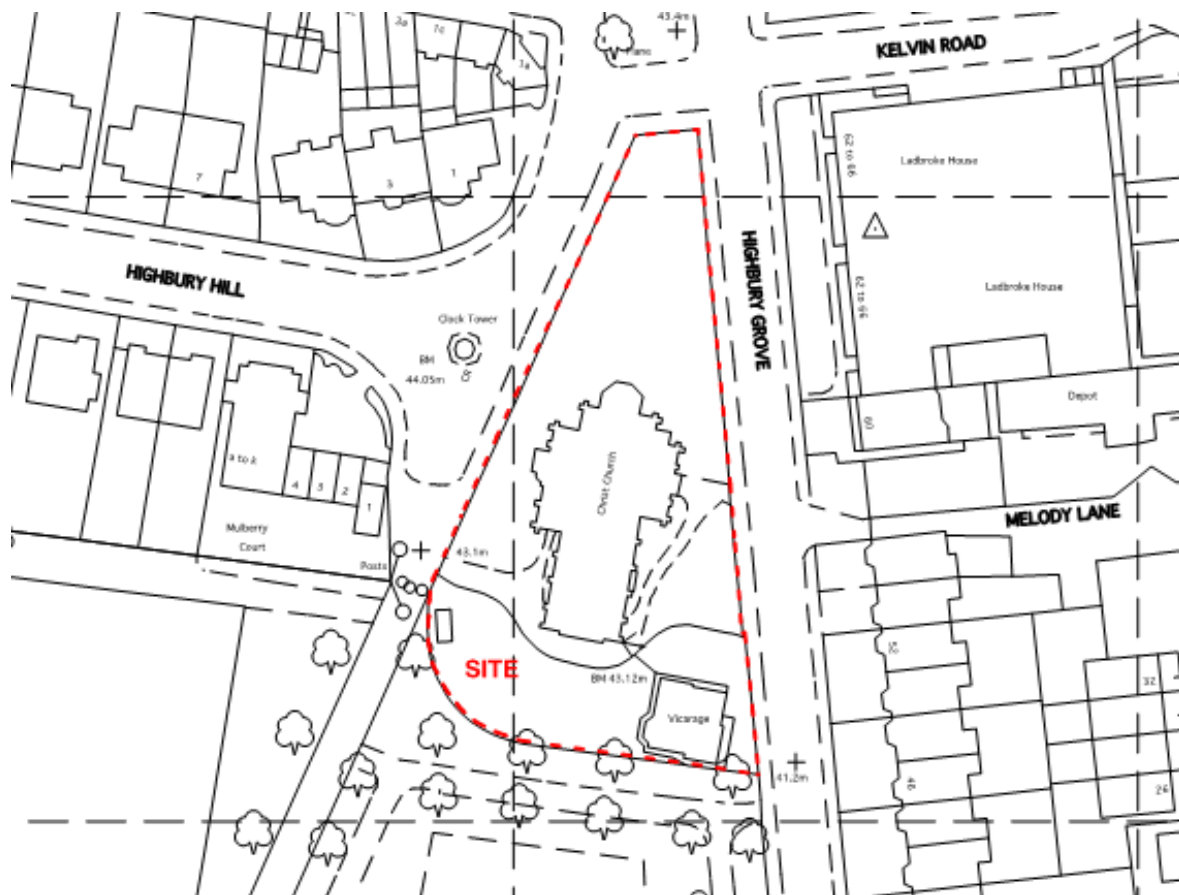
Application number	P2017/4445/FUL
Application type	Full Planning Application
Ward	Highbury East
Listed building	Grade II
Conservation Area	Highbury Fields
Development Plan	Grade II listed building Highbury Fields Conservation Area Local Cycle Route Designated Open Space (adjacent) Site of Importance for Nature Conservation (adjacent)
Licensing Implications	None
Site Address	Christ Church, 157 Highbury Grove, London, N5 1SA
Proposal	Erection of a new single storey Church and Community centre for Christ Church, Highbury, to accommodate the Church's office, reception and administration functions, as well as flexible community space for Church activities and community outreach, and a small café.

Case Officer	Rebecca Neil
Applicant	Parish of Christ Church, Highbury with St. John and St. Saviour
Agent	Matthew Lloyd Architects LLP

1.0 RECOMMENDATION

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

2. SITE PLAN (site outlined in red)



3. PHOTOS OF THE SITE



Fig. 1: View of entrance, looking east (taken from Church Path)



Fig. 2: View of entrance, looking south (taken from Church Path)



Fig. 3: Christ Church, looking east (taken from Church Path)



Fig. 4: Christ Church, looking north-east (taken from Highbury Fields)



Fig.5: South-western corner of the site (taken from Highbury Fields)

4.0 SUMMARY

- 4.1 Planning permission is sought for a single storey building within the grounds of Christ Church, Highbury, which is Grade II statutorily listed. The application is brought to committee because of the number of objections to the proposal (five) from members of the public (as detailed in section 8.0 of this report).
- 4.2 The application site is a triangular plot located on the western side of Highbury Grove, bordering the north-eastern corner of Highbury Fields. The site comprises the main church and a three-storey vicarage fronting Highbury Grove. The south-western corner of the site, where the new building is to be located, contains a disused garage and a shed, and is of an unsightly appearance. The site lies within the Highbury Fields Conservation Area and is directly adjacent to Highbury Fields, the largest green space in Islington and a Designated Open Space and Site of Importance for Nature Conservation (SINC).
- 4.3 The building will be used as a new church and community centre, and will contain a main hall, two offices, a kitchen and a café. The café will have a serving hatch which opens onto the west elevation, allowing for the sale of light refreshments to passing members of the public on Highbury Fields. The building is proposed to be constructed in buff-coloured gault brick with bronze aluminium trims, windows and external doors, and has a flat sedum roof with five circular roof lights. The proposal also involves landscape works in conjunction with the new building, including a new paved courtyard, an accessible wheelchair parking space, 14 cycle parking spaces, a wheelchair ramp into the main church and new metal gates across the vehicular entrance.
- 4.4 The proposed development, particularly the provision of additional community space, is welcomed in principle, and would represent a significant improvement to this part of the church premises, which is unsightly and has a poor relationship to the adjacent public realm. The application has been considered in conjunction with the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.

- 4.5 The proposal is considered acceptable in terms of design, inclusive design, impact on neighbouring amenity, highways, transportation, parking, trees, landscaping and sustainability, subject to conditions which are set out in Appendix 1. The proposal results in less than substantial harm to the setting of the Grade II listed church and vicarage, and a small loss of semi-private open space, both of which are outweighed by the community benefits offered by the scheme. On balance, it is recommended that permission is granted.

5. SITE AND SURROUNDINGS

- 5.1 The application site is a triangular plot located on the western side of Highbury Grove, bordering the north-eastern corner of Highbury Fields. The site comprises the main church, located broadly in the centre of the plot, and a three-storey vicarage fronting Highbury Grove. The south-western corner of the site, where the new building is to be located, contains a disused garage and a shed, and is currently in an unkempt and overgrown state.
- 5.2 The church itself was designed by Thomas Allom and constructed in 1848. Both the church and the vicarage are Grade II listed. The site lies within the Highbury Fields Conservation Area and is directly adjacent to Highbury Fields, the largest green space in Islington and a Designated Open Space and Site of Importance for Nature Conservation (SINC). A Grade II listed Victorian clocktower sits outside the church in Highbury Place.
- 5.3 Highbury Fields wraps around the south-western corner of the site. To the west are residential properties located on Highbury Hill, with Highbury Grove running along the eastern boundary. Most of the site is surrounded by black railings mounted on a dwarf wall, with the southern boundary to Highbury Fields consisting of a dilapidated close-boarded fence. There is vehicular access to the church from Highbury Hill (where it joins Church Path), and vehicular access for the vicarage from Highbury Grove. There is also pedestrian access from both Highbury Hill/Church Path and Highbury Grove, with a public footpath running through the church garden.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for a single storey building located in the south western corner of the site, close to the boundary with Highbury Fields. The building would be partially located on land which currently belongs to the vicarage garden. The proposed building is 4 metres in height (from the lowest level of the land adjacent to it), covers a footprint of 190m², and has a curved design that follows the boundary of the site. It is to be constructed in buff-coloured gault brick with bronze aluminium trims, windows and external doors. It has a flat green roof containing five circular roof lights.
- 6.2 The building is to be used as a church and community centre and will enable relocation of the existing administrative and community functions (as well as the Junior Church) from their current location in the basement of the vicarage, which is no longer suitable for these functions. The proposed building contains a large room which can be divided into two smaller rooms by a sliding partition, two new offices, two WCs (one general use and one accessible), a store, a kitchen and a café. Although the café is predominantly for the use of visitors to the centre, it features a serving hatch enabling the sale of light refreshments and drinks to members of the public.
- 6.3 The proposal also involves landscape works in conjunction with the new building, including a new paved courtyard, an accessible parking space (accessed via the existing vehicular entrance from Highbury Place), a permanent wheelchair ramp into the main church and new metal gates across the vehicular entrance. A replacement close-boarded fence will be erected along the southern boundary of the site, and the existing hedge will be retained and consolidated. The proposal involves the removal of four trees to be replaced by four new trees in the vicarage garden, which also perform a screening function. A total of 14 cycle parking spaces will be provided on the forecourt.



Fig. 6: Computer generated image of proposed building from Highbury Place

- 6.4 Three sets of revised drawings have been received during the assessment and consideration of this proposal. The first revisions (Rev A, dated 26 January 2018) show water butts added to the scheme, following a suggestion by the Sustainability Officer. The second revisions (Rev B, dated 08 February 2018) show the addition of screening trees to the vicarage garden to replace those lost on the site, and the services intake/drainage route added to the ground floor plan. The third revisions (Rev C, dated 09 March 2018) show the reduction in the amount of disabled parking spaces from two to one, following concern that the vehicle swept path overlapped the disabled parking spaces. The general layout plan can be seen in Fig. 7 below.
- 6.5 It should be noted that the construction of the building is due to take place at the same time as internal works at the main church building, as indicated on the submitted drawings. These alterations are not subject to any application before this authority; they are exempt from the need to obtain listed building consent by virtue of Section 60 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (known as an 'ecclesiastical exemption').

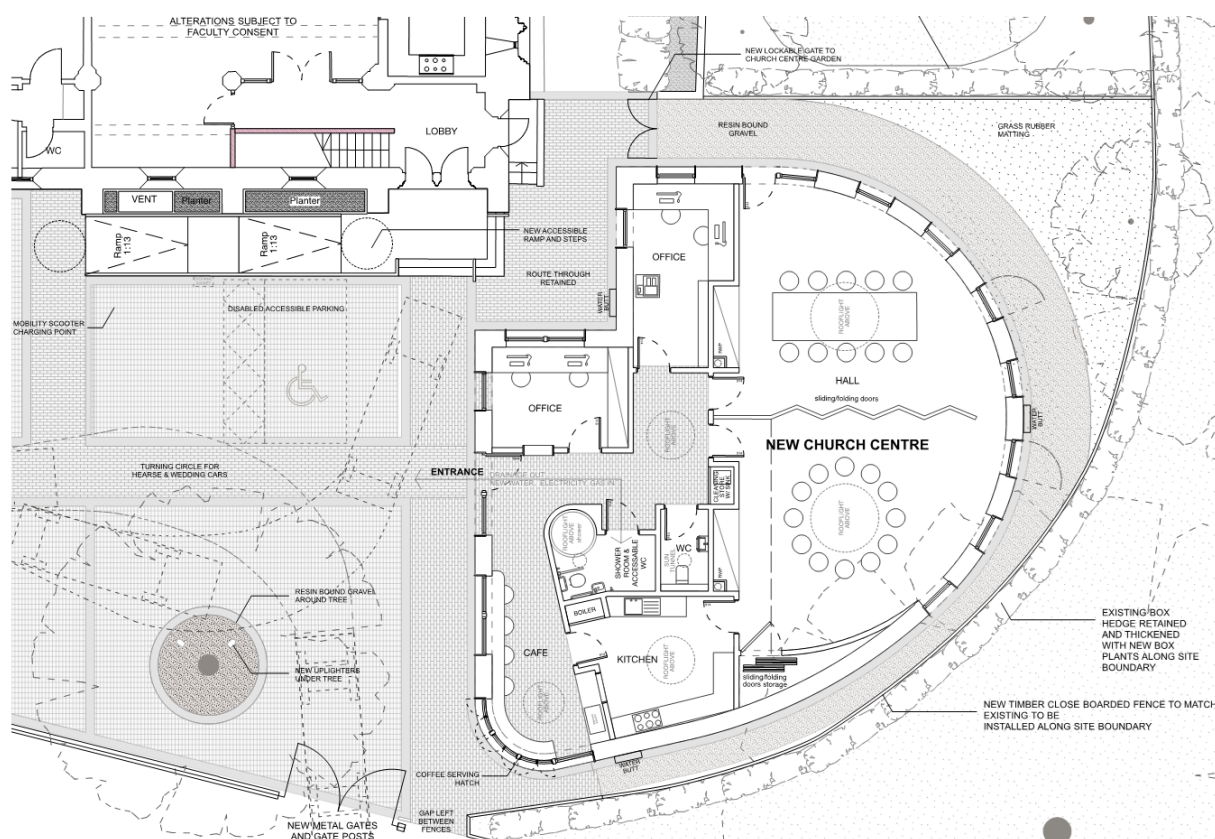


Fig. 7: Proposed ground floor layout and landscaping plan

7. RELEVANT HISTORY

Planning applications

- 7.1 P2017/2326/FUL – Erection of a new single storey church and community centre to accommodate the new church's office, reception and administration functions, as well as flexible community space for church activities and community outreach, and a small café (Withdrawn on 27/07/17).
- 7.2 P051811 - Erection of a 3.5 m high metal pole to carry 2 light fittings to illuminate the church (Approved on 07/11/2005).
- 7.3 P042529 - Erection of a 4-metre-high metal pole to carry 2 floodlights directed at the church and one spotlight directed at the spire (Refused on 10/01/2005).
- 7.4 831569 - Installation of new railings around church gardens (Approved on 01/02/1985).

Enforcement

- 7.5 None.

Pre-application advice

- 7.6 A pre-application request was submitted in May 2016 for the erection of a single storey church hall with ancillary office and café, replacement of the church entrance stairs and ramp, and the remodelling of the church courtyard including replacement boundary treatment, paving and three disabled parking spaces.
- 7.7 The officer's advice was that the principle of development was acceptable, but there was concern in relation to the inclusion of a canopy between the new building and the church, and the café use,

which it was considered might impact on the amenity and character of the church and open space. It was also suggested that additional planting was required on the southern boundary, adjacent to Highbury Fields.

- 7.8 Details of the anticipated use of the café and the servicing arrangements have been submitted with this application and are considered acceptable. The canopy has been removed from the proposal, and further screening is proposed on the southern boundary in accordance with the officer's advice. It is considered that all matters raised by the case officer at pre-application stage have been satisfactorily addressed in this application.

8. CONSULTATION

Public consultation

- 8.1 Letters were sent to occupants of 306 adjoining and nearby properties at Highbury Hill, Leigh Road, Hamilton Park, Highbury Grove, Kelvin Road and Melody Lane on 17 November 2017.
- 8.2 A notice was displayed outside the site on 14 December 2017 and a press notice published in the Islington Gazette on 23 November 2017. The public consultation period expired on 14 December 2017, however it is the Council's practice to consider representations made up until the date of a decision.
- 8.3 At the time of writing of this report, a total of 5 objections, 2 expressions of support and 1 comment (a request for bird and bat boxes) had been received from members of the public. Letters of support have also been received from Councillor Hull, ward member for Highbury West, and the Highbury Fields Association.
- 8.4 Objections from residents have raised the following issues:
- There is no need for additional community space in the borough, and the Highbury area already benefits from an adequate supply of community facilities (objection addressed in para. 10.3 below);
 - The number of people who will benefit from the building is small in relation to the number of people who live in Highbury (objection addressed in para. 10.3 below);
 - The building is too large, and its design is out of keeping with the Conservation Area and harmful to the setting of the church and vicarage, which are Grade II listed buildings (objection addressed in paras. 10.7-10.11 below);
 - The proposal involves the felling of trees, shrubs and hedgerows and their replacement with hard surfacing, to the detriment of the landscape (objection addressed in paras. 10.1-10.23 below);
 - The proposed café will divert business from Oasis in the Park in Highbury Fields (objection addressed in para.10.6 below);
 - The late-night opening hours will create disturbance to the detriment of nearby residential properties and will result in additional noise, smells and litter (objection addressed in paras. 10.15-10.18 below);
 - If the land adjacent to the church is in a poor state of repair, it should be tidied up - a new building is not the only way to reinstate visual amenity (objection addressed in para. 10.5 below).

Internal consultees

- 8.5 Access and Inclusive Design – have recommended a shallower gradient for the wheelchair ramp (though the proposal is within the allowable limits) and also raised concern that the delivery vehicle swept path overlaps the accessible parking bays, which has now been rectified (see para. 6.4 above).
- 8.6 Design and Conservation – have noted that changes have been made to the scheme following the withdrawn application. Although there will still be *some* harm to the heritage assets, this harm is 'less than substantial' and should be weighed against the public benefits of this proposal.

8.7 Parks and Open Space – No objection.

8.8 Tree Preservation/Landscape – initially objected to the excessive pruning of T4 and requested additional replacement planting, as well as some amendments to the submitted arboricultural report. A revised report was provided on 09 February 2018, along with new drawing showing additional trees between the vicarage garden and the new church centre. The Tree Officer confirmed on 15 February 2018 that the proposal is now acceptable, subject to appropriate conditions relating to tree protection and tree replacement.

8.9 London Underground – No objection

8.10 Highways – No objection

8.11 Sustainability, Biodiversity and Nature Conservation – requested an ecological survey, which was later provided by the applicant, and suggested that water butts be installed (now shown on amended drawings Rev A). The Sustainability Team have also requested conditions in relation to the specification of the green roof and the installation of nesting/roosting boxes for birds and bats.

8.12 Noise Team (Environmental Protection) – No objection.

8.13 No comments were received from Building Control, Waste and Recycling or the Planning Policy Team.

External Consultees

8.14 Historic England – No objection

8.15 Historic England: Greater London Archaeological Advisory Service (GLASS) – No objection.

8.16 London Fire and Emergency Planning Authority – No objection subject to building regulations; recommends installation of sprinkler system in the new building.

8.17 No comments were received from the Metropolitan Police, the Ancient Monuments Society, the Council for British Archaeology, the Georgian Group, the Islington Society, the London and Middlesex Archaeological Society, the Metropolitan Public Gardens Association, the Society for the Protection of Ancient Buildings, the Twentieth Century Society, the Victorian Society, or the MP for Islington North.

Applicant's own consultation

8.18 The Church held an open public meeting on 27th February 2017, which was attended by approximately 50 people, 33 of whom filled out feedback forms on the proposals. The results of this consultation can be found on pages 13 and 14 of the submitted Design and Access Statement.

9.0 RELEVANT STATUTORY DUTIES, DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

9.1 Islington Council (Planning Committee), in determining this planning application, has the following main statutory duties to perform:

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan);
- To have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;
- To pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area (s72(1)).

- 9.2 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.3 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.4 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees. Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following documents:

National Policy

- 9.6 The National Planning Policy Framework 2012 (NPPF) contains a presumption in favour of sustainable development, which should be seen as '*a golden thread running through both plan-making and decision-taking*' (para. 14). For decision-taking, this means approving development proposals that accord with the development plan without delay. The NPPF is a material consideration in the determination of this application and has been taken into account during the assessment of these proposals.

Development Plan

- 9.7 The Development Plan is comprised of the London Plan 2016, the Islington Core Strategy 2011, the Islington Development Management Policies 2013, the Finsbury Local Plan 2013 and the Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Documents (SPDs)

- 9.8 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:

- Principle of development
- Design, conservation and heritage
- Inclusive design
- Neighbouring amenity
- Highways, transportation and parking
- Trees and landscaping
- Sustainability and biodiversity.

Principle of development

- 10.2 The London Plan provides that development proposals which provide high quality social infrastructure will be supported (Policy 2.6) and that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities (Policy 3.1). Policy DM4.12 of the Islington Development Management Policies 2013 provides that new social infrastructure should be accessible to the communities they serve by a range of sustainable transport modes; provide buildings which are inclusive, accessible and adaptable; be sited to maximise shared use of the facility; and complement existing uses and the character of the area, avoiding adverse impacts on amenity. In this instance, all criteria set out in Policy DM4.12 are met (see paras. 10.20, 10.13-10.14, 10.3 and 10.15-10.18 of this report respectively).
- 10.3 The construction of the new community centre would enable the church to continue a range of social and community functions which currently operate from the basement of the vicarage building, including the Parish office and the Junior Church. The basement is no longer considered suitable for these uses due to its limited accessibility, lack of natural light, poor ventilation and inflexible floor plan. The new building will also help the church expand its wider community programmes, such as the Christ Church Playgroup and Winter Night Shelter. The location of the building at the rear of the site, with a pedestrian and cycle access directly from Church Path, means that it is highly accessible to the public. It is therefore sited to maximise shared use of the facility in accordance with policy DM4.12, and will enable the church to continue to offer flexible meeting spaces to local groups (approximately 12 local groups presently utilise the church premises). As requested by officers at pre-application stage, the applicant has provided details of a feasibility study carried out in 2015 to demonstrate that the additional space required cannot be provided within the envelope of the main church (see page 3 of the Design and Access Statement). It is considered that the building provides a substantial community benefit and that - given the unsuitability of the current space in the vicarage basement - there is a need for such a facility. The fact that the facility may benefit a relatively small number of people compared to the general population of Highbury is largely irrelevant for the purposes of this application; it serves a need nonetheless and would be a valuable community use.
- 10.4 The new church and community centre will be used predominantly in connection with the church, both for the benefit of the congregation and for the benefit of the local community through the church's outreach programmes (much in the same way the existing basement rooms are used). However, the café is open to the public and includes a serving hatch, which would enable refreshments to be served to passing members of the public on a commercial basis. The café will only be open when the community centre is open, and will be run by the church, for the church. In this respect, it can be considered ancillary to the main use of the site, and will be subject to suitable conditions to ensure that the café remains a small-scale ancillary operation which does not unduly harm amenity (see para. 10.18 of this report).
- 10.5 The proposal results in the loss of a small amount of semi-private open space within the grounds of the church. Policies CS15 and DM6.3 provide that the loss of existing local open spaces, including incidental greenspace and private gardens, will not be permitted unless the loss is compensated and the development has overriding benefits. In this instance, the scheme will provide space for the operation of important community services, will improve the relationship between the church and the public realm, activate a neglected part of the site, and replace two dilapidated structures with a high-quality, modern building. Whilst the poor state of the site is not in

itself a reason to grant consent (as objectors have pointed out, there are other ways to improve the site's physical appearance), the chance to improve this area is one of several benefits provided by the scheme and officers are entitled to take it into account in the final balance of planning considerations. The improvement to this area of the site, coupled with the community benefits of the scheme, justifies the loss of open space in this instance.

- 10.6 Some residents have objected to this application on the basis that the existence of a new café adjacent to the park would affect the viability of the existing council-run café in Highbury Fields. The impact of a proposed use on the viability of a single business is not a material planning consideration, and cannot be taken into account in the determination of this application.

Design, conservation and heritage

- 10.7 The National Planning Policy Framework (NPPF) provides that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Para. 132 of the NPPF provides that any harm or loss to the significance of a designated heritage asset should require clear and convincing justification, and para. 134 provides that where a development will lead to 'less than substantial harm', this harm should be weighed against the public benefits of the proposal.
- 10.8 London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London's Character and Context SPG is also relevant. At the local level, Policy CS9 of the Islington Core Strategy requires new buildings to be sympathetic in scale and appearance and complementary to local identity, and provides that the historic significance of Islington's unique heritage assets and historic environment will be conserved and enhanced. Policy DM2.1 of Islington's Development Management Policies requires new development, *inter alia*, to respect and respond positively to existing buildings, the streetscape and wider context, and to be sustainable, durable, adaptable, safe and inclusive. Policy DM2.3 further provides that the borough's heritage assets should be conserved and enhanced in a manner appropriate to their significance, and that new developments within the borough's conservation areas are required to be of a high quality contextual design so that they conserve or enhance the Conservation Area.
- 10.9 The proposed building is within the immediate setting of two Grade II listed buildings (the church and vicarage), close to another designated heritage asset (the Grade II listed clocktower in Highbury Place), located within a Conservation Area, and is directly adjacent to Highbury Fields. It is therefore within an extremely sensitive location. The applicant has, in accordance with the requirements of Policy DM2.3, submitted a Heritage Statement with this application, which considers the impact of the new building on several views of both the church and vicarage. The greatest impact is on views from Highbury Place, as the building is situated directly adjacent to the site's western boundary; however, it only marginally obscures the church façade. The building would have a minor adverse impact on views from Highbury Fields, but would be screened by a reinforced hedge and fence. From Highbury Grove, the building would be glimpsed through the gap between the vicarage and the church, and from the north (Leigh Road), it would be visible to the right of the church but screened by the large London Plane tree, which is to be retained. It is therefore the case that views of the designated heritage assets *are* affected but not significantly so. The building has been carefully designed to respect its context - it is low-profile, of a simple, modern appearance, and is tucked away in the least sensitive corner of the site.
- 10.10 The building is proposed to be clad in a buff-coloured gault brick with bronze fenestration, which is designed to reference the main church. The use of these materials has been discussed with officers at pre-application stage and is considered acceptable (though due to the site's sensitivity, a condition will be attached requiring the submission of full details of materials, including samples, prior to development commencing).
- 10.11 Given all of the above, it is considered that the harm to the designated heritage assets is at the lower end of the scale, and 'less than substantial' in the context of para. 134 of the NPPF. Accordingly, one must consider whether the other benefits of the scheme outweigh the harm to the heritage assets. As discussed in paras. 10.3 and 10.5 of this report, the building will enable the church to continue to provide important services to the community and improve a neglected corner

of the site. It is therefore considered that the benefits offered by the proposal clearly outweigh the harm to the heritage assets.

- 10.12 The proposal involves the erection of a new metal gate across the vehicular access point. The design of the gate is considered appropriate and is in keeping with the traditional black-painted cast-iron railings which surround the site and are common in Highbury Park, Highbury Place and Highbury Terrace. A condition will be attached requiring details of the gates to be submitted and approved prior to development commencing (to be incorporated into the landscaping details condition, Condition 4).

Inclusive design

- 10.13 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design, and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires developments to demonstrate that they provide for ease of use and versatility in use, produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of a development from the outset and over its lifetime. Policies on inclusive design are also supported by the Inclusive Design in Islington SPD, adopted in 2014.
- 10.14 The proposed landscaping works include the construction of an accessible parking bay on the forecourt of the site, a new wheelchair ramp into the main church, step-free access into the new community facility and the installation of storage and charging points for electric scooters. The internal layout of the new centre is suitable for wheelchair users and an accessible WC is provided. It is therefore considered that the development complies with inclusive design standards and is in accordance with Policy DM2.2 and relevant supplementary planning guidance.

Neighbouring Amenity

- 10.15 Policy 7.6 of the London Plan provides that development should not cause unacceptable harm to the amenity of surrounding properties, particularly residential buildings. This is reflected at local level in Policy DM2.1 of the Islington Development Management Policies, which requires developments to provide a good level of amenity, including consideration of noise, disturbance, hours of operation, vibration, pollution, overshadowing, overlooking, privacy, sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.16 The proposed building is a single storey (4 metres) in height and is approximately 15 metres away from the nearest residential property (1 Mulberry Court). It therefore has no impact on any neighbouring residential occupiers by virtue of overshadowing, overlooking, daylight, sunlight, over-dominance, sense of enclosure or outlook. In terms of privacy, the proposed close-boarded fence around the south-western corner of the church, as well as the boundary fence to the residential garden at 1 Mulberry Court, will ensure that no overlooking occurs into the ground floor windows of that property. The upper floor windows are at too acute an upward angle for any overlooking to occur as result of the use of the new building, given that the proposed building is only a single storey in height.
- 10.17 Objections have been received in relation to the proposed opening hours of the community centre (08.00-00.00 Monday to Friday, 00.00 - 22.00 on Saturday and 08.00-22.00 on Sunday). Whilst the number of people that could potentially use the hall at any one time is unlikely to be sufficiently large to cause significant disturbance, it is nevertheless considered appropriate to impose a condition restricting the operating hours of the centre to between 08.00 and 22.00 daily. However, on Friday nights between 1st January and 31st March, the church intends to use the new centre to host a winter night shelter for the homeless. At present, this takes place in the main church building in the 'Fellowship Room', which the church considers is no longer appropriate for the Night Shelter due to its cold temperatures and the fact there is no washing facilities (the new building contains a shower). Relocating the shelter to the new building would require the centre to be open 24 hours, and it is considered reasonable to allow this to happen during the three months the night shelter is in operation, on Fridays only. A condition will be attached to this effect (Condition 5), which will specify that the late opening is in relation to the night shelter and for the benefit of no other use.

- 10.18 The public aspect of the café is modest and is unlikely to generate a significant amount of noise, but there is the potential for a degree of disturbance, particularly in the summer months. A condition will therefore be attached restricting the opening times of the serving hatch to between 08.00 and 18.00 daily (Condition 6), which also has the effect of ensuring the café remains ancillary to the church and community centre use. In terms of odours, the kitchen is not of a commercial scale and hot food will not be sold (refreshments will be limited to drinks and wrapped food). A small, domestic kitchen extract is proposed. A dedicated waste bin for the café is provided in the forecourt, and waste disposal facilities are provided within the grounds of Highbury Fields. Given the above, it is unlikely that the café use would generate any additional issues over and above that typically expected of kiosks/cafes in public parks, such as that run by the council (Oasis in the Park).

Highways, transportation and parking

- 10.19 Policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use, and requiring that all new developments are car-free. Policy DM8.1 provides that the design of new development is required to prioritise the transport needs of pedestrians, public transport users and cyclists above those of motor vehicles. Policy DM8.2 of the Development Management Policies provides that development proposals are required, *inter alia*, to maximise safe and convenient access to, from and within developments for pedestrians and cyclists, provide equal access for all, and adequately address delivery, servicing and drop-off requirements. Policy DM8.6 requires that servicing and delivery vehicles enter and exit the site in forward gear, and Policy DM8.4 requires cycle parking to be provided in accordance with the minimum standards set out in Appendix 6 of the Islington Development Management Policies.
- 10.20 The proposed development is located in an area with a PTAL rating of 5 (very good). The application does not provide any vehicle parking, with the exception of one accessible parking space. A total of 14 cycle parking spaces (in excess of that required) are provided. Deliveries will take place on the forecourt of the site, and the vehicle swept path shows that a wedding car, hearse or small delivery vehicle (the only types of vehicles that will be permitted to access the site) can comfortably turn in the space and leave the site in forward gear, in accordance with the requirements of Policy DM8.6. No objections have been received from the council's highways team, and it is considered that the proposal is acceptable from a highways and transportation perspective.

Trees and landscaping

- 10.21 Policy 7.21 of the London Plan provides that existing trees of value should be retained and that any trees lost as the result of development should be replaced. This is reflected in Policy CS15 (Part A) and Policy DM4.5 (B) of the Islington Development Management Policies, the latter of which stipulates that any loss will only be permitted where there are overriding planning benefits and the trees are suitably re-provided. Policy 7.5 of the London Plan provides that any public realm should incorporate the highest quality landscaping, planting, street furniture and surfaces. Policy DM6.5 (A) stipulates that developments must protect, contribute to and enhance the landscape, and are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation.
- 10.22 The application involves the removal of four trees in the south-western corner of the church grounds (three Leyland Cypress trees and a Holm Oak). These trees are amongst the smaller trees on site and provide limited canopy cover. The larger trees, including the mature London Plane, all contribute significantly to the amenity value of the site, Conservation Area and the designated open space, and are to be retained. The applicant has submitted an arboricultural report detailing pruning works to the retained trees, and has agreed to provide additional replacement trees in response to comments from the council's Tree Officer. These replacement trees will be provided between the vicarage and the new building, as shown on drawings PL203 and PL204 Rev C. Conditions will be attached requiring the submission of a report detailing tree protection during construction, as well as details of tree replacement.

- 10.23 A considerable amount of landscaping work is proposed as part of this proposal, including the re-paving of the forecourt to the church, the installation of LED lighting, and the replacement of the existing dilapidated fence on the southern boundary with a new fence. The proposal also involves the reinforcement of the poor quality leylandii hedge with evergreen planting to provide screening of the building from the northern part of Highbury Fields, as suggested by the officer at pre-application stage. Although the removal of the brick planter from outside the church involves the loss of greenery, it also 'opens up' the frontage and reveals more of the church façade from public views, and there is no objection to the re-landscaping of this area in principle. It is considered that a condition should be attached requiring submission of a detailed landscaping scheme for approval by the council prior to development commencing (Condition 4).

Sustainability and biodiversity

- 10.24 Policy CS10 of the Islington Core Strategy requires developments to address a number of sustainability criteria such as climate change adaptation, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards (provided within Islington's Environmental Design SPD and underpinned by the Mayor's Sustainable Design and Construction Statement SPG). Policy DM7.2 requires developments to achieve best practice energy efficiency standards in terms of design and specification, and Policies CS15 and DM6.5 require development to maximise opportunities to 'green' the borough through measures such as planting and green roofs. The local development plan provides strong protection for SINC, and requires that any development having an adverse effect on a designated SINC will be resisted.
- 10.25 The applicant has submitted a Sustainable Design and Construction Statement with the application which details several sustainable design measures, including permeable paving, measures to minimise CO² emissions, water efficiency and re-use measures (including the installation of water butts on the site) and passive design features to minimise overheating risk. The measures proposed are proportionate to the scale of the proposal and have been welcomed by the Sustainability Team. The development is therefore considered to be compliant with the sustainability policies in the local plan.
- 10.26 As the site is located within a SINC, the applicant has submitted an ecological appraisal, which acknowledges the presence of several bird species and bats in Highbury Fields. The ecological appraisal has been scrutinised by the Sustainability Officer, who has no objection to the scheme, but has recommended a condition requiring the installation of no less than two nesting boxes/bricks to be installed on the new building (one for bats and one for birds). The flat roof space is proposed as a green roof, and a condition is recommended requiring the green roof to meet the council's standard requirements as set out in Islington's Environmental Design SPD (Condition 7).

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development, particularly the provision of additional community space, is welcomed in principle, and would represent a significant improvement to this part of the church premises, which is unsightly and has a poor relationship to the adjacent public realm. These benefits have been weighed against the shortcomings of the proposal, in particular the less than substantial harm to the setting of the designated heritage assets and loss of open space. Objections from residents (and comments of support) have also been considered in the final balance of planning considerations, and it is recommended that permission is granted subject to appropriate conditions relating to materials, landscaping, hours of operation, biodiversity and trees.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

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.</p>
2	Approved plans
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>EX00 Location plan</p> <p>EX01A Existing site plan</p> <p>EX03 Existing landscape plan</p> <p>EX04 Existing first floor plan</p> <p>EX05 Existing north elevation</p> <p>EX06 Existing east elevation</p> <p>EX07 Existing south elevation</p> <p>EX08 Existing west elevation</p> <p>EX09 Existing Section AA</p> <p>EX10 Existing Section BB</p> <p>EX11 Existing Section CC</p> <p>EX12 Existing Section DD</p> <p>PL201D Proposed site plan</p> <p>PL203C Proposed landscape plan</p> <p>PL204C Proposed roof plan 1:200</p> <p>PL205 Proposed north elevation</p> <p>PL206 Proposed east elevation</p> <p>PL207A Proposed south elevation</p> <p>PL08 Proposed west elevation</p> <p>PL09 Proposed Section AA</p> <p>PL10 Proposed Section BB</p> <p>PL11 Proposed Section CC</p> <p>PL212A Proposed Section DD</p> <p>PL213C Proposed ground floor plan</p> <p>PL214C Proposed roof plan 1:100</p> <p>PL215A Proposed north elevation - new church centre</p> <p>PL216A Proposed east elevation - new church centre</p> <p>PL217A Proposed south elevation - new church centre</p> <p>PL218A Proposed west elevation - new church centre</p> <p>PL219 Proposed Section AA - new church centre</p> <p>PL220 Proposed Section BB - new church centre</p> <p>PL221 Proposed Section CC - new church centre</p> <p>PL222 Proposed façade detail</p>

	<p>Planning Statement (June 2017, revised March 2018)</p> <p>Design and Access Statement (November 2017)</p> <p>Heritage Impact Assessment and Heritage Statement (November 2017)</p> <p>Sustainable Design & Construction Statement (May 2017)</p> <p>Ecological Appraisal (January 2018)</p> <p>Arboricultural Statement (April 2017, revised February 2018)</p> <p>Structural Statement (November 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	<p>Materials (details)</p> <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 and roof light treatment (including sections and reveals); c) aluminium trims; d) any other materials to be used in the external construction of the building. <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>Landscaping (details)</p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees (their location, species and size); c) soft planting (including grass and turf areas, shrub and herbaceous areas); d) enclosures (including types, dimensions and treatments of walls, fences, hedges and gates); e) hard landscaping (including ground surfaces, kerbs, edges, ridge and flexible paving, unit paving, furniture, steps and synthetic surfaces); and f) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: In the interests of biodiversity, sustainability and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
5	<p>Hours of operation (compliance)</p>
	<p>CONDITION: The community centre shall not operate outside the hours of 08.00am and 22.00 pm daily, with the exception of between 01 January until 31 March. Between these dates, the community centre shall not operate outside the hours of 08.00-22.00 Sunday to Thursday, 08.00-00.00 on Friday and 00.00-22.00 on Saturdays.</p> <p>Between the hours of 22.00 on Friday and 08.00 on Saturday (01 January to 31 March), the community centre shall operate for the sole purpose of hosting the Winter Night Shelter for the homeless and for no other use hereby approved.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
6	<p>Hours of operation for the café (compliance)</p>
	<p>CONDITION: The café hereby approved shall only be open to members of the public between the hours of 08.00 and 18.00 Monday to Sunday including public holidays. The serving hatch facing Highbury Fields shall be closed daily at 18.00.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
7	<p>Green Roof (compliance)</p>
	<p>CONDITION: The biodiversity (green) roof shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plans PL204 C and PL214 C hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
8	<p>Nesting boxes (details)</p>
	<p>CONDITION: Details of bird and bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>No less than 2 boxes/bricks (one for bats and one for birds) shall be provided and the details shall include the exact location, specification and design of the habitats.</p>

	<p>The nesting boxes / bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
9	<p>Tree protection (details)</p> <p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan (TPP) and an arboricultural method statement (AMS), shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> a) Location and installation of services/ utilities/ drainage b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees c) Details of construction within the RPA or that may impact on the retained trees. This will need to detail foundation methods for the main building as well as any other construction activities (including): piling operations including access, installation of uplifting lighting within crown canopies d) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them. e) Methods to protect tree stems from car parking damage. f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses. g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing h) A specification for scaffolding and ground protection within tree protection zones. i) Tree protection during both demolition and construction indicated on two TPPs, demolition and construction activities clearly identified as prohibited in this area j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires k) Boundary treatments within the RPA l) Methodology and detailed assessment of root pruning m) Arboricultural supervision and inspection by a suitably qualified tree specialist n) Reporting of inspection and supervision. <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.</p>

10	Arboricultural site supervision (details)
	<p>CONDITION: The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in Condition 9 shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.</p> <p>REASON: In order to ensure compliance with the tree protection and arboricultural supervision details submitted under Condition 9.</p>
11	Tree planting (details)
	<p>CONDITION: Prior to completion or first occupation of the development hereby approved, whichever is the sooner, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.</p> <p>Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.</p> <p>REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.</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 applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2016, the Islington Core Strategy 2011, the Islington Development Management Policies 2013, the Finsbury Local Plan 2013 and the Site Allocations 2013.

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

Chapter 2: London's Places

Policy 2.18 Green infrastructure

Chapter 3: London's People

Policy 3.1 Ensuring life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.6 Protection and enhancement of social infrastructure

Chapter 5: London's response to climate change

Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.10 Urban greening
Policy 5.13 Sustainable drainage
Policy 5.15 Water use and supplies
Policy 5.18 Construction, excavation and demolition waste

Chapter 6: London's Transport

Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking

Chapter 7: London's Living Spaces and Places

Policy 7.1 Lifetime neighbourhoods
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.18 Protecting open space and addressing deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands

B. Islington Core Strategy 2011

Policy CS8	Enhancing Islington's character
Policy CS9	Protecting and enhancing Islington's built and historic environment
Policy CS10	Sustainable design
Policy CS11	Waste
Policy CS15	Open space and green infrastructure

C. Islington Development Management Policies 2013

Policy DM2.1	Design
Policy DM2.2	Inclusive Design
Policy DM2.3	Heritage

Policy DM4.12 Social and strategic infrastructure and cultural facilities

Policy DM6.2	New and improved public open spaces
Policy DM6.3	Protecting open space
Policy DM6.5	Landscaping, trees and biodiversity

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 DM7.5	Heating and cooling

Policy DM8.1	Movement hierarchy
Policy DM8.2	Managing transport impacts
Policy DM8.4	Walking and cycling
Policy DM8.5	Vehicle parking
Policy DM8.6	Delivery and servicing for new developments

3. Designations

Grade II listed building (church and vicarage)
Highbury Fields Conservation Area
Local Cycle Route (Church Path)
Designated Open Space (adjacent)
Site of Importance for Nature Conservation (adjacent)

4. Supplementary Planning Guidance (SPGs) / Documents (SPDs)

The London Plan

Social Infrastructure (2015)
Character and Context (2014)
Sustainable Design and Construction (2014)

Islington Development Plan

Islington Urban Design Guide (2017)
Inclusive Design in Islington (2014)
Inclusive Landscape Design (2010)
Environmental Design (2012)
Highbury Fields Conservation Area Design Guidelines (2002)