

## PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB-COMMITTEE B</b>		<b>AGENDA ITEM NO:</b>
Date:	15 <sup>th</sup> July 2014	NON-EXEMPT

Application number	P2014/0752/FUL
Application type	Full Planning Application
Ward	St Mary's Ward
Listed building	Not listed
Conservation area	Canonbury Conservation Area
Development Plan Context	- Archaeological Priority Area (Islington Village and Manor House) - Within 100 metres of Strategic Road Network - Within 50 Metres of Cross Street Conservation Area
Licensing Implications	n/a
Site Address	15 – 17 Pleasant Place, London, N1 2BZ
Proposal	Part single storey, part three storey rear extension to facilitate internal refurbishment and reconfiguration to the existing 7 self-contained flats to provide 9 self-contained flats (2 x 3 bed, 3 x 2 bed and 4 x 1 bed flats).

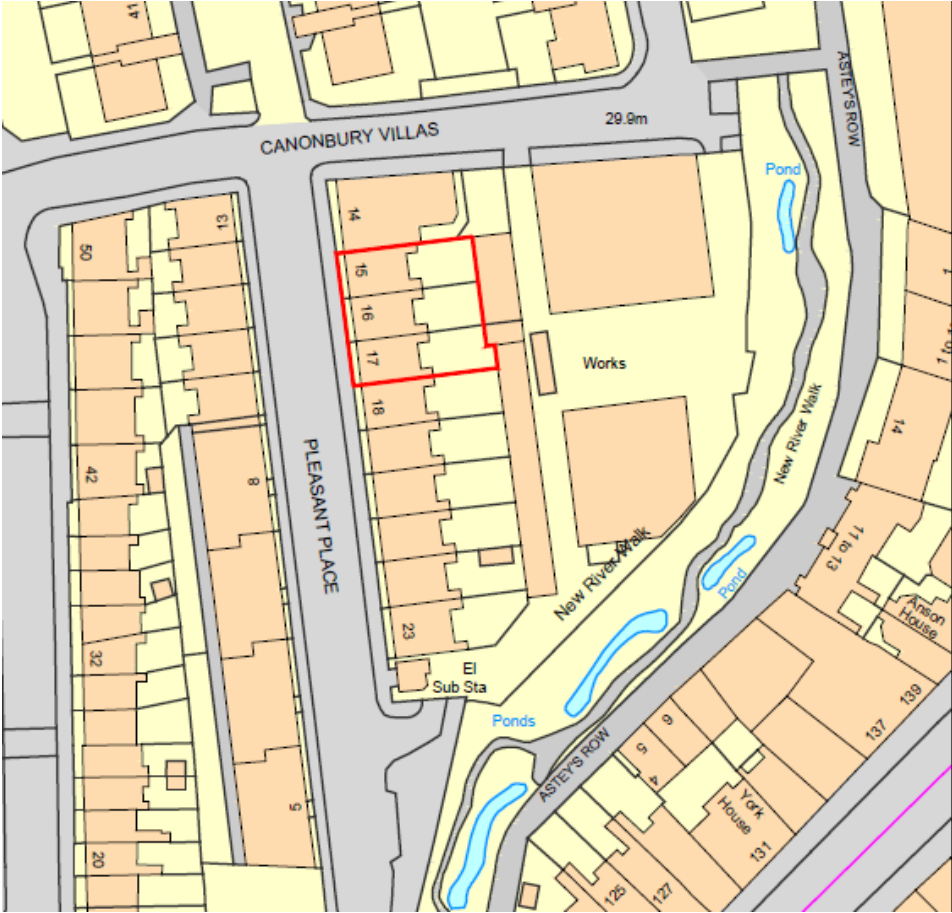
Case Officer	Nathaniel Baker
Applicant	Emile and Rene Brown - JB London Builders Ltd
Agent	David Wakefield - MGL Architects

### 1.0 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1;
2. Conditional upon the prior completion of a 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.

**2.0 SITE PLAN (site outlined in black)**



**3.0 PHOTOS OF SITE/STREET**



Image 1: Aerial view of rear elevation



Image 2: View from Canonbury Villas



Image 3: Rear elevation of No. 17 and view to the south

## **4.0 SUMMARY**

- 4.1 Planning permission is sought for the erection of a part three storey, part single storey rear extension and internal refurbishment and reconfiguration to create two additional flats. The resultant property would contain 9 self-contained flats.
- 4.2 The application has been called to the Planning Sub-Committee for determination by two Councillors.
- 4.3 The proposed units would provide a good level of amenity and the extension would not detract from the character and appearance of the application property or the conservation area and would not detrimentally impact upon neighbour amenity.

## **5.0 SITE AND SURROUNDING**

- 5.1 The site is located on the east side of Pleasant Place and consists of three mid-terraced properties which are laid out as flats, with No. 16 and 17 having previously been amalgamated and sharing a single rear garden. The properties are three storeys in height over a basement, with a mansard roof slope to the front elevation and a flat roof over the remainder of the roof. The properties form the northern extent of a terraced row of dwellinghouses of the same design, with a repeated lower ground floor single storey outrigger (with the exception of No. 16 where this has been removed) and unaltered flat roofs. The terraces are clearly demarked through the repeated window and chimney layout.
- 5.2 At the northern end of the terrace is a four storey over basement later addition to the terrace which projects significantly beyond the rear elevation of the other properties forming the terrace. To the rear of the site is a two storey residential unit, a works site which includes single, three and four storey buildings and beyond this is New River Walk, a pedestrianised area on the west side of Astey's Row.
- 5.3 The site is located within the Canonbuy Conservation Area and an Archaeological Priority Area, however the buildings are not listed.

## **6.0 PROPOSAL (in Detail)**

- 6.1 The existing property contains seven self-contained flats and the proposal consists of a part three storey, part single storey rear extension to create two additional flats (the resultant property would contain a total of nine units).
- 6.2 The proposal has two three storey elements each measuring 3 metres in depth, 8.75 metres in height, with the most northerly extension measuring 7.2 metres in width and the most southerly measuring 3.7 metres in width.
- 6.3 The single storey element would extend across the full width of the site with the central element projecting out 3.9 metres from the rear elevation with a flat roof at a height of 3.2 metres. Between the two three storey extensions, the single storey element would have a roof terrace with a glazed balustrade at a height of 1.1 metres.

### **Revision 1**

- 6.4 Amended plans were received on 21<sup>st</sup> May 2014 which reduced the depth of the three storey elements from 3.3 metres to 3 metres.

### **Revision 2**

6.5 Amended plans were received on 30<sup>th</sup> May 2014 which altered the internal layout to ensure each unit meets the minimum required floor area.

## **7.0 RELEVANT HISTORY:**

### **Planning Applications**

7.1 **P2013/3729/FUL** - Erection of a part four, three and single storey rear extension, rear roof extension incorporating two dormer windows and internal alterations to create two additional flats (a total of nine units) – Refused Permission on 06/01/2014.

7.2 **P041598** - Internal alterations to existing unit to form four self contained 2 bedroom flats at No. 16 and 17 Pleasant Place – Granted conditional permission on 02/09/2004.

### **Pre-application Advice:**

7.3 None.

### **Enforcement:**

7.4 None.

## **8.0 CONSULTATION**

### **Public Consultation**

8.1 Letters were sent to occupants of 37 adjoining and nearby properties at Canonbury Villas and Pleasant Place on 20<sup>th</sup> March 2014. A site notice was placed at the site and the application advertised on 27<sup>th</sup> March 2014. The public consultation of the application therefore expired on 17<sup>th</sup> April 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of writing this report two objections had been received from the public with regard to the application. The objections raised can be summarised as follows (together with the paragraph number in brackets that responds to the issue):

- Contrary to the Design and Access Statement the existing dwellings at the site are not substandard and therefore the dwelling mix does not need to be improved (para 10.3);
- The proposed dwellings do not improve the accessibility of the site (para 10.32);
- The scale of the extension is disproportionate to the building and the surrounding area. It contravenes the scale of the area and pattern of fenestration (para 10.5 – 10.13);
- The fifth level on the roof is excessive (para 10.41);
- The modern materials proposed, other than brick, and the elevation designs to the rear are incompatible with the character of the existing building (para 10.12);
- Additional parking will be required (para 10.29);
- The proposal makes unnecessary and undesirable alterations to the structure of the existing building (para 10.39);
- The proposed dwellings are not adequate for use as wheelchair housing as they can only be accessed via stairs and no lift is being provided (para 10.32);
- The 2 bed 3 person units have open plan kitchen/living spaces which are insufficient in size and are inferior to existing dwellings (para 10.40);

- The proposal will lead to greater letting and Estate Agents leave advertising boards endlessly tied to railings (para 10.43);
- The proposal would result in a greater level of littering and the bins should be collected from the rear (para 10.33);
- The proposal would result in a reduction in green space (para 10.15 and 10.16);
- Concern raised regarding fire safety (para 10.42);
- The proposal would cover an underground drain (para 10.42); and
- Concern raised regarding noise transfer (para 10.30 and 10.31).

### **Internal Consultees**

- 8.3 **Design and Conservation Team** – Although the scheme has been revised it is still considered to be inappropriate. The terrace is relatively unaltered at the rear and any alteration should respect the existing form and appearance of the buildings and the terrace.

By virtue that it would constitute a three storey half width rear extension, the proposal would not be in accordance with the Conservation Area Design Guidelines (CADG),

The height, bulk and massing of the extension would not be subservient to the main building, while the proximity of the two of the three storey extensions to one another is harmful. The proposed extension would therefore disrupt the rhythm of the rear of the terrace and fail to respect the historic architectural form and detail of the existing building.

The CADG also refer to harm if the extension is visible from public views such as Astey's Row/New River Walk to the south of the site.

- 8.4 **Transport Officer** – The proposal should be a car-free development, with the rights of residents to apply for CPZ permits removed and the applicant should provide a contribution for wheelchair accessible parking bays equal to the number of wheelchair accessible habitable rooms. In addition, 16 cycle parking spaces should be provided for the 16 bedrooms.

Further information should be provided on the existing and proposed waste and refuse collection arrangements. Street Environmental Services should also be consulted.

Applicant should agree to enter into a Construction Management Plan that manages both the impact on the local road network and amenity of the local area.

- 8.5 **Tree and Landscape Officer** – There appears to be limited landscaping and vegetation on site other than a shrubby mass at the rear boundary of 17. Whilst the loss of garden amenity space proposed is not inconsiderable, with almost half of the existing garden lost to the proposed extension and patio, there are no tree or landscape reasons to refuse this application. A landscape condition is recommended.

- 8.6 **Refuse and Recycling** – There are no issues for waste management and recycling.

- 8.7 **Access and Inclusive Design** – Although some aspects of the Lifetime Homes Standards have been met, such as bathroom layouts, due to the stepped access and limited space within the circulation spaces, the proposed flats would not be accessible. However, there is capacity to install a platform lift within the lightwell to serve the upper and lower ground floor units. The proposal is not in accordance with the Council's Flexible Homes Standards.

8.8 **Parks and Open Space** – No response received.

#### **External Consultees**

8.9 **English Heritage (GLAAS)** – No Archaeological Requirement.

8.10 **Transport for London** – No comment.

8.11 **The Canonbury Society** – No response received.

8.12 **The Upper Street Association** - No response received.

### **9.0 RELEVANT POLICIES**

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

#### **National Guidance**

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

#### **Development Plan**

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

#### **Supplementary Planning Guidance (SPG) / Document (SPD)**

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

### **10.0 ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and impact upon conservation area
- Landscaping
- Amenity
- Neighbour Amenity
- Highways and Transport
- Noise and Vibration
- Access
- Refuse and Recycling
- Archaeology
- Affordable Housing

## **Landuse**

- 10.2 Policy 3.4 of the London Plan encourages boroughs to optimise housing output, taking into account local context and character, design principles and transport capacity. This is supported by Core Strategy policy CS12 which seeks to provide more high quality, inclusive and affordable homes within the borough.
- 10.3 The proposal includes the complete redevelopment of the internal layout of the three properties and results in 9 residential units, a net increase of 2. The resultant development would provide a mix of 1, 2, 3 and 4 bed units, which would provide an appropriate mix of housing sizes within the units.
- 10.4 As such, the principle of the development is acceptable subject to the assessment of the proposal in light of all other relevant policy, the site context and any other material planning consideration.

## **Design and impact upon the conservation area**

- 10.5 The application site consists of three original terraced dwellinghouses set within a row of largely unaltered terraced properties. Whilst it is appreciated that two of the properties have been merged to form one flatted development, to the front, the properties retain three individual frontages and to the rear there is a clear vertical delineation formed by the repeated brick chimney stacks, single storey outrigger projections and the pairing and alignment of windows in the rear elevation, such that the properties still appear as original terraces.
- 10.6 The proposal would introduce a part three storey, part single storey rear extension to the property. The three storey elements would have a repeated 'outrigger' form, with a double width shared outrigger extending across No. 15 and 16, and a single outrigger on No. 17. At single storey level the proposal would fill each of the resultant side returns, with a four metre deep element projecting across the full width of No. 16 and partially across the other two properties.
- 10.7 The Conservation Area Design Guide (CADG) for Canonbury Conservation Area states that: *Full width rear extensions higher than one storey or half width rear extensions higher than two storeys, will not normally be permitted, unless it can be shown that no harm will be caused to the character of the area.*
- 10.8 The Islington Urban Design Guide (IUDG, paragraph 2.5.2) states that: *rear extensions should avoid disrupting the existing rhythm of the existing rear elevations, or dominate the main building. Particular care needs to be given to rear elevations visible from the public realm because of gaps within the street frontage, and the most prominent upper part of the rear elevation that are most visible from the private realm....Single half-width upper floor extensions above existing extensions are often acceptable providing there is a punctuating gap between the eaves height and the top of the extension.*
- 10.9 The terraced row in which the site is located is formed of ten properties, nine of which have relatively unaltered rear elevations, including the application site with the tenth building, which adjoins the northern end of the site, being of a greater height and depth than the terraced row.
- 10.10 The proposal would introduce considerable built form to the rear building line of the terraced row that would be partly visible in gaps between properties on Canonbury



Villas, and it is noted that concern is raised by the Conservation Officer regarding the three storey elements being contrary to CADG.

- 10.11 However, the proposed three storey elements, although marginally greater than half the width of the property and a storey above that quoted in the CADG, would be set a clear storey below the eaves height of the property in accordance with the UDG and would incorporate a repeated window form that mirrors the design and scale of those in the existing property. This is repeated down to ground floor level with double glazed doors aligning with the proposed windows, 'blind door' openings and only one set of doors within a recessed element of the proposal not fully aligning with the windows. The resultant rear projections, whilst undoubtedly of considerable scale, would be subordinate to each of the properties and would introduce a repeated form of development giving a rhythm to the northern end of the terrace which leads into the incongruous addition at the northern most extreme of the terrace.
- 10.12 The proposed extension would be constructed in materials to match the existing property and whilst introducing a glazed balustrade at first floor level, this would be set back from the rear elevation within a recessed area and would not be prominent.
- 10.13 As such, it is considered that the proposed rear extensions would be subordinate to and integrate with the application property. Whilst some views of the rear additions could be afforded between the properties on Canonbury Villas, these would be limited to only the upper parts of the northern most properties in the terrace, where the clear set down of the rear additions would be apparent. Therefore, the proposed rear extensions are not considered to result in harm to the conservation area.
- 10.14 There are no alterations proposed to the front elevation.

### **Landscaping**

- 10.15 Full details of the landscaping to the rear of the site have not been submitted. However, the plans detail an area of hardstanding at lower ground floor level before stepping up to a soft landscaped area in a similar arrangement to the existing gardens at the site. The provision of a substantial area of soft landscaping is considered to be necessary to retain the green character of this part of the conservation area and to contribute to bio-diversity. Subject to a landscaping condition requiring details to be submitted to and approved by the Local Planning Authority, the proposal is considered to be acceptable.
- 10.16 Although the proposal would reduce the garden area, the resultant garden spaces are considerable in scale and the proposal would reinstate the original garden boundary separating No. 16 and 17.

### **Amenity**

- 10.17 Table 3.2 of policy DM3.4 of the Development Management document stipulates the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. Details of each unit are set out in the table below against the minimum floor space standards.

Unit	No. Bedrooms/ Expected Occupancy	Floor Space	Minimum Required Floor Space	Required Storage	Garden Space
1	3/5	94	86	3	38
2	3/5	94	86	3	36
3	2/4	76	70	2.5	25
4	2/3	61	61	2	9
5	1/2	50	50	1.5	0
6	1/2	50	50	1.5	0
7	1/2	50	50	1.5	0
8	2/3	61	61	2	0
9	1/2	50	50	1.5	0

- 10.18 The proposed residential units would meet the minimum required floor spaces and adequate storage space is detailed on the plans. Whilst unit 7 would have a single aspect, contrary to policy DM3.4, it has a number of large east facing windows with the main living spaces having two windows to each room. Due to this and site constraints, the provision of only a single aspect is considered to be acceptable in this instance.
- 10.19 With regard to amenity space, policy DM3.5 details that all new residential development should provide good quality, private outdoor space in accordance with the minimum required figures. This policy requires a minimum of 5 square metres on upper floors and 15 square metres on ground floors for a 1-2 person dwelling and for each additional occupant, an extra 1 square metre. Where family units are proposed (3 bed or more) then a minimum of 30 square metres of amenity space should be provided.
- 10.20 The two family units would be located across the ground and lower ground floor and would each have a private rear garden measuring in excess of 35 square metres. Furthermore, Flat 2 would have an extensive rear garden and Flat 4 would have a roof terrace which would provide sufficient amenity space.
- 10.21 Although Flats 5 to 9 would have no amenity space, due to the site constraints, the lower occupancy rates of these units and the existing amenity levels at the site, the provision of private amenity space is not considered to be reasonably required for these units in this case.

### **Neighbour Amenity**

- 10.22 The proposal would introduce a part three storey, part single storey rear projection to the site of considerable depth that would include a number of windows and a roof terraces.
- 10.23 Whilst the adjoining property, No. 14 Pleasant Place has a number of rear and side facing windows which are located in close proximity to the boundary of the site, from the case officer's site visit and the applicant's research it appears that these windows serve non-habitable rooms. Notwithstanding this, the upper floor elements of the proposal would be set 2.5 metres away from these windows with a depth of 3 metres. This, together with the location of these neighbouring windows towards the rear most projection of the proposal would ensure that the proposed extension would not be overbearing or visually intrusive to the occupiers of these neighbouring properties. Furthermore, at ground floor level the proposal would project only 0.5 metres beyond

this adjoining property and the habitable windows in this neighbouring property are set beyond the rear most projection of the proposal.

- 10.24 With regard to the properties to the south of the site, the proposal would introduce a three storey rear extension with a depth of 3 metres immediately on the boundary with the adjoining property. This property has repeated openings on each floor set approximately 1.4 metres from the shared boundary. The ground floor opening at the neighbouring property is currently constrained by a single storey rear projection and although the proposal would be visible in views from the upper floor windows of this property, due to its 3 metre depth and the open outlook from these windows to the rear and south, the proposal is not considered to be overbearing or visually intrusive. With regard to overshadowing, the proposed rear extension is set directly north of these neighbouring openings and is set lower than the height of the main property, as such, the proposal would not result in a significant loss of light to the neighbouring property.
- 10.25 With regard to the overlooking of the rear gardens from the proposed upper floor flats and roof terrace, the roof terrace would be set back from the rear elevation of the property and the relationship with the upper floor windows is typical of a terraced residential layout and similar to the level of overlooking currently experienced from the existing property and the neighbouring properties.
- 10.26 To the rear the site backs onto a two storey dwellinghouse and beyond this a commercial building. The proposed rear extension would be set a sufficient distance back from these properties and whilst the dwelling has a first floor window facing onto the site, this is obscurely glazed. Due to this, the proposed rear extension would not detrimentally impact upon the amenity of the occupiers to the rear.

### **Highways and Transportation**

- 10.27 The site has a PTAL of 6a, which is 'Excellent', with Essex Road Railway Station, Angel and Highbury and Islington Tube Stations and a number of major bus routes in close proximity to the site.
- 10.28 Although no cycle parking is proposed, the site does not benefit from any external space to the front where cycles could be stored, there is no external access or direct access from most of the proposed units to the rear gardens, there is insufficient space within the entrances to provide a store and the front entrances have stepped access. Furthermore, the proposal represents an uplift in two flats, with the existing insufficient units not benefitting from any cycle parking provision. By reason of this, the insufficient of cycle parking provision would not be sufficient grounds upon which to refuse the application.
- 10.29 A condition is recommended restricting the occupiers from applying for a parking permit in accordance with the Council's Car Free Housing policy.

### **Noise and Vibration**

- 10.30 It is noted that concern has been raised regarding potential disturbance to neighbours from the proposed occupiers of the development. However, the occupancy of the site would not be significantly altered and the area is predominantly residential in character with high levels of flatted development. As such, the resultant development would reflect the character of the area, with regards to occupancy.

- 10.31 With regard to future occupiers of the development, adequate noise insulation would be required through the Building Regulations.

### **Access**

- 10.32 Although incorporating some of the Lifetime Homes Standards and the applicant detailing the flats to be Building Regulations Part M compliant, the proposal would not meet the Council's Flexible Homes Standards. Whilst a vertical-rise platform lift could be installed within the front lightwells (measuring 1.1 metres by 1.4 metres), in this case the platform lift would require doors on adjacent sides and would therefore not provide the necessary turning space. Due to this, that the proposal predominantly constitutes a conversion, the site limitations and that it would meet some of the Lifetime Homes Standards, it is not considered reasonable to refuse the application on this basis.

### **Refuse**

- 10.33 Whilst the proposal results in two additional units, the site does not currently benefit from a dedicated bin store and as such, refuse is left out for collection. Whilst details of refuse collection have not been submitted, the existing means of refuse collection are considered to be sufficient and no objection has been raised by the Council's Street Environment Manager.

### **Archaeology**

- 10.34 The site is located within an Archaeology Priority Area and due to the scale of the development it is likely that substantial foundations/excavations would be required. However, English Heritage (GLAAS) has noted that no archaeology details are required in this case.

### **Affordable Housing and Carbon Off-setting**

- 10.35 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (SPD) together with Core Strategy policy CS12 Part G states that development proposals below a threshold of 10 residential units (gross) will be required to provide a financial contribution towards affordable housing provision elsewhere in the borough.
- 10.36 The proposal would result in a net increase of two additional units, which would require a contribution of £100 000 (£50 000 per additional unit).
- 10.37 The applicant has submitted a viability assessment that has been considered by the Council's appointed Surveyor who has recommended that a reduced contribution of £42 611 is viable. The applicant has agreed to this contribution and if minded to approve the application, the contribution would be secured through a legal agreement.
- 10.38 As the proposal is predominantly a conversion of an existing property, there is no requirement for the carbon off-setting contribution.

### **Other matters**

- 10.39 It is noted that concern has been raised regarding the proposal making unnecessary and undesirable alterations to the structure of the building. As the building is not

statutory listed, the removal of the internal walls would not require planning permission.

- 10.40 A representation to the application sets out that the 2 bed 3 person units have open plan kitchen/living spaces which are insufficient in size. However, both of these units (Unit 4 and Unit 8) have a separate kitchen to the living room space.
- 10.41 Objection has been raised to a fifth level roof extension. However, the proposal does not include any extension to the roof or a fifth floor.
- 10.42 Fire safety and underground drain concerns would be controlled by the Building Regulations.
- 10.43 Whilst it is noted that the proposal would result in two additional properties, it is not detailed as to whether these properties would be let or sold. However, regarding the proliferation of letting advertising boards, these are controlled by the Advertisement Regulations and should there be considered to be a breach of these then the Planning Enforcement Team can look into this.

## **11.0 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed extensions and two additional units are considered to be acceptable with regards to the land use, design, amenity, neighbour amenity, archaeology, highways and transportation, noise levels, access, refuse and affordable housing provision.
- 11.2 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

### **Conclusion**

- 11.3 It is recommended that planning permission be granted subject to conditions and S106 agreement as set out in Appendix 1 - RECOMMENDATION.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

1. A contribution of £42 611 towards affordable housing within the Borough.

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

That, should the **Section 106** Deed of Planning Obligation not be completed within 6 weeks from the date of the committee decision of the application, the Service Director Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development is not acceptable in planning terms. ALTERNATIVELY should this application be refused and appealed to the Secretary of State, Service Director Planning and Development / Head of Service – Development Management be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

### RECOMMENDATION B

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b>
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
<b>2</b>	<b>Approved plans list</b>
	CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans: 3504.OS, 3504.S.1 Rev A, 3504.S.2, 3504.S.3, 3504.S.4, 3504.S.5, 3504.S.6, 3504.S.7, 3504.S.8, 3504.S.9 Rev A, 3504.P.10 Rev B, 3504.P.11 Rev B, 3504.P.12 Rev B, 3504.P.13 Rev B, 3504.P.14 Rev B, 3504.P.20 Rev B, 3504.P.21 Rev B, 3504.P.22 Rev B, 3504.P.23 Rev B, 3504.P.24 Rev B, 3504.P.25 Rev B, Design and Access Statement and Addendum to Design and Access Statement.  REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.

<b>3</b>	<b>Materials</b>
	<p>CONDITION: The facing materials of the development hereby approved shall match those detailed on the plans and those detailed in the application form hereby approved in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
<b>4</b>	<b>Parking</b>
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> <li>i) In the case of disabled persons;</li> <li>ii) In the case of units designated in this planning permission as "non car free"; or</li> <li>iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</li> </ul> <p>REASON: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and policy DM8.5 of the Development Management Policies.</p>

**List of Informatives:**

<b>1</b>	<b>Positive Statement</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
<b>2</b>	<b>Unilateral undertaking</b>
	<p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<b>3</b>	<b>Highways</b>
	<p>- Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p>

All agreements relating to the above need to be in place prior to works commencing.

- Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through [streetworks@islington.gov.uk](mailto:streetworks@islington.gov.uk).

Section 50 license must be agreed prior to any works commencing.

- Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through [streetworks@islington.gov.uk](mailto:streetworks@islington.gov.uk).

- Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact [streetworks@islington.gov.uk](mailto:streetworks@islington.gov.uk).

Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact [highways.maintenance@islington.gov.uk](mailto:highways.maintenance@islington.gov.uk)

Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

- Temporary crossover licenses to be acquired from [streetworks@islington.gov.uk](mailto:streetworks@islington.gov.uk). Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.

- Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.

- Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months notice to meet the requirements of the Traffic Management Act, 2004.

- Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.

- Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.

- Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.

- All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting.

NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer.



	<p>Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact <a href="mailto:streetlights@islington.gov.uk">streetlights@islington.gov.uk</a></p> <ul style="list-style-type: none"> <li>- Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</li> <li>- Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980</li> <li>- Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</li> <li>- Regarding entrance levels, developers must take into account minimum kerb height of 100mm is required for the public highway. 15mm kerb height is required for crossover entrances.</li> <li>- Overhang licenses are required for projections over the public highway. No projection should be below 2.4m in height in accordance with Section 178, Highways Act 1980.</li> <li>- Compliance with Section 179, Highways Act 1980. "Control of construction of cellars etc under street".</li> <li>- Compliance with Section 177 Highways Act 1980. "Restriction on construction of buildings over highways".</li> </ul>
<b>4</b>	<p><b>Community infrastructure Levy (CIL)</b></p>
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

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

#### **A) The London Plan 2011 - Spatial Development Strategy for Greater London**

##### 3 London's people:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice

##### 6 London's transport:

- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking

##### 7 London's living places and spaces:

- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.15 Reducing noise and enhancing soundscapes

##### 8 Implementation, monitoring and review:

- 8.2 Planning obligations
- 8.3 Community infrastructure levy

## **B) Islington Core Strategy 2011**

### Spatial Strategy

**CS8** (Enhancing Islington's Character)

### Strategic Policies

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

**CS12** (Meeting the Housing Challenge)

## **C) Development Management Policies June 2013**

**DM2.1** Design

**DM2.2** Inclusive Design

**DM2.3** Heritage

**DM3.3** Residential Conversions and Extensions

**DM3.4** Housing standards

**DM3.5** Private Outdoor Space

**DM3.7** Noise and Vibration

**DM7.1** Sustainable Design and Construction

**DM7.2** Energy Efficiency and Carbon Reduction in Minor Schemes

**DM8.2** Managing Transport Impacts

**DM8.4** Walking and Cycling

**DM8.5** Vehicle Parking

**DM9.2** Planning Obligations

## **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

### **Islington**

- Accessible Housing in Islington
- Car Free Housing
- Planning Obligations and S106
- Urban Design Guide
- Affordable Housing Small Sites SPD
- Conservation Area Design Guidelines

### **London Plan**

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