

PLANNING COMMITTEE REPORT

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

PLANNING SUB COMMITTEE B		AGENDA ITEM NO:	
Date:	15 th July 2014	NON-EXEMPT	

Application number	P2014/0189/FUL
Application type	Full Planning Application
Ward	St Mary's Ward
Listed building	Not listed
Conservation area	Upper Street North Conservation Area
Development Plan Context	Archaeological Priority Area (APA3) Upper Street Local Shopping Area
Licensing Implications	None
Site Address	168 Upper Street, London N1
Proposal	Redevelopment of the site to provide a 6 storey plus basement building with retail A1 uses at basement and ground floor level, the creation of 3 self contained residential units (3 x 2 beds), new ground floor shop frontages and associated alterations.

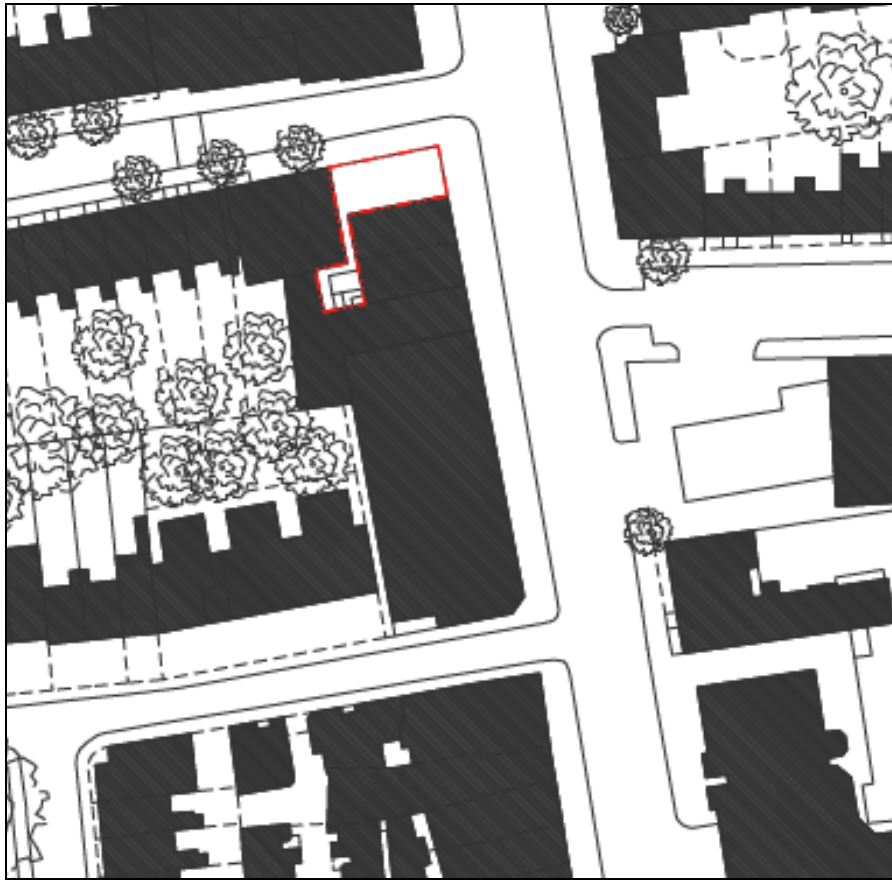
Case Officer	Paul Conboy
Applicant	Aria - Mr David Smith
Agent	Amin Taha Architects – Mr Peter Rae

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF THE SITE/SURROUNDINGS



Image 1: View of existing application site with proposed outline of the proposed development.



Image 2: View westwards of existing application site.



Image 3: View eastwards of existing application site.

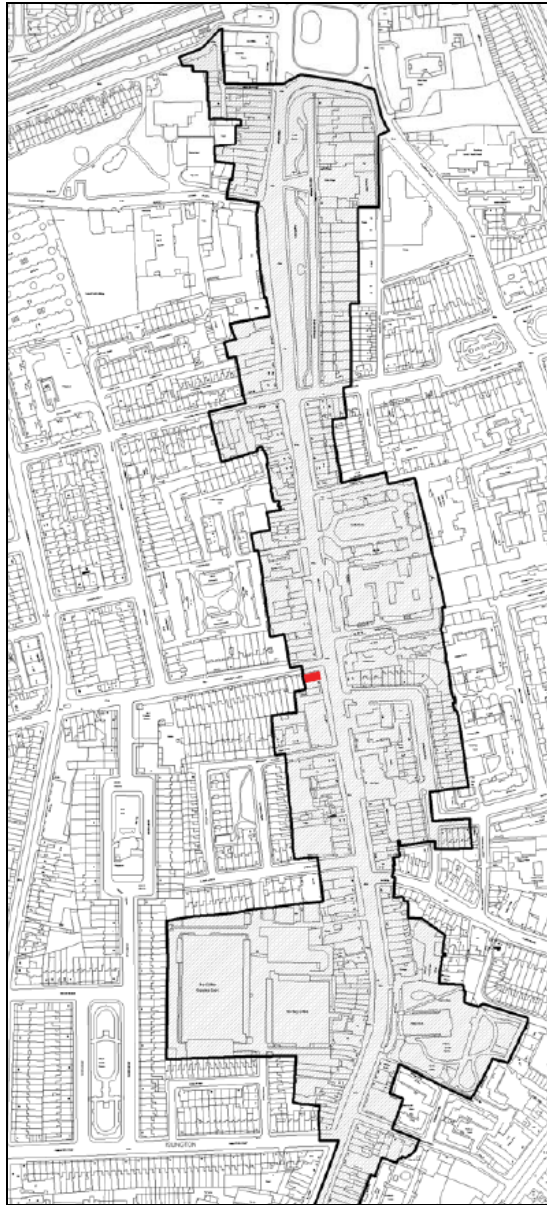


Image 4: Upper Street North Conservation Area Map

4. SUMMARY

- 4.1 Full planning permission is sought for the erection of a 6 storey plus basement level building with a basement and ground floor A1 unit and the creation of 3 x 2 bed residential units on the upper floors with associated refuse stores, cycle storage and alterations.
- 4.2 The introduction of a mixed commercial and residential use on the site is considered acceptable in principle. The surrounding area is characterised by a wide variety of A1/A2 /A3 units with residential units above commercial units in the area. The area is highly accessible and has a high pedestrian footfall for what is a very central location.
- 4.3 The site is currently undeveloped and would have had previously built form on it which was removed through bomb damage. The open plot detracts from the character and appearance of the area and it is considered that a well designed replacement building has the potential to significantly improve the visual amenity of the area and enhance the character and appearance of the Upper Street North Conservation Area and views into the nearby Barnsbury Conservation Area. The space was used previously as an informal green space which was planted but was not accessible by the public. It is important to

note this green space was informal and there is no policy designation for this area and therefore it had no protection in planning policy terms.

- 4.4 The area is mixed in character and the site is located within a Conservation Area. The layout, scale and massing of the proposed development is considered to offer a contemporary yet contextual finished building in this location. Subject to the submission of detailed conditions regarding the final finishing materials the proposed development is considered to enhance the character and appearance of the surrounding conservation area.
- 4.5 The impact of the development on neighbours has been considered. It is important to note the physical constraints of the site which is enclosed to the rear and side by mainly blank residential elevations. It is considered that the overall proposed massing and height of the development will have no material adverse impact on the amenity levels of adjoining occupiers in this case.
- 4.6 The quality and sustainability of the resulting scheme is considered to be acceptable. The housing would comply with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov, 2012). Islington's Core Strategy identifies the importance of delivering new family units. The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Bearing in mind the constraints of the site and the location itself it is considered that the proposed creation of 3 x 2 bed units offers an acceptable quantum in this specific case.
- 4.8 The redevelopment of the site has no vehicle parking on site and occupiers will have no liability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. This will be secured via Unilateral Undertaking.
- 4.9 In summary, the proposal is considered to be acceptable and to be broadly in accordance with the Development Plan policies.

5. SITE AND SURROUNDING

- 5.1 The site itself is located within the Upper Street North Conservation area and is within 50 Metres of the adjoining Barnsbury Conservation area. The site is located within an Archaeological Priority Area and occupies a reasonably narrow plot with frontages onto the busy commercial Upper Street with its flank elevation located along Barnsbury Street.
- 5.2 The site historically suffered from bomb damage and formed an open plot along this section of Upper Street and Barnsbury Street. Until recently the area was heavily planted with vegetation with high railings. The adjoining buildings (159-167 Upper Street) have just completed extensive refurbishment. During these works the application site was cleared and used to store general building materials related to the development. The refurbishment of the adjoining buildings has finished and the application site is now under separate ownership to the adjoining site.
- 5.3 The immediate Upper street area is characterised by a wide variety of A1/A2/A3 uses at basement and ground floor levels with residential and office uses on the upper floors of

buildings within this section of Upper Street. Barnsbury Street has basement and ground floor commercial uses near the junction with Upper Street and then becomes primarily residential properties the further west you go along Barnsbury Street.

6. PROPOSAL (IN DETAIL)

- 6.1 Full planning permission is sought for the erection of a 6 storey plus basement level building with a basement and ground floor A1 unit and the creation of 3 x 2 bed residential units on the upper floors with associated refuse stores, cycle storage and alterations. The proposal seeks to reinstate an end of terrace building in this location to repair the urban fabric of the area. The existing gap site is not characteristic of the area and would have had built form on it originally. The proposed development seeks to create a modern yet contextual building in this location. The building would have a basement and ground floor retail unit with three residential units located above with the residential access from Barnsbury Street.
- 6.2 The proposed building would be finished in a terracotta moulded panels along the main facades. The terracotta moulds would replicate the window patterns on the upper floors of the adjoining terrace with faux moulded windows and the insertion purposefully punched window openings that intentionally align with the internal layouts and spaces of the flats. The moulded replica windows would be maintained along the proposed Barnsbury Street elevation would also have with further punched window openings. V
- 6.3 The building would be finished in a matt finished terracotta material which is proposed to be a dark brown to bronze colour. The final colour can be secured via condition. The building includes several decorate and ornate columns, pilasters and a fifth floor roof feature which reflects the character of the other end of the existing terrace. The proposed roof floor of the building would contain residential accommodation with access to a rear roof terrace.
- 6.4 Adequate refuse and cycle storage is allocated to serve each of the new units within the development. The development would include large expanses of glazed and active retail frontage onto both Upper Street and Barnsbury Street.

7. RELEVANT HISTORY:

Planning applications:

- 7.1 P2013/0499/ADV: Refused advertisement and subsequent dismissed appeal at Advertisement hoarding. 2.84m high hoardings with 'Aria' logo painted four times.
- 7.2 P110603: Planning permission granted on the 31st October 2013 for the change of use of ground and basement floors to create 4 retail units (A1 use) and one restaurant/bar (A3/A4 dual use) together with external alterations at ground floor level to street frontages and rear. (Adjoining site 159-167 Upper Street).
- 7.3 167 Upper Street: P2013/1976/PRA Approval of prior approval on the 6th August 2013 for the change of use of the first and second floors and curtilage from B1 (a) office accommodation to 3 x 1 bed residential flats (C3 use class).

- 7.4 166 Upper Street: P2013/2949/PRA Approval of prior approval on the 25th September 2013 for the for the change of use of the first and second floors and curtilage from B1(a) office accommodation to 1 x 1 bed & 1x 3 bed residential flats (C3 use class).
- 7.5 The majority of the upper floors of 159-167 Upper Street have recent prior approvals allowing the change of use of the vacant office floorspace to residential units of a variety of mix's and numbers under the government relaxed change of use allowances.

Pre-application advice:

- 7.6 Q2013/0822/MIN– Pre-application advice provided in relation to the redevelopment of the site for commercial and residential purposes. The application went through a series of different design reiterations including an appearance at members briefing with a proposed CGI below. Previous design ideas included a bronze finished building with faux window reveals.



CGI image of the proposed redevelopment of the site seen by members at members briefing.

Design Review Panel

- 7.7 The application as submitted was brought to Design Review Panel for review on the 11th March 2014. The panel broadly supported the scheme and the panels comments are highlighted below with a copy of the formal response also appended to this report in appendix 3 :

Panel's observations

- 7.8 **Design Concept** - The Panel welcomed the concept of urban repair and the opportunity to reinstate the end to the historic terrace which was lost in the past. Panel members were generally supportive of the design concept and much of the discussions surrounded the quality of implementation, detailing and materiality. Panel members did not object to the design option in principle. However, it was pointed out that the level of detail proposed for the Barnsbury Street elevation was a departure from the original design concept of a more simplified frontage on the secondary street with a more detailed and ornamental frontage to Upper Street.

- 7.9 **Elevational treatment** - Panel members were generally supportive of the proposed elevational treatment. However, concerns were raised that outward opening windows would severely compromise the elevation and would be uncharacteristic in the area. The Panel felt that a clear understanding of the ventilation strategy was required in order to truly assess the impact it would have on the proposed fenestration treatment. There was a debate about the positioning of mullions and overall the panel felt that taking cues from the architectural detailing (i.e. window surrounds and other compositional lines on the elevation) was not quite as successful as it appeared to provide a somewhat contrived appearance.
- 7.10 **Officer response:** Improvements have been made to the window details and ventilation is adequate and windows will be operable. Mullions have been removed from the plans. The window arrangements along Barnsbury Street are considered to be acceptable and justified in visual terms.
- 7.11 **Materiality** - The Panel was generally welcoming of the proposed use of terracotta particularly in comparison with the previous iteration where perforated metal had been proposed. They felt, however, that further thought should be given to the specification of the terracotta panels, particularly in relation to the size of panels, the finish and colour. They highlighted that a glazed finish should be limited to the ground floor (which would assist in addressing any concerns relating to graffiti). However, they felt that upper levels should be a true matt. They were not convinced by the samples which were shown during the presentation as they did not appear to offer enough of a matt finish and would be at odds with the texture of adjoining brickwork. The Panel, therefore, encouraged the design team to further explore the choice of terracotta panels and highlighted that particular attention should be given to the colour of the panels to ensure that the proposed building would be contextual. They also pointed out that the colour and dimension of joints needed to be carefully considered. It was felt that these matters could be addressed by a condition to the planning application.
- 7.12 **Officer response:** Officers agree with the DRP panel members and suggest very detail facing materials conditions and securing the architects for the entire development process which has been secured by Unilateral Undertaking.
- 7.13 **Other matters** - Panel members stressed the importance of compliance with lifetime homes requirements and also questioned whether there was scope for provision of amenity space.
- 7.14 **Officer response:** Conditions proposed to cover this area. Generally the accessibility of the scheme is considered to be acceptable bearing in mind the scale and physical constraints of the site.

Summary

- 7.15 The Panel generally supported the proposed regeneration of this prominent site on Upper Street. They welcomed the innovative design but highlighted that in order to achieve a successful proposal, some aspects such as lifetime homes, amenity provision, materials and detailing needed to be further developed or resolved. It was accepted that some of these aspects could be addressed as conditions but the Panel encouraged the design team to resolve as much as possible at application stage. Due to the complexity of the design, the Panel felt it important to retain the design team from all stages of design development through to implementation to ensure a faithful delivery of the proposed design concept.

Enforcement:

- 7.16 Enforcement case ref E/2013/0008 for the erection of an unauthorised hoarding around the site. The hoarding was removed following a dismissed appeal.

8. CONSULTATION

Public Consultation

- 8.1 A total of 80 letters were sent to occupants of adjoining and nearby properties along Richmond Grove, Upper Street & Barnsbury Street dated 27/01/2013. A site notice and press advert was also displayed on 20th February 2014. However, it is the councils practice to accept and consider fully all representations received right up to the decision date of an application.
- 8.2 4 letters of objection have been received from the public with regard to the application. The objections are from The Highbury Fields Association, The Angel Association, The Canonbury Society & The Upper Street Association.
- 8.3 The grounds of objection raised are as follows (with the paragraph that provides response to each issue indicated in brackets).
- Object to the use of terracotta cladding rather than brick to match the remainder of the existing terrace. (See paragraphs 10.5-10.10).
 - Inappropriate window spacing along Barnsbury Street elevation. (See paragraphs 10.5-10.10).
 - Feel proposed replacement building should match remainder of the existing terrace more. (See paragraph's 10.5-10.10).
 - Inappropriate window spacing and design overall of the proposed development. (See paragraph's 10.5-10.10).
 - Unacceptable modern design and finish to the traditional terrace setting. (See paragraph's 10.5-10.10)

External Consultees

- 8.4 **Greater London Archaeological Advisory Service (GLAAS)** raised no objections to the scheme subject to conditions.

Internal Consultees

- 8.5 **Design and Conservation:** Officers notes previous advice to create urban repair on this site but note the modern approach to its redevelopment. Officers recognise the development attracts different and divergent design opinions on the merits and visual appropriateness of the site. Officers consider the development to be an interesting approach to redeveloping the site and are keen to ensure the highest quality details to be submitted for approval to ensure the development will be a success in visual terms. Also recommend the same architects are secured during the final design and implementation of the proposed development.

- 8.6 **Planning Policy:** Support the basement and ground floor retail provision. Overall no objections subject to cycle parking conditions.
- 8.7 **Transport Planning:** Recommend conditions to secure 6 cycle parking spaces to be provided and servicing and delivery hours from 7am until 1 pm along Barnsbury Street.
- 8.8 **Pollution/Noise Officer:** Standard noise condition recommended to be applied re noise if any mechanical equipment. (None proposed within this application)
- 8.9 **Accessibility officer:** Welcome the level thresholds, circulation spaces and future stair lift location, lift to basement contained within the proposed retail unit are also welcomed. Further conditions to secure bike storage and final accessibility layouts and compliance with lifetime home standards and Islington's Flexible home standards to be secured by condition.
- 8.10 **Sustainability Officer:** The commitment to achieve Code Level 4 is supported and should be conditioned. It should be noted that the development is subject to carbon offsetting, which is charged at a rate of £1,000 per flat. Additional climate change measures to be secured by condition where necessary.

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, The 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.

Designations

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

Archaeological Priority Area (APA3)
Upper Street Local Shopping Area
Upper Street North Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

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

- Land Use;
- Design, scale, appearance and impacts of the proposed development on the character and appearance of the surrounding conservation area.
- Neighbouring amenity impacts;
- Quality of resulting accommodation and Dwelling Mix;
- Sustainability & Energy efficiency and renewal energy;
- Affordable housing and small sites contributions
- Transport and highways
- Accessibility
- Refuse facilities

Land-use

10.2 The site is located within a Local Shopping frontage as allocated within Islington's Development Management Plan.

10.3 The introduction of a mixed use commercial and residential use to this site is considered to be acceptable in principle. The site is within a Local Shopping Area, part A of Policy DM4.6 Local Shopping states,

'A. Proposals will only be permitted where an appropriate mix and balance of uses within the Local Shopping Area, which maintains and enhances the retail and service function of the Local Shopping Area is retained.' The proposed ground floor retail use is supported by Local Plan policy.

10.4 The remaining section of the terrace from 159-167 Upper Street has several approved applications for residential uses on the upper floors. Bearing in mind the central location of the site and the immediate uses it is considered that the proposed land uses in this case are entirely appropriate at this location.

Design and Appearance

10.5 The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonise with their setting. They should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.

10.6 The site is located within a conservation area, and is surrounded by an attractive terrace along Upper Street and Barnsbury Street. Red brick finish is the dominant material within the remainder of the terrace. However there is a mixture of stock brickwork and render finished within the immediate locality. Extensive discussions have been undertaken with officers during pre- app and during the course of the submitted application concerning the merits of creating an urban repair infill which would replicate the remainder of the terrace or the potential to create a modern and contextual yet innovative new structure.

10.7 The architects have chosen to explore a modern yet contextual approach which picks up on key design attributes within the terrace while still creating a modern finished design terracotta finished building here. It is considered that the modern designed building as proposed offers a sympathetic yet different building when seen within its local context. The proposed building picks up enough of the features of the existing terrace along Upper Street to be read as a modern yet integral re-imagination of the terrace. Design and Conservation officers note the need to ensure the highest quality finishing materials are produced for the development which has been secured via condition. Subject to the final selection of an appropriate colour and finish the use of terracotta moulds for the

main facades is not considered objectionable and offers a modern yet complementary material in this case for what will be a modern building in its own right.

- 10.8 The proposed scale and height of the development is a representative balance of surrounding buildings and not considered excessive.
- 10.9 At all points officers and DRP panel members have stressed the importance of ensuring that the final built design is of the highest quality and finish to ensure that the development results in an attractive addition to the Upper Street townscape and not an eyesore. Weight has been given to the quality of finish and appearance of other modern finished buildings by the architects in this case. The applicants have agreed as part of the signed Unilateral in relation to this application to keep the same architects Amin Taha on board through the final design and implementation. This measure should help further to ensure the architectural integrity and quality of the finished building can be achieved.
- 10.10 Concerns have been raised from amenity groups questioning the design rationale and final proposed appearance of the building. These points have been fully considered. The Council must consider the submitted plans on their individual merits. Objectors raise particular concern regarding the pattern of window openings along both Upper Street and particularly Barnsbury Street. It is considered by officers that these openings while different in appearance and location are interesting features of the development which reflect the internal living arrangements of the units. It is also important to note the existing narrowness of the application site which is considered to ensure that the development while modern in appearance will blend into its surroundings and is not considered that the development would become a dominant or incongruous feature when seen within the local context surrounding the site. The proposal is considered to be in accordance with policies 7.4, 7.6 and 7.8 of the London Plan 2011, CS9 of the Core Strategy 2011, Policies DM2.1 (Design) and DM2.3 (Heritage) of the Development Management Policies 2013.

Neighbouring Amenity

- 10.11 There have been no objections received from any adjoining resident highlighting concerns regarding any potential adverse impacts of the development on their amenity levels. Nevertheless the Council have considered the proposed development in this case to ascertain if any adverse impact would be experienced.
- 10.12 The rear of the building would face the blank elevation of 3 Barnsbury Street which has no windows along this elevation. The proposed southern flank elevation would mirror the existing built form with some protrusion beyond the rear building line of 167 Upper Street. The Council note from the approved plans that the proposed additional depth and height of the proposed development would be located close to a staircase windows on the upper floors of 167 Upper Street. Other adjoining uses are located across public carriageways along Upper Street and Barnsbury Street and it is considered therefore that there would be no material adverse impact on these residents. Overall the proposed development is not considered to have any material adverse impact on the amenity levels of adjoining occupiers in terms of loss of light/daylight, outlook or any material increase in enclosure.
- 10.13 The proposed roof terrace area is considered to be well set away from adjoining rear habitable room windows and would not give rise to any adverse material impacts in terms of increased overlooking or loss of privacy in this case.

Quality of Resulting Residential Accommodation and Dwelling Mix

- 10.14 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2011) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.
- 10.15 The proposed residential units all exceed the required internal space standards and are therefore in compliance with local and national standards. Islington's Core Strategy identifies the importance of delivering new family units. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. The proposed development consists of 3 x 2 bed units. It is noted that the physical constraints of the site do not facilitate the creation of good sized larger family units with appropriate amenity space provision. However the proposed units are well laid out and would form attractive and high quality internal living environments. While the proposed units are all the same size, it is considered that the creation of 3 very comfortable and well laid out 2 bed units maximises the potential of the site and creates very attractive units which there is a clear market demand for. All three units will have very good access to light/daylight and will create spacious internal spaces with two of the three units being maisonettes with large mezzanine floors.
- 10.16 It is noted that 2 of the three units have no outside amenity space. This is considered to be acceptable bearing in mind the physical constraints of the site. The Council would not accept projecting or even recessed balconies in design or conservation terms on the main elevations. Therefore the scope to create any amenity space for two of the proposed units is not feasible. However the overall internal layout and square meterage of each unit is generous and it is considered that the overall generous sizes of the units and their very good access to light and outlook and highly central location along Upper Street make this slight deficiency in terms of the provision of amenity space acceptable in this case. There is also local provision of open space within short walking distance of the site in the form of Milner Square, Gibson Square and Islington Green. The provision of the amenity space in this scheme has been justified against DM policy 3.5.

Sustainability, Energy Efficiency and Renewable Energy

- 10.17 The commitment to achieved Level 4 of the Code for Sustainable Homes (CfSH) for the new residential properties would accord with the requirements of policy 5.1 of the London Plan 2011 and policies DM7.2B and DM7.4B of the Development Management Policies June 2013). The applicant has confirmed within their Sustainability/Energy Statement that this will be the case and a condition would be placed on any approval of permission requiring compliance. Further conditions regarding climate change mitigation measures will be secured by condition. The applicants have signed and completed a Unilateral undertaking to pay £ 3,000 to offset some of the CO2 emissions from the proposed development here.

Highways and Transportation

- 10.18 The development would be car free, as required by Core Strategy Policy CS10 and as per a condition to the application, which restricts future of occupiers of both the retail space and residential units, from obtaining a residents permit. This will ensure adequate provision of spaces for existing users.

Accessibility

- 10.19 The retail unit would be accessibly with level threshold from the public pavement along Upper Street. The unit's basement would also be accessible via lift.
- 10.20 The residential units embrace lifetime home standards and have spaces to accommodate a char lift into the future if required. Generally the development is considered to create an acceptably inclusive development bearing in mind the scale and physical constraints of the site. The final accessibility credential of the site will be secured via condition to ensure the development merits as many as possible of the council flexible home standards prior to the implementation of the scheme.

Refuse facilities

- 10.21 There is a designated refuse facility located towards the rear of the site which is considered to provide adequate refuse facilities for the three units. The commercial elements of the proposal will use the pavement for their rubbish collection as is the normal procedure in this part of Upper Street.

Housing and Financial Viability

- 10.22 The proposal is a minor application for 3 residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy). The applicant has agreed to pay the full small sites contribution in this case of $3 \times \text{£ } 50,000 = \text{£ } 150,000$ which is welcomed and has been secured through the completion of a Unilateral agreement in this case.
- 10.23 The applicant has agreed to the small sites contributions policy in regard to both the off site affordable housing provision and the environmental off-set contribution of £3,000 (£1,000 per unit) and the unilateral agreement has been signed and completed.
- 10.24 The proposed development would also be liable for the Mayor's CIL.

11.0 SUMMARY AND CONCLUSION

Summary

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

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Unilateral Undertaking to be signed and completed by the applicants 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:

1. A contribution of £150,000 towards affordable housing within the Borough.
2. A contribution of £3,000 towards carbon offsetting.
3. Retention of Amin Taha Architects

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to secure a Unilateral Undertaking to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Design and Access statement dated January 2014, Islington Flexible homes standards document, Lifetime homes checklist document, drawing numbers: 219-001/REV 2, 219-101/REV 4, 219-102/REV 3, 219-103/REV 3, 219-104/REV 3, 219-105/REV 1, 219-151/REV 4, 219-150/REV 4, 219-200/REV 1, 219-201/REV 1 & 219-300/REV1.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>

<p>3</p>	<p>Materials and Samples</p> <p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. These shall include:</p> <ul style="list-style-type: none"> a) detailed elevation drawings at scale appropriate to show the precise profile and configuration of the moulded terracotta cladding panels and style of joint between panels b) sample panel of a minimum of two moulded terracotta cladding panels showing colour and texture and style of joint between panels c) details (including sections and reveals) and sample of window frames showing colour and texture d) details and sample of roofing materials e) details and elevations of the shopfronts and samples showing colour and texture f) any other materials to be used <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<p>4</p>	<p>Roofing Material</p> <p>CONDITION: Notwithstanding the approved plans, all roof slates shall be natural slate.</p> <p>REASON: In order to safeguard the character and appearance of the development and the existing setting.</p>
<p>5</p>	<p>Plant Noise and Fixed Plant</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level L_{Aeq, T_r} arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90, T_{bg}}$.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<p>6</p>	<p>Code for Sustainable Homes (Compliance)</p> <p>CONDITION: The development shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

7	<p>GLASS Archaeology Details</p> <p>CONDITION: In the event of a buried heritage asset being found during site clearance or construction works no further works (including demolition works) shall take place on site unless and until the applicant has undertaken a programme of building recording and historic analysis, which considers building structure, architectural detail and archaeological evidence along with details of mitigation and asset protection.</p> <p>This shall be undertaken in accordance with a written scheme of investigation submitted by the applicant and approved by the Local Planning Authority.</p> <p>REASON: Built heritage assets of archaeological interest may survive on the site. The Local Planning Authority (in conjunction with English Heritage) wishes to secure the protection of archaeological assets if they are discovered</p>
9	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The bicycle storage area(s) hereby approved, which shall be secure and provide for no less than 6 bicycle spaces (1 per room) shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
10	<p>Accessible Homes Standards (Compliance)</p> <p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
11	<p>Waste Management</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 219-101/REV 4 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
12	<p>Car free development</p> <p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>REASON: To ensure that the development remains car free.</p>

List of Informatives:

<p>1</p>	<p>Positive statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF. 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 or have been dealt with by condition.</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.</p>
<p>2</p>	<p>Community Infrastructure Levy (CIL)</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 cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
<p>3</p>	<p>Sustainable Sourcing of Materials</p> <p>Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
<p>4</p>	<p>No permission for any roll shutters, signage or illumination of the hereby approved shop fronts.</p> <p>The grant of planning permission grants no permission for any signage, creation of roller shutters or any form of illumination to be used in relation to the new shopfronts. Separate planning permission and advertisement consent would be required to sought from the council for these works</p>
<p>5</p>	<p>Unilateral Undertaking linked to this permission.</p> <p>Your attention is drawn to the fact that this planning permission has a signed and completed Unilateral Undertaking which should be adhered to if the development is implemented into the future.</p>
<p>6</p>	<p>Hours of construction</p> <p>Your attention is drawn to Environmental Heath's construction hours for developments of this type which is:</p>

	<p>8am to 6 pm Monday to Fridays 9am to 1pm Saturdays Not at all on Sundays and Bank Holidays.</p>
--	--

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

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

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

2 London's places

Policy 2.2 London and the wider metropolitan area
Policy 2.5 Sub-regions
Policy 2.9 Inner London predominantly local activities

3 London's people

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.11 Affordable housing targets
Policy 3.13 Affordable housing thresholds

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage

6 London's transport

safeguarding land for transport

Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS12 (Meeting the Housing Challenge)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Transport

DM8.3 Public Transport

DM8.4 Walking and cycling

DM8.5 Vehicle Parking

Housing

DM3.4 Housing Standards

DM3.5 Private Outdoor Space

DM3.7 Noise and Vibration (residential uses)

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning Obligations

DM9.3 Implementation

Health and Open Space

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

5. Designations

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

- Core Strategy Key Area
- Upper Street North Conservation Area

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

Islington UDP

- Accessible Housing in Islington
- Car Free Housing
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Standards Guidelines
- Planning Obligations and S106
- Urban Design Guide

London Plan

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

Appendix 3 DRP response to plans submitted for the redevelopment of 168 Upper Street.

CONFIDENTIAL



Planning Service
Planning and Development
PO Box 333
222 Upper Street
London
N1 1YA

T 020 7527 2389
F 020 7527 2731
E Luciana.grave@islington.gov.uk
W www.islington.gov.uk

Our ref: **DRP/024**

Date: 11 April 2014

Peter Rae
Amin Taha Architects Ltd
15 Clerkenwell Close
London
EC1R 0AA

Dear Peter Rae,

ISLINGTON DESIGN REVIEW PANEL

RE: 168 Upper Street, Islington – Planning Application Ref: P2014/0189/FUL

Thank you for coming to Islington's Design Review Panel meeting on 11 March 2014 for review of a proposed development scheme at the above address. The proposed scheme under consideration was for redevelopment of the site to provide a 6 storey plus basement building with retail A1 uses at basement and ground floor level, the creation of 3 self contained residential units (3 x 2 beds), new ground floor shop frontages and associated alterations (in accordance with planning application description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), Martin Pearson, Alec Forshaw, Sarah Featherstone, Stafford Critchlow and Ben Gibson in the afternoon of Tuesday 11 March 2014 including a site visit followed by a presentation by the design team, questions and answers session and deliberations at Islington's Municipal Offices, 222 Upper Street. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

- **Design Concept** - The Panel welcomed the concept of urban repair and the opportunity to reinstate the end to the historic terrace which was lost in the past. Panel members were generally supportive of the design concept and much of the discussions surrounded the quality of implementation, detailing and materiality. Panel members did not object to the design option in principle. However, it was pointed out that the level of detail proposed for the Barnsbury Street elevation was a departure from the original design concept of a more simplified frontage on the secondary street with a more detailed and ornamental frontage to Upper Street.
- **Elevational treatment** - Panel members were generally supportive of the proposed elevational treatment. However, concerns were raised that outward opening windows would severely compromise the elevation and would be uncharacteristic in the area. The Panel felt that a clear understanding of the ventilation strategy was required in order to truly assess the impact it would have on the proposed fenestration treatment. There was a debate about the positioning of mullions and overall the panel felt that taking cues from

be at odds with the texture of adjoining brickwork. The Panel, therefore, encouraged the design team to further explore the choice of terracotta panels and highlighted that particular attention should be given to the colour of the panels to ensure that the proposed building would be contextual. They also pointed out that the colour and dimension of joints needed to be carefully considered. It was felt that these matters could be addressed by a condition to the planning application.

- **Other matters** - Panel members stressed the importance of compliance with lifetime homes requirements and also questioned whether there was scope for provision of amenity space. There also appeared to be inconsistencies between different drawings, for example in regards to height and relationship to the roof ridge next door.

Summary

The Panel generally supported the proposed regeneration of this prominent site on Upper Street. They welcomed the innovative design but highlighted that in order to achieve a successful proposal, some aspects such as lifetime homes, amenity provision, materials and detailing needed to be further developed or resolved. It was accepted that some of these aspects could be addressed as conditions but the Panel encouraged the design team to resolve as much as possible at application stage. Due to the complexity of the design, the Panel felt it important to retain the design team from all stages of design development through to implementation to ensure a faithful delivery of the proposed design concept.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that as the scheme under review is currently the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,



Luciana Grave

Design Review Panel Coordinator/
Design & Conservation Team Manager