



ISLINGTON

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
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PLANNING COMMITTEE REPORT

PLANNING COMMITTEE		
Date:	16 th December 2014	NON-EXEMPT

Application number	P2014/0609/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	None
Conservation area	Barnsbury (part of the site)
Development Plan Context	<ul style="list-style-type: none"> - Copenhagen Junction SINC - Borough Grade 1 - Site Allocation KC5 - Gifford Street Embankment & 351 Caledonian Rd - Planning Brief - Barnsbury Conservation Area - Local View from Archway Road to St. Paul's Cathedral (LV4) - Local View from Archway Bridge to St. Paul's Cathedral (LV5) - Channel Tunnel Railway Safeguarding Area (RS3) - Kings Cross Special Policy Area
Licensing Implications	None
Site Address	351 Caledonian Road & Gifford Street Railway Embankment, London N1 1DW
Proposal	Demolition of existing vacant two storey warehouse building. Redevelopment of site to provide 156 residential units, through erection of a four storey linear building (with five storey element to west end) adjacent to railway line; erection of five detached blocks (one x six-storey, three x five-storey and one x four-storey buildings); erection of part one, part three storey building to Caledonian Road frontage - including a 41sqm A1/A2/A3 commercial unit at ground floor level; together with creation of an access road into the site from Caledonian Road, provision of wheelchair accessible car parking,

	comprehensive landscaping including provision of pedestrian access from Carnoustie Drive, and associated ancillary development. (This proposal constitutes a departure from the development plan).
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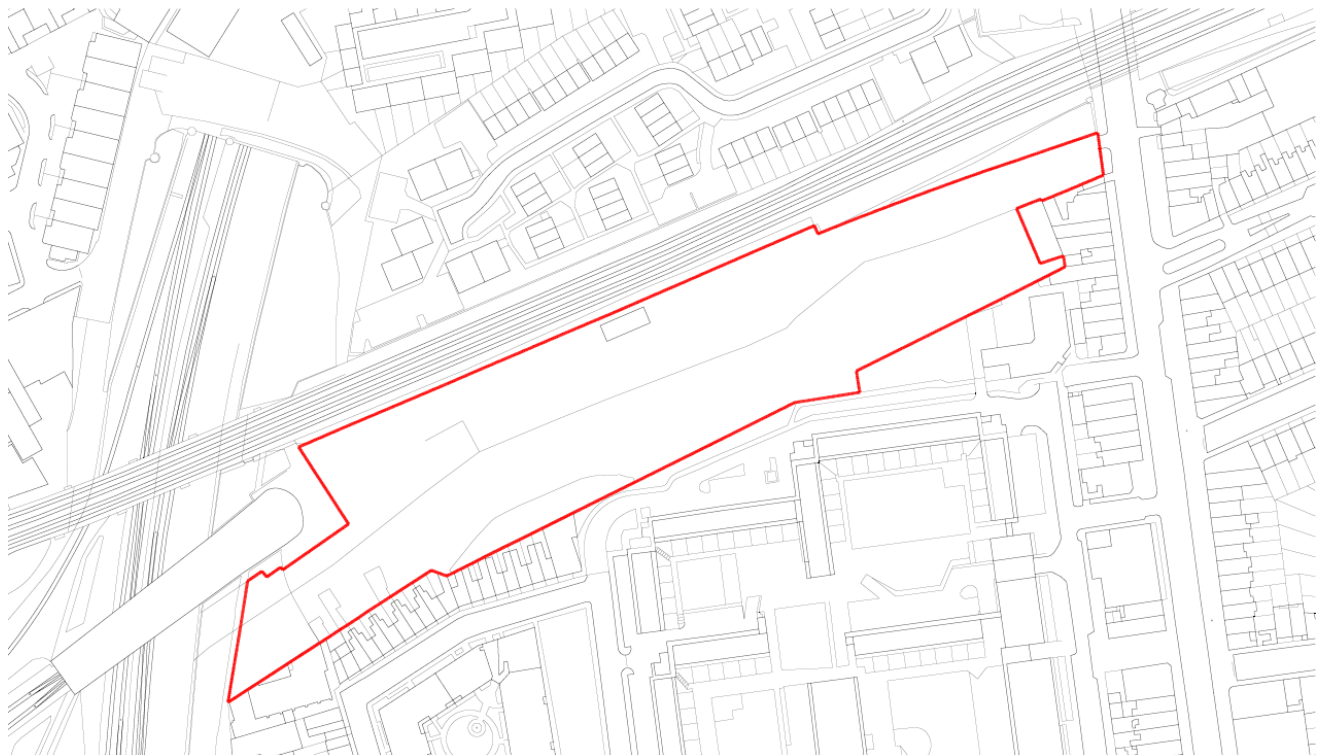
Case Officer	Ben Dixon
Applicant	Telford Homes
Agent	GL Hearn

1. 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; and
3. subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE



1 View from Caledonian Road



2 Internal access road



3 Existing electricity substation



4 Internal access road



5 Concrete plateau looking west towards Kings Cross



6 Concrete plateau looking south over Bemerton Estate



4 Concrete plateau looking west



5 View over CTRL Tunnel looking west towards Kings Cross



9 View of Bemerton Estate along Carnoustie Drive



10 Two existing mature sycamore trees within the SINC



11 Disused pathway into site from Carnoustie Drive



12 View looking north towards site from Pembroke Street



13 View of site from Bunning Way

4. SUMMARY

- 4.1 The proposed scheme would provide 156 residential units, comprising: 8 x 4-bedroom units, 28 x 3-bedroom units, 69 x 2-bedroom units and 51 x 1-bedroom units. A total of 38.5% of the units would be provided as affordable housing (this equates to 42.5% measured by habitable rooms). The development would also provide 41sqm of flexible A1/A2/A3 commercial floorspace. The proposed scheme comprises seven separate buildings together with other ancillary development.
- 4.2 The application site comprises an unoccupied plot of land, part of which was last used in association with railway improvement works (relating to Highspeed1 Chunnel Tunnel Line and North London Line). Within the site, 63% of the area is designated as a Site of Importance for Nature Conservation (SINC) of Borough Grade 1 Importance and including two areas of protected woodland. However, the SINC area has been heavily colonised by invasive Japanese Knotweed which if not eradicated (predominantly through dig and dump offsite) would result in further harm to natural habitats and biodiversity at the site.
- 4.3 The proposed scheme would involve development within the SINC, with mitigating re-provision of nature conservation land elsewhere on the site. The development would result in an overall reduction in nature conservation land at the site of 5% (592sqm). The quantum and layout of the development would also reduce the ability of the site to operate as a green corridor for wildlife and would require the removal of 65 existing trees.
- 4.4 As mitigation for the harm which the development would cause, in terms of loss of SINC area and trees, and reduction in the green corridor, the proposal would bring biodiversity enhancements in the form of a comprehensive landscaping scheme providing a biodiverse mosaic of habitats across the site including the planting of 2408 new trees and shrubs, which is anticipated to provide a total of 480 semi-mature to mature trees after 15 years. The site would be managed through a comprehensive landscape management plan, including a 25 year woodland management plan, together with an ecological clerk of works, in order to ensure that biodiversity enhancements at the site are realised and maintained. The proposals would also secure the eradication of the invasive Japanese Knotweed that has heavily colonised the site (affecting 1,569sqm of site area) resulting in harm to the site's biodiversity.
- 4.5 Although the site is designated as a SINC there is currently no public access to the site. The proposal would open up the site, allowing unrestricted public access to communal areas which have been designed to provide amenity / play space while also providing biodiversity value. The proposal would also provide a public pedestrian route through the SINC together with a nature trail through the enhanced SINC area, which would allow for supervised access for local school children and amenity groups.
- 4.6 The development would provide improved permeability with a new pedestrian route connecting Caledonian Road to Carnoustie Drive. The development would also interact with the townscape to the south, providing high level

overlooking which would help improve the 'feel' of the area and sense of security for people travelling along Carnoustie Drive.

- 4.7 The proposed scheme would deliver 56 high quality affordable residential units that would be provided for social rent. This offer is the equivalent of a 50% affordable housing offer had the tenure been split 70/30 (social rent / shared ownership). This is a particularly significant public benefit.
- 4.8 When the positive benefits of the scheme [in terms of affordable housing (social rent) provision, landscaping biodiversity enhancements (including removal of Japanese Knotweed, tree planting and woodland management), improved access to nature, improved permeability through the site, and improved interaction with the streets and townscape to the south] are combined and weighed against the harm which the development would cause (in terms of 5% reduction in nature conservation area, reduced ability of the site to operate as a green corridor, and loss of existing trees and woodland), it is considered that on balance the positive benefits of the scheme would outweigh the harm which it would cause. Therefore, the proposal is seen to accord with the main aspirations and guidance set out in the Planning Brief for the site.

5. SITE AND SURROUNDING

- 5.1 The site is located within the Caledonian Ward. The site comprises a roughly linear shaped plot of land, of approximately 1.9ha area. The site is located on the west side of Caledonian Road (A5203 - part of the TfL Strategic Road Network). The site is bounded by the North London Line (NLL) railway to the north and Carnoustie Drive and Pembroke Street to the south. The site has a single access from Caledonian Road via a large gated vehicular entrance. The site comprises three distinct sections (east, north and south) as described below:
- 5.2 The east section of the site, adjacent to Caledonian Road, comprises a vacant plot of land. This plot was previously occupied by a building known as 351 Caledonian Road, which was demolished in the early 2000s in association with works to provide new and improved railway infrastructure. This part of the site falls within the northwest corner of the Barnsbury Conservation Area and is relatively flat.
- 5.3 To the west, the site comprises two distinct roughly linear shaped sections (orientated in an east-west direction) to the north and south sides of the site. These are as described below:
- 5.4 The northern linear section of the site lies adjacent to the NLL railway and comprises a roughly level strip of concrete hardstanding with a derelict two storey warehouse building.
- 5.5 The southern linear section of the site covers an area of 1.2ha, which equates to approximately 63% of the total site area. This part of the site slopes approximately 7m from the concrete hardstanding to the north down to the

southern boundary of the site. This section of the site comprises a mix of woodland, scrub and some rough grassland, and is designated as a Site of Importance for Nature Conservation (SINC) of Borough Grade 1 Importance. The SINC area at the site forms part of the wider Copenhagen Junction SINC, which extends along the railway corridors to the west of the site.

- 5.6 There are 175 trees within the SINC area at the site, including two main areas of protected self-seeded woodland. Woodland designation W1 is a roughly square block of woodland located towards the eastern end of the site (to the rear of the terrace of properties at 337-349 Caledonian Road). W1 is comprised of predominantly sycamore regeneration. Woodland designation W2 is situated towards the west side of the site to the rear of the terrace of properties at 64-70 Gifford Street. W2 contains a diverse range of native species including: Ash, Blackthorn, Birch, Elm, Elder, Hawthorn, Rowan, Hazel, Cherry, Wild Service Tree, Sycamore and Yew. There are also 15 trees outside of the areas of woodland that are the subject of individual Tree Preservation Orders (TPOs).
- 5.7 The scrub areas of the SINC comprise predominantly bramble, with some grassland areas. The site has been heavily colonised by Japanese Knotweed (with 32 recorded stands), which has been undergoing chemical treatment for several years in an effort to prevent its spread and eradicate it from the site.
- 5.8 A number of the rear gardens of the residential properties in the terrace at 66-100 Gifford Street, to the southwest of the site, have been extended across part of the SINC on a leased basis. It is understood that the lease agreements are being renegotiated between the site owner and the owners of the Gifford Street properties. Whilst this would change the 'use' of these areas to ancillary residential land, the leases are being worded to ensure these gardens are managed in a manner suitable for its SINC designation.
- 5.9 The site was compulsorily purchased to facilitate the construction of the Channel Tunnel high-speed railway line (CTRL – also known as HighSpeed1). Following the completion of the CTRL, the hard standing area of the site was used for access and storage of materials related to the King's Cross Station and NLL railway improvement works. The NLL improvement works were completed in 2011, and the site has remained vacant since that time. The site is considered to have a Sui Generis land use.
- 5.10 The high speed CTRL runs east-west in a tunnel beneath the site. The entrance (portal) to the tunnel is located close to the western end of the site, from there the line continues as an over-ground railway heading in a southwest direction towards St Pancras Station. A sewer also runs in an east-west direction underneath part of the site to the south of the CTRL tunnel.
- 5.11 To the south of the site on the opposite side of Carnoustie Drive are six storey linear residential blocks, which form part of the Bemerton Estate and a three storey Victorian residential terrace (nos. 66-100) on Gifford Street. Adjacent to the southeast of the site, the former council housing office site at 1 Lyon Street is currently being redeveloped to provide new social housing. Adjoining the west of the 1 Lyon Street site is a triangular shaped parcel of land owned

by the council that is populated with trees and also forms part of the Copenhagen Junction SINC.

- 5.12 Adjacent to the east of the site is a three storey terrace (nos. 337-349) on Caledonian Road which comprises commercial units at ground floor with residential above, with some additional residential units located to the rear of the terrace at 349 (although it appears these may be in use as an unauthorised hotel – this is currently being investigated by the council’s Planning Enforcement Team). To the north of the site, on the opposite side of the NLL railway tracks, are 1980/90s residential buildings within the Bunning Way Estate that range from two to four storeys in height.
- 5.13 The surrounding area comprises a mix of residential, commercial and some industrial / warehousing uses. The site is located close to Caledonian Road & Barnsbury Station (a station stop of the NLL), which is situated further to the east on the opposite side of Caledonian Road. The site has a PTAL rating of 6a at the entrance off Caledonian Road.
- 5.14 The site falls within two protected local views of St. Paul’s Cathedral (Local View 4 from Archway Road and Local View 5 from Caledonian Market Tower) which pass over the site.
- 5.15 The site is covered by Site Allocation KC5 and the Gifford Street Embankment & 351 Caledonian Road Planning Brief.

6. PROPOSAL (IN DETAIL)

- 6.1 It is proposed to demolish the existing derelict two storey warehouse building (located towards the centre of the north section of the site) and small stand alone electricity substation (located adjacent to the access road at the east end of the site). The site would then be redeveloped to provide a residential-led development.
- 6.2 The proposed scheme would provide 156 residential units, comprising: 8 x 4-bedroom units, 28 x 3-bedroom units, 69 x 2-bedroom units and 51 x 1-bedroom units. A total of 38.5% of the units would be provided as affordable housing (this equates to 42.5% measured by habitable rooms). The development would also provide 41sqm of flexible A1/A2/A3 commercial floorspace. The proposed scheme comprises seven separate buildings together with other ancillary development as described below:
- 6.3 Erection of a four storey east-west orientated linear residential block (with a five storey book-end section to its western end) across the north section of the site, adjacent to the NLL railway line and above the CTRL tunnel.
- 6.4 Erection of five detached pavilion blocks - one x six-storey, three x five-storey and one x four-storey buildings (it should be noted that these buildings are one storey higher when viewed from the south due to the downwards slope of the land in a southern direction) across the southern section of the site, which

is designated as a Site of Importance for Nature Conservation (SINC) of Borough Grade I Importance.

- 6.5 Erection of a part one, part three storey building to the east edge of the site at the Caledonian Road frontage. This building would comprise a 41sqm flexible A1/A2/A3 commercial unit at ground floor level with residential accommodation above.
- 6.6 Creation of a new internal street leading from Caledonian Road, which would run east-west across the north part of the site between the linear block and the five detached pavilion blocks. A total of 15 wheelchair accessible car parking spaces would be provided along the internal street for use by blue badge holders. Otherwise the development would be car-free.
- 6.7 Creation of a new stepped pedestrian access into the site from Carnoustie Drive to the south.
- 6.8 The development includes provision of an on-site energy centre with a communal combined heat and power (CHP) system that would serve the whole development. The energy centre, together with a new replacement electricity substation, would be located within the single storey rear section of the building to be located the eastern edge of the site at 351 Caledonian Road.
- 6.9 Comprehensive landscaping is proposed across the site comprising: removal of invasive Japanese Knotweed; the creation of a biodiverse mosaic of habitats; planting of 2408 new trees and shrubs to be managed as part of a woodland management plan going forward for a period of 25 years; creation of an educational nature trail providing for supervised access to the SINC, creation of communal amenity spaces and 579sqm of playspace located between the pavilion blocks.
- 6.10 Refuse and recycling chambers and cycle parking for 306 cycles would be provided at ground floor level within the blocks.
- 6.11 The proposal would provide 156 residential flats across the site with the following tenure and mix proposed:

	Market Sale	Affordable Housing: Social Rented	Affordable Housing: Shared Ownership
1 Bedroom	36	14	1
2 Bedroom	39	27	3
3 Bedroom	21	7	0
4 Bedroom	0	8	0
Total	96	56	4

- 6.12 When measured by unit, 38.5% of the residential accommodation proposed would be affordable housing and 61.5% of the residential accommodation would be for private market sale. When measured by habitable rooms, 42.5% of the residential accommodation proposed would be affordable housing and 57.5% of the residential accommodation would be for private market sale. It is noted that this offer is the equivalent of a 50% affordable housing offer had the tenure been split 70/30 (social rent / shared ownership).
- 6.13 Within the affordable housing offer, 56 of the 60 affordable units are proposed to be for social rent, equating to 93% social rent units and 7% shared ownership units. When measured by habitable rooms 94.6% of the affordable housing comprises social rented accommodation and 5.4% comprises shared ownership accommodation. When measured by habitable rooms 40.2% of the whole development comprises social rented accommodation and 2.3% comprises shared ownership accommodation.
- 6.14 The development includes provision of 15 wheelchair accessible units, including 3 x 3-bedroom social rented units and 12 x 2-bedroom units spread across all tenures. This equates to 9.6% of the total number of units and 10.7% of the total number of habitable rooms within the development being wheelchair accessible.
- 6.15 The proposal to undertake development across SINC land resulting in a reduction in the size of the SINC is considered to constitute a departure from the development plan and has been advertised as such.

Revision

- 6.16 The physical design and layout of the development has not been significantly amended since the original application submission. However, the Environmental Statement was updated with provision of additional information and clarification.
- 6.17 The affordable housing offer has also been amended since the original submission. The initial affordable housing offer was 29.5% by unit and 35% by habitable room with a split (by habitable room) of 70% social rent / 30% shared ownership. This was first amended in September 2014 to reflect an offer of 50% affordable housing by unit but proposing to provide 'affordable rent' units rather than social rent units. The proposed split (by habitable room) was 71.4% affordable rent / 28.2% shared ownership.
- 6.18 Following negotiations with officers, the affordable housing offer was again amended in October 2014 to reflect the current improved offer of 38.5% (60 units) affordable housing, with a split of 93% (56 units) social rent / 7% shared ownership. It is noted that this offer is the equivalent of a 50% affordable housing offer had the tenure been split 70/30 (social rent / shared ownership).

7. RELEVANT HISTORY:

- 7.1 The following planning applications and pre-application submissions relating to the application site are considered to be relevant to this planning application:

PLANNING APPLICATIONS:

- 7.2 Planning permission (ref. P011069) and conservation area consent (ref. P011340) were granted on 18/09/2001 for the demolition of the street facing building at 351 Caledonian Road.
- 7.3 Temporary planning permissions (ref. P072268 & P082194) were granted on 24/10/2007 and 22/05/2009 allowing use of the site for the storage of building material associated with railway improvement works for a period running until July 2009.
- 7.4 An Environmental Impact Assessment (EIA) screening application (ref. P2013/3388/EIA) was submitted in relation to redevelopment of site in relation to the current proposal. A response was issued on 18/10/2013 confirming that the proposal is considered to comprise EIA development.
- 7.5 An EIA scoping application (ref. P2013/4573/EIA) was submitted in relation to redevelopment of site in relation to the current proposal. A response was issued on 24/12/2013 setting out the required scope of the Environmental Statement (ES).

PRE-APPLICATION ADVICE:

- 7.6 A pre-application submission (ref. Q2013/2201/MJR) was made by the applicant in June 2013 with regards: 'Redevelopment of site to provide 157 residential units, through erection of a four storey linear building adjacent to railway line, erection of one six-storey, 3 x five-storey and one x four-storey pavilion buildings, together with re-provision of building at 351 Caledonian Rd including a commercial unit at ground floor level with commercial unit at ground floor level.' Written officer advice was provided in a letter dated 16/12/2013, which can be summarised as follows:
- 7.7 'There are significant concerns regarding the quantum of development proposed, the layout of the proposed development, the loss of SINC land, the loss of protected trees and woodland and the overall impact on the SINC and biodiversity at the site.'
- 7.8 Following pre-application advice provided by both the council and the GLA, the initial proposal was amended to reduce its impact on the SINC by moving the western pavilion block north to bookend the linear block thereby retaining protected woodland W2, moving the eastern pavilion north to reduce the impact on protected woodland W1, reducing the depth of the pavilion blocks to increase the remaining green corridor to the south of the site, and retaining significant areas of the SINC as non-accessible except for supervised access. The proposal was also improved through the provision of a new pedestrian

route through the site to Carnoustie Drive and the provision of a nature trail through the SINCC.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 414 adjoining and nearby properties at Caledonian Road, Bunning Way, Gifford Street, Pembroke Street, Carnoustie Drive, Lyon Street, Offord Road and the Bemerton Estate on 05/03/2014.
- 8.2 Re-consultation letters advising of amendments to the Environmental Statement were sent to all addresses previously consulted on 03/09/2014.
- 8.3 A site notice and press advert were displayed on 13/03/2014 and again on 11/09/2014 in relation to re-consultation on the application.
- 8.4 The public consultation with regards the re-consultation on the application therefore expired on 24/09/2014, however it is the council's practice to continue to consider representations made up until the date of a decision.
- 8.5 At the time of the writing of this report a total of 11 responses (comprising 10 objections and 1 response which neither supports nor objects to the proposal) had been received from the public with regard to the application.
- 8.6 Two individual responses have been received from the residents of Gifford Street raising the following concerns (with the paragraph that provides responses to each issue indicated within brackets):
 - Security implications for rear gardens of properties on Gifford Street (11.58 & 11.60).
 - The application lacks details with regards the landscaping and boundary treatment proposals for the part of the site running along the rear of Gifford Street properties (11.58).
 - Impact on the existing garden licenses for Gifford Street properties (5.8).
 - The route through the site to Pembroke Street should be accessible 24 hours a day (11.125).
 - The development should contribute towards environmental improvements to the streetscape along Carnoustie Drive and Pembroke Street (11.60).
 - Development is too big for a site of this size (11.49).
- 8.7 Eight individual responses have been received from the residents of Bunning Way raising the following concerns (with the paragraph that provides responses to each issue indicated within brackets):

- The development would result in a loss of view and outlook to the south of Bunning Way due to the height, scale and proximity of the proposed four and five storey linear building, but also the height, bulk and massing of the proposed pavilion blocks – (11.112-11.114). It should be noted that loss of private views from properties are not a material planning consideration as set out in planning legislation and guidance.
- The proposed linear building is excessively large in terms of its four and five storey height, bulk and massing resulting in it being overbearing and out of scale with the neighbouring three storey buildings on Bunning Way (11.49 & 11.112-11.114).
- Loss of sunlight and daylight to properties in Bunning Way due to the height, scale and proximity of the proposed linear building, but also the height, bulk and massing of the proposed pavilion blocks (11.97-11.105).
- The linear block has been designed as a buffer to deflect railway noise away from the application site. Therefore, it would result in increased noise and disturbance as a result of railway noise being bounced back towards Bunning Way. The noise / vibration data provided by the applicant contains significant inaccuracies (8.41-8.44 & 11.116).
- The development would block television signal and mobile phone reception for the properties on Bunning Way (11.117).
- The area suffers from high levels of anti-social and criminal behaviour. The darker and enclosed environment created by the linear block along the railway and within Bunning Way at night time would increase the potential and likelihood of increased anti-social and criminal behaviour (e.g. drug dealing, prostitution, fly tipping, graffiti) in the area (11.60).
- Increased parking pressure in Bunning Way caused by the residents of the proposed car free development (11.138).
- The residents of Bunning Way were coerced to agree to the development of the Channel Tunnel link and endure years of noise and disruption by the promise that the application site would be left as a green open space with grass knolls and trees to enhance the area. This promise is now being broken (11.2-11.8).
- The proposed development fails to be properly inclusive (11.120-11.125).
- The proposal would harm the conservation area (11.56).
- The development would be the highest in the area (11.49).
- The proposal would result in increased overlooking of Bunning Way (11.112-11.113).
- The proposal does little to make the site permeable to the south (11.57-11.60).

8.8 A petition against the proposed development signed by 32 residents of Bunning Way was also received raising the following concerns (with the paragraph that provides responses to each issue indicated within brackets):

- Loss of view and outlook to the south of Bunning Way (11.96 & 11.114). It should be noted that loss of private views from properties are not a material planning consideration as set out in planning legislation and guidance.
- The proposed linear building is excessively large in terms of its height, bulk and massing resulting in it being overbearing and out of scale with the buildings on Bunning Way (11.49 & 11.112-11.114)..
- The design of the linear building will result in the creation of a four storey brick wall to the south of Bunning Way (11.54).
- Loss of sunlight and daylight to properties in Bunning Way (11.97-11.105).
- Increased noise and disturbance as a result of railway noise being bounced back towards Bunning Way (8.41-8.44 & 11.116).

8.9 A letter of support for the proposals has been received from the Headteacher of Robert Blair Primary School on Brewery Road. The reasons for supporting the scheme can be summarised as follows:

- There is currently no access into the site. The proposed educational nature trail at the site would provide a great resource for the school and the local community. The school is keen to be involved in the development of this educational resource, including assisting with planting and the preparation of learning resources for the site. In the long term it is hoped that the school would undertake regular visits for classes and groups of children linking them to cross-curricular topic themes. This would provide local children with the opportunity to learn about, appreciate and value nature and wildlife in their local area.

External Consultees

8.10 Cally Rail Group has advised that they oppose the application and raise the following concerns:

The development would fail to deliver 50% affordable housing. As the applicant's financial viability appraisal is not a publicly available document it is not possible to form views on the inputs and information used to inform the supposed viability of the scheme.

The development fails to meet the aspiration set out in the Planning Brief with regards integration of the development with the townscape to the south.

There is the risk the development could become a gated community therefore if the scheme is granted permission the council should ensure access is maintained from both Caledonian Road and the south via condition.

Supervised access to the SINC for educational purposes should also be ensured by condition. The site is of borough importance as it provides a significant contribution to the ecology of the area, in an area that is very deficient in wildlife habitat. Some of the original Copenhagen Junction SINC was previously permanently lost due to railway development in 2001 and this included valuable bracken and birch habitat. Construction works would result in temporary loss of a large amount of existing SINC habitat with destruction of flora and disruption of existing fauna. It is not possible to know if disrupted species would return to the site in the future.

Although the proposals to mitigate the lost habitat through planting and features such as bird boxes are welcomed it is not considered that these would compensate for the harm caused by the development. The applicants include green roofs in their calculations for provision of replacement SINC. However, these are standard features sought on all developments and are not of such benefit to wildlife to be used to replace existing SINC.

The applicants have failed to properly acknowledge the existing ecological value of the SINC habitats. The current and previous owners of the site have failed to take the appropriate actions to manage the colonisation of the site by Japanese Knotweed to the detriment of the SINC.

Block 1 to the east of the site would require the loss of a significant number of trees within protected woodland W1.

Bird watching records for the site between 2008-12 indicate that some 35 species (including red and amber list birds) utilise the site for breeding, foraging or overfly the site. There is enough evidence from the applicant, the council and local people to confirm the site's importance and status for wildlife and nature conservation. It appears that the applicants are attempting to denigrate the site's existing ecological value in order to overstate the extent of the possible enhancements that are suggested.

8.11 Environment Agency has provided no response.

8.12 English Heritage raised no objection and stated that the scheme should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

8.13 Greater London authority (GLA) – Stage 1 Response

The Mayor considers that the scheme is broadly acceptable and supports it in strategic terms, although to ensure full compliance with the London Plan outstanding issues with regards the affordable housing offer (including justification as to why the affordable rent product has not been utilised), inclusive access into the site, and further information to verify carbon

reduction need to be addressed. The Mayor must be consulted at stage 2 on any draft decision which the council resolves to make.

- 8.14 Health & Safety Executive (HSE) – has provided no response.
- 8.15 London Borough of Camden has raised no objection to the proposal.
- 8.16 London Fire & Emergency Planning Authority have confirmed that details appear to show compliance with requirements of Approved Document B regarding fire-fighting access and construction. It is confirmed that fire hydrants are located within 20 metres of the site.
- 8.17 London Overground – has provided no response.
- 8.18 Metropolitan Police (Crime Prevention) has advised that they are in discussions with the applicant team providing them with security advice. It is suggested that all ground floor units should have defensible space.
- 8.19 Natural England have advised that from the information provided, the application does not appear to fall within the scope of the consultations that Natural England would routinely comment on. The lack of specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated sites and landscapes. It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process, LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.
- 8.20 Network Rail has raised no objection to the proposal.
- 8.21 Network Rail (High Speed 1) has raised no objection to the proposal subject to the inclusion of a number of conditions on any permission.
- 8.22 Thames Water has raised no objection with regards to sewerage infrastructure capacity. Details of any piling must be agreed with Thames Water prior to commencement of works. This needs to be secured by condition within a Piling Method Statement.
- 8.23 Transport for London (TfL) has advised that the transport impacts of this development are not considered to be significant. However, appropriate planning conditions and obligations must be secured on any consent to ensure that car parking is appropriately controlled, a Construction Logistics Plan (CLP) is provided a Travel Plan secured with ongoing monitoring and construction impacts are well managed.
- 8.24 UK Power Networks has provided no response.

Internal Consultees

- 8.25 Biodiversity Officer has raised significant concerns with regards the fragmentation of the SINC and the overall quantitative loss of SINC area that would result from the development. He expressed disappointment that the applicant has continued to include areas of green roof in their calculations to off-set the actual loss of SINC area, following repeated advice that this will not be accepted. There remain concerns with regards the applicant's assessment of the ecology baseline, particularly with regards to birds, and the applicant's lack of appreciation and attempts to downplay the local importance of the site are disappointing. The applicant's efforts to show how the proposed landscaping scheme would improve wildlife value are welcomed, however, taken on their own, these do not overcome concerns about the fragmentation of the SINC that arise from the proposed quantum of development and the proposed layout which would impact on the SINC's ability to act as a green corridor for wildlife in the future.
- 8.26 Design & Conservation Officer has advised that the principle of urban repair by reinstatement of a frontage building to Caledonian Road is welcomed. The proportions and rhythm of fenestration on this building compliment the established rhythm. A condition is required to secure details of the ground floor frontage to ensure it ties in with surrounding context, together with details of the brickwork and fenestration.
- 8.27 There are no objections to the design approach. Blocks are well articulated and the breaking down of volumes with use of different materials and heights/forms as well as reference to some architectural features in the area bring richness to the appearance of the proposed blocks. The introduction of asymmetric pitched roof bays provide visual interest to the linear block to the north. Quality of materials would need to be secured via conditions.
- 8.28 No significant objections are raised to the overall proposed massing. However, there is some concern in relation to townscape impact for the view from Pembroke Street which shows that although the other three taller blocks do not appear to have a detrimental impact on surrounding context, the end 5-storey block (Pavilion 5) appears somewhat dominant in this view in terms of its relationship with the terrace on Gifford Street. This uncomfortable relationship would need to be weighed against other townscape benefits of the scheme.
- 8.29 Regarding permeability and accessibility of the site, a pedestrian route has now been provided from Carnoustie Drive which is an improvement from pre-application stage proposals.
- 8.30 Energy Conservation Officer has advised that the CO2 emissions reductions are based on a strategy with no connection to a DE network, and instead using on-site CHP. This approach is accepted, and would trigger the 30% reduction policy target vs. 2010 Building Regulations. However, the development currently achieves a reduction of 23% on the baseline. Based on this figure the applicant would need to pay a carbon offset contribution of

£194,056. The draft Green Performance Plan that has been submitted is acceptable.

- 8.31 Housing Officer has advised that whilst the large number of one-bedroom units is not ideal, the overall mix of units is considered to be acceptable in this instance.
- 8.32 Inclusive Design Officer has raised significant concerns with regards whether the development would provide residential accommodation within an inclusive environment. The main route into the site from Caledonian Road is too steep for an unassisted wheelchair user. Concern is not only with regards the residents of the wheelchair accessible housing, but also with those with mobility impairments, young children etc, who occupy or want to visit occupants of the general needs housing. It is proposed that these people make their way into the site via a meandering inclined path, comprising 5 stretches at a gradient 1:21 and a single external passenger lift. The new route through the site from Carnoustie Drive is also stepped, which is not an ideal situation.
- 8.33 Planning Policy Officer has advised that the site is allocated primarily as SINC with the ability to accommodate a small amount of housing. The problems with this application stem from the applicant trying to develop such a large number of housing units on a site with such significant constraints.
- 8.34 Public Protection Division (Acoustic Officer) has advised that it is noted that there are complaints about freight noise (particularly at night time) along the NLL and the introduction of new residential near to the railway could potentially lead to further issues. It is understood that the volume of freight traffic using the NLL is anticipated to increase in the future.
- 8.35 The submitted noise report advises that the site would fall into the old Noise Exposure Category C, therefore, to appropriately deal with railway noise, many of the new residential units would need to be fitted with an enhanced glazing specification and mechanical ventilation, enabling windows facing the railway to remain closed and allowing the acoustic attenuation provided by the façade to remain effective. Full details of these would need to be secured by condition.
- 8.36 At this stage the structural design has not been finalised. The submitted noise report advises that the development should achieve internal ground borne noise levels exceeding 35dB LA_{max,Slow} within the centre of any residential room.
- 8.37 The internal noise limits set out in the noise report are in line with Islington's criteria for internal noise standards and indeed the new BS8233:2014. In terms of the LA_{max} level, Note 4 of the 2014 version states: *“regular individual noise events (for example, scheduled aircraft or passing trains) can cause sleep disturbance. A guideline value may be set in terms of SEL (Sound Exposure Level) or LA_{max,F} depending on the character and number of events per night. Sporadic noise events could require separate values”*. Hence with the proximity of this site to the railway and the individual noise

events caused by the night time train passes we would seek to ensure the LAmax criteria is secured by condition.

- 8.38 Achievable internal noise limits would need to be reviewed following completion of the foundation and structural designs. The final design would also need to take account of the self-noise generated by the mechanical ventilation. Internal noise standards would need to be secured by condition, together with full details of the anti-vibration foundations and services.
- 8.39 The proposed noise mitigation measures include an acoustic barrier or bund along the site boundary with the railway therefore details and specification of this would need to be secured by condition – any greening of the barrier would have a positive effect on the occupiers' response to the soundscape.
- 8.40 A condition shall be required to ensure that any proposed mechanical plant, and in particular the energy centre, operate within acceptable maximum noise levels.
- 8.41 The findings of the noise report produced by Cass Allen on behalf of the applicant are accepted as valid. The following advice is provided with regards the issue of the potential for railway noise to be reflected back from the linear block to Bunning Way:
- 8.42 'Typically noise measurements along a façade will be 3dB higher than in free field (without a façade), so there may be a small increase in the noise reflected back to Bunning Way residents, but with the distance between the buildings this is unlikely to be significant and could be addressed by using increased absorption on the new façade.
- 8.43 A rise of 1dB at the Bunning Way façade as a result of the new development reflecting noise back from the railway as suggested by the noise report seems feasible. A difference of 3dB is the figure commonly used as the minimum that human hearing can perceive the difference between.'
- 8.44 The development works associated with the proposal would inevitably impact upon nearby residential properties. Therefore, a Construction Environmental Management Plan (CEMP) is required to minimise the impact of the demolition and construction works in accordance with Islington's Code of Construction Practice, BS5228:2009 and the GLA's best practice guidance for control of dust from construction sites.
- 8.45 Public Protection Division (Air Quality) has advised that due to the poor air quality at the site there is a requirement for any ventilation to draw air from the roof or cleaner side of the development along with suitable NO_x filtration. For the energy centre ultra-low NO_x CHP equipment should be secured in order to protect nearby residents and local air quality. Details for the CHP, extract flue and dispersion modelling when the model has been selected should be secured by condition.
- 8.46 Public Protection Division (Land Contamination) has advised that the northern part of the development is listed as being formerly a warehouse and has been

used as a Network Rail/CTRL/London Overground site in recent times. The initial site sampling has highlighted elevated levels of PAHs, arsenic and the presence of asbestos fibres. Further sampling is required along with ground gas monitoring. With the redevelopment of the site and soft landscaping being introduced there is concern that a pollution linkage could be formed.

Therefore, a condition to secure a full detailed contaminated land investigation and subsequent remediation scheme is required.

- 8.47 Spatial Planning and Transport (Transport Officer) has advised that the applicant is encouraged to reconsider the overall layout of the site, to better integrate the site with the surrounding road network and improve the overall layout of the surrounding area which is currently poor. The vehicle access and parking/delivery area should be consolidated at the eastern end of the site (with the exception of access to the railway and for emergency vehicles). This should minimise issues with pedestrian/cyclist/vehicle conflict, prevent unauthorised car parking, and control the servicing/delivery arrangements. Although the number of cycle parking spaces for the residential units is welcomed, further detail is required to demonstrate that the cycle parking is conveniently located in relation to each unit that it serves. A parking/servicing management plan should be provided.
- 8.48 Street Environment Division have advised that the proposed provisions for refuse and recycling storage are acceptable.
- 8.49 Sustainability Officer has advised that commitment to achieve CFSH Level 4 is supported and this should be conditioned. The proposal targets a water consumption rate of 105L/p/d (Code Level 4 equivalent), however, CS10 requires development to meet 95L/p/day, and therefore compliance with this policy is not achieved. This should be secured by condition.
- 8.50 Tree Protection Officer has advised that due to the scarcity of woodland within the borough, the site offers the only opportunity for Islington to meet its Biodiversity Action Plan (BAP) with regards enhanced woodland. There are significant concerns with regards the proposed extensive loss of trees including trees within the protected woodland. Further details would need to be secured by condition with regards proposed tree planting, woodland management, tree protection and Japanese Knotweed removal / treatment to ensure that the impact on trees proposed to be retained would be minimised.

Other Consultees

- 8.51 Members' Pre-application Forum: the scheme was presented on 02/12/2013.
- 8.52 Design Review Panel (DRP) – The development proposals were reviewed at the pre-application stage by the DRP on 10/12/2013. The following response was provided by the DRP (The case officer's response to the comments is provided in italics):
- 8.53 The Panel welcomed the concept of regeneration of the site and the proposed provision of housing. The Panel also noted that a dialogue had been maintained between the design team and the local authority. However,

concerns were raised in relation to a series of aspects and generally the Panel felt that there were some fundamental issues, which needed to be addressed in taking forward this proposed development scheme. Although panel members appreciated that the site presented a series of constraints they were of the opinion that these constraints, in particular the SINC, added richness to the site and should be properly addressed.

- 8.54 The main concerns raised by the Panel related to the high development density proposed on site, the possible impact on the SINC, the lack of clarity in regards to the real impacts of the scheme and the lack of integration with surroundings.
- 8.55 Panel members were unclear as to what the identity of the scheme was. They felt that the proposed density was somehow imposed on the site rather than a true response to its framework and constraints. The design thinking that led to the layout and density of the scheme and how it related to the neighbouring buildings and streets needed to be more fully explained and the reasoning justified.
- 8.56 Furthermore, they felt there was a lack of clarity in the information on biodiversity provided and they were not convinced that the design team had been able to demonstrate there would be no negative impact on the SINC. They noted that the design team had claimed there would be improvements to the SINC but did not feel they had been clearly illustrated, highlighting that benefits including quantity and locations needed to be clearly indicated. Additionally, the ratio of hard to soft landscaping would need to be explained. Although the suggested provision for 650sq metres of play space was welcomed by the Panel, more information on the play strategy is required and members were concerned about the impact of playspaces and accessible areas on the SINC. They questioned whether the distribution of blocks could be revisited in order to try and free up more ground area, particularly in proximity to the woodland and in areas not affected by the Japanese knotweed and, consequently, reduce the impact on the SINC.

Officer's Response:

- 8.57 *Full Phase 1 & 2 Biodiversity Studies have been provided within the Environmental Statement to indicate the existing level of biodiversity at the site. It has been clarified that 65 existing trees would be lost, with 2,408 new trees proposed to be planted leading to a total of 480 new mature trees after 15 years (following thinning and woodland management). It has also been clarified that the building footprint would cover 1873sqm (15.5%) of the existing SINC at the site with 1,281sqm of new replacement SINC area to be provided resulting in a net loss of 592sqm (5%) of SINC area at the site. Full details of the proposed biodiversity landscape management plan including a 25 year woodland management plan have also been provided.*
- 8.58 Panel members were concerned that there was a lack of definition between private and public spaces on the site and were disappointed that no connectivity to surroundings (to respond to planning brief) had been provided although it was understood that options were being explored. It was felt that

the design needed to demonstrate how access to the site would work, and how the site would feel as a place – panel members felt that it should be open and accessible to all and should not have the character of a closed and gated community.

Officer's Response:

- 8.59 *The application submission includes the provision of a new pedestrian route through the site from Carnoustie Drive to the south, thereby responding to the aspiration for improved access and permeability set out in the Planning Brief. The applicant has agreed to conditions to ensure public access is maintained and the site does not become gated.*
- 8.60 In summary, the Panel generally supported the proposed regeneration of the site and provision of housing. However, panel members felt that further work was required in order to develop a satisfactory scheme for the site. Concerns were raised particularly in relation to excessive density, impact on SINC, lack of connectivity and lack of clarity in the information provided to illustrate benefits of the scheme.

Officer's Response:

- 8.61 *Issues with regards improved connectivity and a lack of clarity and information regarding biodiversity, habitats and trees are considered to have been adequately addressed within the application submission. However, concerns with regards the density and impact on the SINC are considered to remain pertinent to the overall assessment of the development proposal.*

9. RELEVANT POLICIES

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

National Guidance

- 9.2 The National Planning Policy Framework (NPPF) was adopted in 2012 and seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.3 The National Planning Policy Guidance (NPPG) was launched as an online resource in March 2014. The guidance provided in the NPPG is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.4 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 that are considered relevant to this application are listed at Appendix 2.

Planning Brief

- 9.5 A Planning Brief for the Gifford Street Railway Embankment and 351 Caledonian Road was published in October 2012. The key aims of the Planning Brief are:
- to secure the provision of housing including the maximum amount of affordable housing and a good mix of housing size;
 - to reprovide any SINC land used by the development;
 - to enhance the biodiversity at the site;
 - to provide increased public access to nature;
 - to provide a new public pedestrian route through the site;
 - to provide enhanced interaction with the street and townscape to the south of the site (Carnoustie Drive); and
 - to reprovide a building at the site frontage on Caledonian Road.

Designations

- 9.6 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Copenhagen Junction SINC - Borough Grade 1
 - Site Allocation KC5
 - Gifford Street Embankment & 351 Caledonian Rd Planning Brief
 - Barnsbury Conservation Area
 - Local View from Archway Road to St. Paul's Cathedral (LV4)
 - Local View from Archway Bridge to St. Paul's Cathedral (LV5)
 - Channel Tunnel Railway Safeguarding Area (RS3)
 - Kings Cross Special Policy Area

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.7 The SPGs and/or SPDs which are considered relevant to this application are listed at Appendix 2.

10. ENVIRONMENTAL IMPACT ASSESSMENT

- 10.1 Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 are termed "EIA applications". The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development with the potential to have significant effects on the environment by virtue of factors such as its nature, size or location. Consequently, the application is

considered to form an EIA application and it has been necessary that an Environmental Statement (ES) be prepared in accordance with EIA Regulations.

- 10.2 The applicant submitted a Scoping Report outlining the scope of the ES at pre-application stage. Following consultation with the relevant external bodies, the council issued a Scoping Opinion on the 24/12/2013. The Scoping Opinion confirmed that the scope of the ES as set out in the submitted Scoping Report was acceptable subject to the ES addressing a number of additional points raised by officers and consultee bodies.
- 10.3 The ES submitted with the current application for planning permission has been divided into three volumes:
- I: Main Assessment Text and Figures
 - II: Landscape and Visual Impact Assessment
 - III: Non-technical Summary
- 10.4 The ES includes qualitative, quantitative and technical analyses of the impacts of the development on its surrounding environment in physical, ecological and social terms.

11. ASSESSMENT

- 11.1 The main issues arising from this proposal relate to:
- Principle (Land Use)
 - Impact on the SINC, Woodland & Trees
 - Design & Conservation
 - Density
 - Affordable Housing & Financial Viability
 - Housing Mix
 - Standard of Residential Accommodation
 - Impact on Neighbouring Amenity
 - Accessibility
 - Energy Efficiency & Sustainability
 - Highways & Transport

Land-use

- 11.2 The site was acquired through Compulsory Purchase under the Channel Tunnel Rail Link (CTRL) Act 1996 and is currently owned by London Continental Railways. The Act granted powers for the construction of a high-speed railway between the Channel Tunnel and an extended St Pancras station (HighSpeed1). The site was last used for the storage of materials in association with railway infrastructure improvements. The last lawful use of the site is considered to be Sui Generis and not protected by policy.

- 11.3 Following the completion of both the CTRL and NLL railway works, the site has remained vacant and unused for some time. As there is no longer any demand for the specific lawful Sui Generis use of the site, the site is considered to have a nil land use. Consequently, there is now the opportunity to redevelop part of the site to provide housing, including affordable homes, subject to the appropriate re-provision of SINC land at the site; and provided that residential amenity issues, including noise and vibration are adequately addressed.
- 11.4 This site is allocated (KC5) within the Islington Site Allocations 2013 which envisages that the site should be brought forward for development to provide housing, open space (nature conservation) and retail use (within a new building at 351 Caledonian Road).
- 11.5 The KC5 Site Allocation was informed by supporting site capacity estimates, which provided an indication of the anticipated level of development at the site. The site capacity estimate for KC5 was 50 dwellings. This estimate was contained in an Implementation and Delivery paper which accompanied the submission of the Site Allocations Plan. The current proposal would provide more than three times the quantum of development anticipated by the earlier site capacity estimates.
- 11.6 The Gifford Street Railway Embankment and 351 Caledonian Road Planning Brief was adopted in October 2012. This document provides clear guidance with regards how the council considers the site should be developed.
- 11.7 The re-provision of a building at 351 Caledonian Road is required as part of a legal undertaking given by Union Rail (the then landowner) under the Channel Tunnel Rail Link (CTRL) Act (1996). Commercial uses such as retail (A1), financial or professional services (A2), or café/restaurant uses (A3) to the ground floor are considered appropriate and consistent with the nearby uses.
- 11.8 The principle of residential development at the site accords with the land use guidance set out in the Planning Brief. However, it is necessary to note that there remain concerns with the development proposals in relation to the following issues (discussed in detail below):
- quantum of development within the SINC (i.e. number of buildings (five); height (up to seven storeys), massing and footprint of buildings within the SINC);
 - layout of the development cutting across the existing SINC resulting in fragmentation of the SINC habitats and reduction in the green corridor;
 - loss of existing SINC habitat area (temporary due to construction and permanent due to building footprint) and a net reduction of 592sqm (5%) in the overall SINC area;
 - proposed loss of existing protected trees and woodland (65 existing trees would be lost), however, mitigating replacement and enhancement

planting of 2,408 new trees and shrubs is proposed, leading to a total of 480 new mature trees after 15 years; and

- density of the residential development (i.e. number of residents introduced to the site and the associated impact that their actions would have in terms of wear and tear on the landscape and biodiversity value).

Impact on the SINC, Woodland and Trees

- 11.9 Islington Core Strategy policy CS15 (Open space and green infrastructure) and Islington Development Management Policies DM6.3 (Protecting open space) and DM6.5 (Landscaping, trees and biodiversity) seek to protect open space, and in particular designated SINC, from development which would result in a reduction in open space or SINC area, and/or which would result in a significant negative impact on biodiversity, ecological connectivity, amenity, or character and appearance. These policies also seek to secure improved public access to open space and nature for local residents.
- 11.10 Development within SINC and open space is only permitted by policy in exceptional circumstances where development would appropriately protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area. Where the principle of development on open space or SINC land could be supported, developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitats and support the council's Biodiversity Action Plan.
- 11.11 The Planning Brief for the site seeks to ensure that any development would protect and enhance existing levels of biodiversity while also providing increased public access to nature, including supervised public access through the SINC. The Brief is clear that the site is considered suitable for development to provide housing, subject to any potential adverse impact on the SINC being adequately mitigated together with the demonstration of overriding planning benefits to justify any adverse impact on the nature conservation land. The Brief also advises that the principle of some development within the existing SINC area could be supported subject to re-provision of an equivalent amount of new nature conservation land of equivalent quality elsewhere within the site.
- 11.12 Approximately 63% of the site (1.2ha) is designated as a Site of Importance for Nature Conservation (SINC) of Borough Grade 1 Importance, forming part of the larger Copenhagen Junction SINC. The SINC comprises areas of woodland, scrub, and rough grassland. In 2011 a habitat survey was carried out to re-assess the ecological value of all SINC across the borough. Based on the findings of this survey it was concluded that the site should remain a SINC of Borough Grade 1 Importance. SINC of Borough Grade 1 Importance are considered to be of particular significance at the borough level and are generally considered to be of high social value to local communities.

- 11.13 The value of the SINC with respect to local nature conservation goes beyond purely an ecology head count of species at the site. Due to the densely developed urban nature of the borough, and the scarcity of natural habitats, particularly woodland habitats (of which there are two on this site), the SINC is considered to attract greater value and importance in terms of local nature conservation, at a borough and ward level, than would be the case in other geographical areas that benefit from a richer resource of natural habitats and ecology. The site provides a unique opportunity within the borough to significantly enhance biodiversity within natural habitats, particularly with regards to the two areas of woodland, where there is a unique opportunity to fulfil the Council's Biodiversity Action Plan (BAP) regarding woodland enhancement.
- 11.14 Biodiversity surveys (Phase 1 & 2), covering birds, bats, invertebrates, reptiles and amphibians have been submitted as part of the Environmental Statement. These surveys can be used to establish existing ecological baselines at the site. The surveys report that there is no evidence of rare or protected reptiles, invertebrates or amphibians, and little evidence of foraging bat activity on the site. The bird surveys report a variety and number of bird sightings on the site, including some birds that are included on the amber and red list of species. Therefore, it is apparent that the site currently provides a habitat of local value for nesting and foraging birds. Consequently, it is important to ensure that high quality natural habitat provision for birds would be retained and enhanced at the site as part of any development proposals.
- 11.15 There remain some concerns with regards the assessment of the baseline conditions as set out in the ES. It is considered the ES fails to fully recognise the local value of the SINC, as indicated by the Borough Grade 1 status. The council's Biodiversity Officer has raised concern with regards the methodology used to assess the local importance of the site for foraging and nesting birds. This is of particular concern given that the submitted biodiversity surveys indicate that the site is of greatest importance with respect to providing habitats for birds.
- 11.16 The ES indicates that there would be a negative impact on the breeding bird population due to construction. The impact on the ability of birds to successfully breed at the site is important, as once a breeding species has been disturbed it is not possible to know how long it will take to return to the site if it does return. Works to remove the extensive Japanese Knotweed would require a 'dig and dump' method with large areas of the SINC habitat being unavoidably disrupted / lost, with the associated unavoidable impact on birds. However, proposed mitigation would ensure avoiding clearance of vegetation during bird breeding season to reduce the potential impact on bird breeding.

Japanese Knotweed

- 11.17 The SINC land at the site has been heavily colonised by Japanese Knotweed (JK), with 32 separate stands of JK recorded on site. The JK has been undergoing chemical treatment for several years in an effort to eradicate it.

However, it is apparent that the chemical treatment has only been successful in slowing the spread of the JK rather than securing its eradication.

- 11.18 A Japanese Knotweed Survey report has been submitted as part of the ES. This report indicates that the JK colonisation of the site is numerous and extensive, affecting 1,569sqm of the SINC. It is accepted that the larger stands of JK are likely to only be remedied effectively by dig and dump off-site. This would potentially lead to considerable disruption to existing wildlife and habitats. However, it is apparent that the colonisation and spread of JK across the SINC has already acted to cause harm to the native habitats and biodiversity at the site. Therefore, regardless of whether the site is developed, if works to eradicate or remove the JK from the site are not undertaken, the spread of the JK will inevitably result in further harm to the SINC and its habitats.
- 11.19 In order to ensure that the level of harm and disruption to the SINC's habitats associated with works to eradicate the JK would be minimised, a detailed JK removal method statement is required, providing a clear methodology for removal of each stand of JK, including full details of all associated vehicular movements through the SINC and measures to protect retained trees and other surrounding areas of habitat. This would be secured by condition.

Loss of Existing SINC Habitat / Net Reduction in SINC Area

- 11.20 The existing SINC designation at the site covers 12,068sqm. The proposals include development across the area of the site which is designated as a SINC, with the building footprint resulting in a permanent loss of 1,873sqm (15.5%) of existing SINC habitat at the site, which equates to 6.4% of the total Copenhagen Junction SINC.
- 11.21 It is proposed to provide 1,281sqm of new nature conservation land, to the northwest corner of the site above the CTRL tunnel. This would be included within a new revised SINC designation, to replace the existing SINC habitat that would be lost. The development proposals would result in a net overall loss of SINC area at the site of 592sqm. This equates to a 5% reduction in the size of the SINC at the site and a 2% reduction of the wider Copenhagen Junction SINC.
- 11.22 While it is noted that policy DM6.3 (Protecting open space) of the Islington Development Management Policies 2013 does in exceptional circumstances support the possibility of 're-provision' of SINC land used by development, the policy does require that the re-provided land must be 'high quality'. Re-provision of SINC land above the CTRL tunnel would have reduced potential for tree planting and would not represent a like-for-like replacement in terms of quality. However, the extensive colonisation of JK within the areas to be lost needs to be borne in mind when considering the relative quality of the land.
- 11.23 Policy DM6.3 (Protecting Open Space) of the Islington Development Management Policies 2013 states that 'Planning permission will not be given for any schemes which adversely affect designated SINC's of Metropolitan or

Borough Grade 1 Importance.' Whilst the application documentation states that the proposals would enhance the overall ecological value of the SINC, there is concern regarding the negative impact of the development in terms of the reduction in size and functionality of the existing SINC which would occur during construction and then occupation / operation of the development.

Layout of Development – Fragmentation of the SINC

- 11.24 The layout of the development includes the erection of five large residential blocks which would be erected wholly within the SINC. Four of these blocks (nos. 2-5) would cut across the (east-west orientated) linear shaped SINC land. One of the residential blocks (block 4) would be seven storeys (24.8m), while the other three would be six storeys (21.3m for block 5 and 22.5m for blocks 2 & 3) when viewed from the south.
- 11.25 The proposal would result in a significant reduction in the width of the green corridor of between 65% and 85% compared to the existing width of the SINC. Consequently, the proposed development would effectively break the existing single continuous linear shaped SINC area at the site into five separate parcels, divided by the residential blocks built across the SINC, but connected by a narrow green strip running along the southern edge of the site. This would result in a significant reduction in the existing connectivity across the site, which could reduce the potential future value of the site for wildlife.
- 11.26 Much of the retained and reprovided SINC area at the site would no longer be undisturbed, and some of the wild undergrowth would be replaced by more amenity orientated landscaping. The green spaces between and around the pavilion blocks have been designed as informal communal amenity space which would be used by children, dog-walkers and residents generally. Furthermore, the quality of the spaces between and around the pavilion buildings, in terms of supporting biodiversity, could potentially be compromised as a result of the quantum of development, and the wear and tear and disturbance of habitats that would result from use of these spaces by the associated large number of residents.
- 11.27 The retained and reprovided green spaces around the buildings would be shaded by the buildings during the day and lit by light spill from the adjacent buildings at night, changing the nature of these spaces. Furthermore, the development would need to provide sufficient levels of light to create a safe environment for residents and to meet secure by design requirements. Consequently, there are concerns that the level of lighting currently proposed would need to be increased for safety and security reasons prior to or following occupation of the development, thereby increasing the impact of light spill on the operation of the SINC for wildlife. A condition would be used to secure details of the internal street lighting to ensure that secure by design (safety and security) aims and biodiversity aims are appropriately balanced.
- 11.28 The six and seven storey buildings (when viewed from the south), proposed across the SINC, would be the tallest buildings within the immediate townscape, and their scale would act to urbanise the surrounding SINC space and change its character. The density, scale and footprint of the proposed

development would generally be considered appropriate on a site which does not comprise 63% SINC. However, it is considered the quantum and layout of the proposed development would result in harm to the SINC and its ability to function as a green corridor. This is a weakness of the scheme which does weigh against it.

Impact on Existing Woodland and Trees

- 11.29 Islington Development Management Policy DM6.5 (Landscaping, trees and biodiversity) seeks to protect existing trees and woodland at the site and secure appropriate justification and mitigation for any tree loss which would result from the development.
- 11.30 The Planning Brief for the site seeks to ensure that any tree loss at the site would be minimised and in instances where tree loss is accepted this must be mitigated through re-planting of trees to provide at least equal canopy cover, environmental amenity and visual value.
- 11.31 There are 175 trees on the site including many which are the subject of individual Tree Preservation Orders (TPOs). Additionally, the site has two areas of group Woodland TPOs. Due to the scarcity of woodland within the borough, the woodland at the site has significant local importance and intrinsic value, both in terms of its value as a habitat for wildlife, and the amenity value which it provides. The trees which make up the woodland areas are considered to represent a unique opportunity to fulfil the Council's Biodiversity Action Plan (BAP) regarding woodland improvement and enhancement.
- 11.32 The arboricultural report provided within the ES clarifies that a total of 65 of the existing 175 trees at the site would be lost as a result of the development. This equates to a loss of 983sqm (26%) of the existing canopy cover. The proposed tree loss includes 45 of the 117 trees within protected woodland W1, which equates to a loss of 847sqm of the existing canopy cover in W1. Eleven trees within protected woodland W2 would also be lost.
- 11.33 While the loss of 65 existing trees is not ideal, the landscaping proposals seek to mitigate this level of tree loss through significant replacement and additional tree planting, together with management of the existing woodland and new trees as part of 25 year woodland management strategy which would enhance the woodland resource at the site going forward.
- 11.34 A total of 2408 new trees and shrubs would be planted in the first year. As a result of the proposed landscape management plan (which includes thinning, pruning and re-planting of the woodland), after 15 years the woodland areas across the site would likely contain approximately 480 semi-mature to mature trees (typically 10 – 13m in height). The trees to be planted would comprise a mix of native species, including oak and elm, which would help to boost biodiversity. The landscape management plan would include ecological monitoring in an effort to ensure that the new and existing habitats at the site would be managed to maximise gains in biodiversity. This would be secured within the S106 legal agreement.

11.35 Following assessment of the proposed tree protection measures, there remains concern that the areas of SINC not required for construction (particularly the large area to the west side of pavilion block 5) should be fully fenced off during the construction phase (post knotweed removal / treatment phase) in order to protect the SINC habitat and the trees. If not adequately protected, there is the risk that these areas could be used for contractor storage and other processes associated with the development phase, resulting in further unnecessary harm to the SINC and trees. Therefore, to prevent this, full details of tree and habitat protection would be secured by condition.

Proposed Ecological Mitigation

11.36 Comprehensive landscaping works are proposed across the site. The landscaping works are proposed both in order to mitigate against the loss of existing SINC habitat and trees, but also to enhance the existing biodiversity at the site. The landscaping works would include the removal of the invasive Japanese Knotweed. Following the removal of the Japanese Knotweed, a biodiverse mosaic of habitats would be created across the site, which would include managed woodland, woodland edge, spring and summer meadows, open glades and grasslands. The site would be managed through a comprehensive landscape management plan, including a 25 year woodland management plan, together with an ecological clerk of works, in order to ensure that stated biodiversity enhancements are realised and maintained.

11.37 The following measures would be secured within the S106 legal agreement in order to ensure that biodiversity is adequately maintained and would receive an appropriate uplift:

- A minimum 25 year management plan that provides assurances that the site would be maintained and enhanced for wildlife; and a process for ensuring that is followed and reviewed. The management plan should include financial commitments to support the management of the site.
- An ecological clerk of works that would provide the Council with regular updates, to ensure that the project does not lead to a net loss of biodiversity value on the site.
- A watching brief for the implementation of agreed planting (within the first planting season after completion of the built parts of the development) to ensure planting of 2408 trees and shrubs as agreed.

Access to Nature

11.38 It is noted that Caledonian and Barnsbury Wards are particularly deficient with regards access to nature. Islington Core Strategy Policy CS15 Part D, seeks to secure increased access to nature, particularly within the most deficient areas. The application site was identified within the Open Space, Sport and Recreation Assessment (2009), as having potential to help increase access to nature in an area of deficiency. It is necessary to note that while the site is designated as a SINC of Borough Grade I Importance, the site is privately

owned with no current public access to the nature resource. Further to this, access to the SINC would not currently be practical given the topography of the land and the risk of Japanese Knotweed contamination allowing the spread of the Japanese Knotweed across the site and beyond.

- 11.39 Following the removal of the Japanese Knotweed it is proposed to provide for managed public access into the SINC. It is proposed to provide an educational nature trail running east-west through the southern section of the site, with a timber bird watching hide located at the western end of the trail. The nature trail would be accessed off the new pedestrian route from the south of the site off Carnoustie Drive. This trail would be available for supervised use by local schools and amenity groups. It is also proposed to involve local school children and amenity groups in the planting of new trees and shrubs. Managed public access would be secured within the S106 Legal Agreement.
- 11.40 A letter from the Headteacher of the nearby Robert Blair Primary School on Brewery Road has been received, which sets out his support for the proposed educational resource and access to nature at the site. His comments are provided at paragraph 8.9.
- 11.41 Public access to the SINC would need to be carefully managed to avoid negative impact on the biodiversity of the SINC and to minimise the potential for anti-social behaviour. Of equal or greater concern is the potential impact future residents of the 156 new homes would have on the SINC, if access to the SINC was unrestricted. In order to discourage unauthorised access into the areas of the SINC which are proposed to remain undisturbed, these areas would be fenced off. Full details of the fences would be secured by condition. Further concerns exist with regards the potential impact of the introduction of numerous pets (cats and dogs) to the site, as these would be likely to have a negative impact on the biodiversity at the site. In order to prevent this issue, the applicant has advised that residents would be prohibited from keeping pets through a clause in the terms of the leases. This would be secured within the S106 legal agreement.

Summary

- 11.42 It is clear that the quantum of development coupled with the development layout would result in a 5% (592sqm) reduction in nature conservation land at the site, would reduce the site's ability to act as a green corridor and would result in the loss of 65 trees including trees forming part of a protected woodland designation (over the short term). These are weaknesses of the scheme which cause harm and weigh against it. However, the harm which would result from the quantum of development and the layout must be balanced against the positive benefits which the development would bring.
- 11.43 In terms of biodiversity enhancements, the development includes a comprehensive landscaping scheme which would provide a biodiverse mosaic of habitats across the site including the planting of 2408 new tree and shrubs, which is anticipated to provide a total of 480 semi-mature to mature trees after 15 years. The site would be managed through a comprehensive landscape

management plan, including a 25 year woodland management plan, together with an ecological clerk of works, in order to ensure that biodiversity enhancements at the site are realised and maintained. The proposals would also secure the eradication of the invasive Japanese Knotweed that has heavily colonised the site resulting in harm to the site's biodiversity.

- 11.44 Although the site is designated as a SINC there is currently no public access to the site. The proposal would open up the site, allowing unrestricted public access to communal areas which have been designed to provide amenity / play space while also providing biodiversity value. The proposal would also provide a public pedestrian route through the SINC together with a nature trail through the enhanced SINC area which would allow for supervised access to the nature within the SINC for local school children and amenity groups. Therefore, the development would bring significant public benefits in this regard. Additionally, there are the significant public benefits resulting from the level of affordable housing offered with this scheme which also weighs in the balance.

Design & Conservation

- 11.45 The character of the surrounding area is mixed in terms of its uses and scale of the built environment, and is somewhat dominated by the numerous railway lines. Neighbouring buildings range from three storey Victorian terraces to the southwest on Gifford Street and east on Caledonian Road, 1980s/90s two to four storey residential buildings to the north within the Bunning Way Estate, and six storey residential blocks within the Bemerton Estate to the south.
- 11.46 The east section of the site (the location of the previously demolished building at 351 Caledonian Road) falls within the northwest corner of the Barnsbury Conservation Area. The site is also in an elevated position compared to the neighbouring properties located to the south on Gifford Street, Pembroke Street and Carnoustie Drive (Bemerton Estate).



Proposed Site Layout

11.47 The proposed development comprises seven separate buildings. The layout of the main (central and west side) area of the development comprises a linear four storey block (which includes a five storey book-end section to the western end) along the railway line to the north, together with five separate pavilion blocks across the south of the site, which range from four to six storeys above entrance height. The pavilion blocks would be cut into the southwards slope of the embankment and would be a storey higher when viewed from the south (five to seven storeys). An access road runs between the linear block and the pavilion blocks forming a new street within the site. The street would operate as a semi-pedestrianised homezone designed for outdoor activity, with integrated play and soft landscaping branching off from the edge of the street between the pavilion blocks.

11.48 The proposal also includes a three storey building fronting Caledonian Road to replace the building at 351 Caledonian Road which was demolished to facilitate the access of large vehicles into the site in relation to railway improvement works.



Proposed height and massing shown in context.

11.49 Notwithstanding concerns with regards the impact of the proposed layout and built form on the SINC as discussed above, in the main, the proposed building heights are considered appropriate in relation to the surrounding built environment. However, it is considered that pavilion block 5 (which is six storeys high when viewed from the south) located towards the western end of the site would be dominant in views looking north along Pembroke Street, particularly during winter months when trees are without leaf.

11.50 The five pavilion blocks proposed across the south of the site are considered to be well articulated and the breaking down of building volumes through the use of different materials, varying heights and irregular forms is considered to work successfully.

- 11.51 The development comprises two distinct building typologies. The linear block and pavilion block 1 are designed utilising the same architectural style as they both align with the new site road and would be read together when accessing the site from Caledonian Road. The other four pavilion blocks (nos. 2-5) use a separate architectural language, but a cohesiveness is maintained throughout the development due to the consistent use of facing materials.
- 11.52 The design of the buildings incorporate architectural features such as intricate metalwork detailing, vertical planting and earth coloured bricks and tile cladding which seek to reference the character of the area. These features are considered to work successfully, providing richness and quality to the appearance of the development and connecting it to the history and character of the surrounding area.



View of internal street

View along Carnoustie Drive

- 11.53 The material palette for the elevations is simple and refined, comprising: brickwork, vertical strip cladding made of terracotta / ceramic, and laser-cut anodized aluminium detailing providing a fretwork pattern which would enclose and frame projecting balconies allowing them to act as a positive architectural feature. The quality, texture and longevity of the external finishes and the crispness of the joints between materials are critical to the success of the scheme in terms of delivering the aesthetic qualities that are detailed on the proposed drawings. Therefore, samples and full technical details of all facing materials the joints between materials, and all architectural features (including windows and balcony soffits) would be secured by condition.
- 11.54 The design of the northern four storey linear block incorporates projecting and recessed sections along its length, together with asymmetric pitched roof bays, which act to provide visual interest, help to break up the massing of the building and create the rhythm of several buildings along the elevation.
- 11.55 The elevations of the buildings have been designed to incorporate vertical planting, which would act to soften the appearance of the buildings when viewed from both inside and outside the site. The vertical planting would take the form of climbing plants growing from planters at ground floor and upper floor balconies. The vertical planting would be managed as part of the overall landscape management at the site. Full details of the vertical planting and its management would be secured by condition.

- 11.56 The reinstatement of an end-of terrace building fronting Caledonian Road would repair the urban fabric in this location and is welcomed. It is generally considered that the design of the proposed building provides proportions, rhythm of fenestration and detailing (brickwork, parapet, stone cornicing and cills, and timber sash windows) which compliment neighbouring buildings and would adequately preserve the special historic character of the Barnsbury Conservation Area. However, it is considered that the ground floor of the front elevation requires some further refinement. Therefore, details with regards this element of the building would be secured by condition, together with details and samples of the facing brickwork, fenestration (windows to be set within deep reveals to activate and animate the elevations) and other facing materials.
- 11.57 The proposals include the creation of a new pedestrian route through the site to Carnoustie Drive to the south which would secure improved access and permeability as sought by the Planning Brief. The location of the new access has been dictated by the requirement to minimise disruption to the SINC, but particularly to minimise impact on trees, as well as the need to take account of land levels both outside and within the site. The pedestrian route has been designed to have a natural character incorporating timber steps, platforms and bridges which would minimise restriction on the passage of flora and fauna. The path would be bordered on either side by 1.4m high wire fencing to discourage unauthorised access into the surrounding SINC area, but allow wildlife to move through. Full details of the new pedestrian route would be secured by condition.
- 11.58 Full details of all boundary treatments, fences and enclosures across the site, including appropriate boundary treatment along the rear gardens of properties on Gifford Street would be secured by condition.
- 11.59 The public road (Carnoustie Drive / Pembroke Street) to the south of the site provides poor quality public realm, and suffers from limited natural surveillance as a result of the six storey Bemerton Estate residential block, on the south side of the road, which turns its back on the street. The Planning Brief sets out the aspiration that any development at the application site should look to improve this existing situation.
- 11.60 It is noted that the proposed development would have limited interaction with Carnoustie Drive / Pembroke Street at street level. However, the new blocks would overlook the street from higher up, and the new boundary treatment would be visually permeable allowing increased views into and out of the site, thereby acting to improve the 'feel' of the area for people travelling along the street. Taking account of the location of the SINC and numerous good quality trees across the southern section of the site, it is accepted that it is difficult to envisage how greater interaction at street level could realistically be achieved without resulting in loss of even larger expanses of existing SINC habitat, including the best quality protected trees and woodland. Overall, it is considered that the development would improve the security of the area by introducing activity and natural surveillance across and out of this large vacant site.

- 11.61 In terms of children's' playspace, the development would provide a total of 750sqm of space as integrated play areas in the communal amenity areas between pavilion blocks, together with further activity spaces provided within a controlled educational nature trail through the SINC. This would meet the target of 647sqm of playspace as sought by the Mayor's Play and Informal Recreation SPG (2012).
- 11.62 The site falls within two protected local views of St. Paul's Cathedral (Local View 4 from Archway Road and Local View 5 from Caledonian Market Tower). It has been confirmed that the proposed development would not impact on these views.
- 11.63 An earlier iteration of the development proposals were reviewed at the pre-application stage by the Design Review Panel (DRP). It is noted that the DRP questioned the relationship of the development layout and the SINC and the density of the development given the amount of the site area designated as SINC land. The DRP also questioned the integration of the development with the surrounding townscape. Comments responding to DRP comments are provided at paragraphs 8.53-8.61.
- 11.64 A condition is required in order to ensure that the site remains open to the public and does not become a gated development at a future date. A condition is also required to ensure that the new public route through the site connecting Caledonian Road to Carnoustie Drive remains open to the public during daylight hours.

Density

- 11.65 The proposed development has a residential density of 252 habitable rooms per hectare or 82 units per hectare. This is seen to accord with the London Plan 2011 which suggests that a site in this location should support a residential density of between 200-700 habitable rooms per hectare. However, it should be noted that Islington takes a design-led approach to assessing the appropriate density for each development site, which takes appropriate account of site constraints (e.g. preservation of SINC land and habitats, appropriately preserving the character, appearance and setting of a conservation areas and other heritage assets, preserving neighbouring residential amenity etc). It should be noted that the Planning Brief envisaged a much lower density of development than is proposed, as a result of the constraint of 63% of the site being designated as SINC land and therefore potentially only 37% of the site area being available for development.

Affordable Housing and Financial Viability

- 11.66 Provision of affordable housing is sought as part of all development proposals that propose creation of ten or more residential units. Policy 3.11 of the London Plan 2011 sets a strategic London-wide goal to maximise affordable housing provision, and states that boroughs should set their own overall target for the amount of affordable housing provision needed over the plan period. Policy 3.12 of the London Plan 2011 confirms that sites should provide the maximum reasonable amount of affordable housing which can be achieved,

having regard to current and future requirements, targets adopted by each borough, the need to encourage residential development, the promotion of mixed and balanced communities and specific circumstances of individual sites.

- 11.67 Islington Core Strategy policy CS12 (Meeting the housing challenge) Part G seeks that all sites capable of delivering 10 or more units (gross) should provide on-site affordable housing. It seeks that 50% of all new housing in the borough (by unit) should be affordable over the plan period. Taking account of the financial matters that in part underpin development, the policy states that the council will seek the maximum reasonable amount of affordable housing, especially social rented housing.
- 11.68 Policy CS12 Part G confirms that an affordable housing tenure split of 70% social rent housing and 30% shared ownership (intermediate) housing should be provided.
- 11.69 The proposed development would provide a total of 156 residential units (475 habitable rooms), of which 60 units (202 habitable rooms), would comprise affordable housing. This equates to an affordable housing offer of 38.5% by unit and 42.5% by habitable room.
- 11.70 The 60 affordable housing units are split as 56 units for social rent and 4 intermediate units. This represents a split by habitable rooms of 94.6% social rent unit / 5.4% shared ownership provision. Given affordability concerns around shared ownership units in the borough, and the very significant need for social rent units, this split is considered acceptable.
- 11.71 The affordable housing offer is supported by a detailed financial viability report which has been submitted with the application to illustrate that the offer is the maximum amount of affordable housing that the scheme could reasonably be expected to deliver. The detail set out in the applicant's viability report has been thoroughly reviewed and scrutinised by independent viability consultants (BPS Chartered Surveyors) that were appointed by the council.
- 11.72 In the absence of an existing use value for the site (given the last lawful use of the site for the storage of materials in conjunction with railway improvement works which have now been completed), BPS have calculated a benchmark land value for the site of £7.44m based on the provision of an equivalent policy compliant scheme, which would provide 50% affordable housing with a 70% social rent to 30% shared ownership housing split. The applicant has agreed to accept this as the benchmark land value, which was negotiated down significantly from the applicant's starting point.
- 11.73 BPS concluded that the affordable housing offer does represent the maximum reasonable level of affordable housing provision that could be delivered, taking into account the high proportion of units for social rent that are offered.
- 11.74 The affordable housing offer tabled by the applicant is considered to be a good offer in terms of the quantity of units, quality of accommodation and mix of unit sizes. It is considered that the affordable housing which would be

delivered within the development would make a significant positive contribution towards meeting housing needs in the borough. The BPS report is appended to this report as Appendix 3.

Housing Mix

11.75 Islington Core Strategy policy CS12 (Meeting the housing challenge) requires provision of a range of unit sizes within individual schemes in order to meet the needs within the borough. The overall mix of dwellings should respond to the identified need as highlighted by the Islington Housing Needs Survey 2008, which is also illustrated within IDMP policy DM3.1 (Mix of housing sizes) and table 3.1 in the IDMP document (reproduced below).

Tenure	1 bed	2 bed	3 bed	4 bed	Total
Market - Private Sale	10%	75%	15%	0%	100%
Shared Ownership	65%	35%	0%	0%	100%
Social Rented	0%	20%	30%	50%	100%

11.76 In the case of affordable housing, deviation from the housing size mix may be acceptable where it is clearly illustrated that it would address a specific affordable housing need, and result in an overall improvement in the utilisation of affordable housing stock in the borough.

11.77 The proposed housing size mix is set out in the tables below in terms of number of units and percentages respectively.

Table showing number of units

Tenure	1 bed	2 bed	3 bed	4 bed	Total
Market - Private Sale	36	39	21	0	96
Shared Ownership	1	3	0	0	4
Social Rented	14	27	7	8	56

Table showing percentage of units

Tenure	1 bed	2 bed	3 bed	4 bed	Total
Market - Private Sale	37.5%	40.6%	21.9%	0%	100%
Shared Ownership	25%	75%	0%	0%	100%
Social Rented	25%	48.2%	12.5%	14.3%	100%

Private Market Housing

11.78 With respect to private market housing, the proposal is seen to be in line with the main thrust of IDMP policy DM3.1 which seeks a predominance of two-bedroom units in the private tenure.

11.79 The elevated number of three-bedroom units would align with policy aspirations with regards the provision of the maximum amount of family housing in the borough.

Affordable Housing

11.80 The affordable housing provision represents a considerable variation from the target housing size mix set out in Table 3.1 of the Islington Development Management Policies (IDMP) document. However, para. 3.16 of the IDMP does allow some flexibility in the provision of the affordable housing mix. The council's Housing Officer has reviewed the mix and whilst noting the high number of one-bedroom units has concluded that the overall offer is considered to be acceptable and is supported.

Summary

11.81 While it is noted that the proposed mix of units (across both private sale and affordable housing tenures) does not fully comply with the desired mix as set out in Table 3.1 of the Development Management Policies 2013, the council's Housing Team have advised that the overall proposed housing mix is considered to be acceptable in this instance. The balance between two, three and four bed units would meet the council's priorities in terms of delivering a mix of residential units which would adequately cater for a variety of housing needs. Additionally, a balance must be struck, due to the development being located partially on SINC land and the associated need to minimise demand on amenity space that would take away from biodiversity planting gains.

Standard of Residential Accommodation

11.82 The proposal would provide 156 new residential units. Islington Development Management Policy DM3.4 (Housing standards) provides detailed guidance and criteria for assessing the standard of proposed residential units.

11.83 It is noted that all units would exceed the minimum gross internal area (GIA) size standard sought by policy 3.5 (Quality and design of housing developments) of the London Plan 2011 and Islington Development Management Policy DM3.4. All habitable rooms within each dwelling would exceed the required minimum size and the internal arrangement allows for functional use, with sufficient provision for storage. All units would meet Lifetime Homes Standards. The floor to ceiling height would meet the required standard and the development provides a good core to unit ratio.

11.84 All of the proposed residential units would benefit from dual or triple aspect with decent outlook and natural ventilation. The distance between each of the pavilion blocks is at least 18m and the distance between the linear block and pavilion blocks is 13m across the new street. Therefore, the development would provide an acceptable policy compliant level of privacy for future residents. The spacing between the pavilions allows for all dwellings and the internal street to benefit from ample sunlight and daylight.

11.85 The scheme includes a generous amount of private and communal external amenity space, with all units having good sized balconies.

11.86 The site is located adjacent to numerous railway lines, including the East Coast Mainline, the NLL which is heavily used by freight traffic, and the CTRL

which runs under the site. Consequently, all new residential accommodation at the site, would be exposed to high levels of noise and vibration, particularly accommodation within the proposed northern linear block which would sit directly adjacent to the NLL.

- 11.87 There is also the potential for any new mechanical plant at the site, particularly with regards the proposed on-site energy centre, to cause a noise nuisance for neighbouring occupiers and future residents at the site. Therefore, acceptable maximum noise levels for the operation of any new plant at the site shall be controlled by a condition.
- 11.88 The council's Acoustic Officer has advised that complaints are received from residents along the NLL regarding noise from freight traffic using the line (particularly at night time), and it is understood that the volume of freight traffic using the NLL is anticipated to increase in the future. Therefore, the introduction of new residential accommodation in close proximity to the NLL could potentially lead to further issues if adequate mitigation measures are not designed and built into the development.
- 11.89 A noise and vibration report has been submitted, which advises the site would fall into PPG24 (now rescinded) Noise Exposure Category C. Therefore, to appropriately deal with railway noise and vibration potential, many of the new residential units would need to be fitted with an enhanced glazing specification and mechanical ventilation, enabling windows facing the railway to remain closed and the specified acoustic attenuation provided by the façade to remain effective. Full details of the glazing specification, mechanical ventilation and other acoustic attenuation mitigation measures would be secured by condition.
- 11.90 It is noted that all bedrooms within the linear block have been located towards the front (south) side of the building away from the railway noise source. The structural design of the buildings has not yet been finalised. The submitted noise report advises that the development should be able to achieve internal ground borne noise levels not exceeding 35dB L_{Amax,Slow} within the centre of any residential room. The council's acoustic officer has advised that the internal noise limits specified for the development within the noise report are in line with Islington's criteria for internal noise standards and also the new British Standard BS8233:2014.
- 11.91 Achievable internal noise limits would need to be reviewed following completion of the final foundation and structural designs for the proposed buildings. The final design would also need to take account of the self-noise generated by the necessary mechanical ventilation. Internal noise standards would be secured by condition, together with full details of the anti-vibration foundations and services.
- 11.92 The proposed noise mitigation measures include an acoustic barrier or bund along the site boundary with the railway therefore details and specification of this feature would be secured by condition. Greening of this barrier would have a positive effect on the soundscape helping to absorb rather than reflect railway noise.

- 11.93 The site falls within a borough wide Air Quality Management Area. Due to the poor air quality at the site there is a requirement for any ventilation to draw air from the roof or cleaner south side of the development along with suitable NO_x filtration. For the energy centre ultra-low NO_x CHP equipment should be secured in order to protect nearby residents and local air quality. Details for the CHP, extract flue and dispersion modelling when the model has been selected would be secured by condition.
- 11.94 Dedicated refuse and recycling facilities are provided for the residential units at ground floor level. The council's Waste Management Team have assessed the location and capacity of the proposed facilities and have confirmed that they are acceptable.
- 11.95 In summary, the proposed residential units are considered to accord with the housing policy standards and it is considered that the development would provide an acceptable level of amenity for future residential occupiers, subject to conditions securing noise and vibration limits / standards and appropriate air quality measures.

Impact on Neighbouring Amenity

- 11.96 The Development Plan contains policies which seek to appropriately safeguard the amenities of existing residential occupiers when considering new development at neighbouring sites. Islington Development Management Policy DM2.1 (Design) requires that consideration must be given to potential impacts of development on neighbouring residential properties including: reduction of sunlight and daylight to habitable rooms, overshadowing of gardens, reduction in privacy due to increased overlooking, increased sense of enclosure, loss of outlook (but not loss of 'a view'), and increased noise and disturbance associated with occupation and use of the development (but not including noise and disturbance relating to construction works).

Daylight, Sunlight & Overshadowing

- 11.97 A Daylight, Sunlight and Overshadowing Assessment Report has been provided as part of the application submission. The assessment has been carried out in accordance with the guidance and methodology set out in the Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight 2011 publication. This document provides the accepted nationally recognised guidance which is used in the assessment of sunlight and daylight impacts for planning applications.
- 11.98 For assessment of daylight there are two standardised tests. The first method involves measuring the vertical sky component (VSC) for each window. The BRE guidelines stipulate that there would be no significant perceivable reduction in existing daylight levels provided that:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by more than 20% of its original value;

11.99 The second method involves measuring the daylight distribution (DD) of each room by assessing the impact on the position of the No Sky Line measured on the working plane (0.85m from floor level). The BRE guidelines stipulate that there would be no significant perceivable reduction in existing daylight distribution levels provided that:

The area of the working plane in a room which can receive direct skylight is not reduced by more than 20% of its original value;

11.100 For assessment of sunlight, the BRE guidelines confirm that windows that are not orientated facing within 90 degrees of due south do not warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, there would be no significant perceivable reduction in existing levels of sunlight received where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and where the APSH and WSPH is not reduced by more than 20% of its original value.

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

11.101 Where the guideline values for reduction of existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected. However, it is necessary to note that while the BRE guidelines provide numerical guidelines, the document clearly emphasizes that the guidance values provided are not mandatory. It is advised that the guide should not be seen as an instrument of planning policy, rather the guidance should be interpreted flexibly, taking account that natural lighting is only one of many factors to be considered when assessing a proposed development.

11.102 The residential units within the vicinity of the site which could be affected by the proposal are the properties nearest the site to the north within the Bunning Way Estate, properties to the east of the site at the rear of 349 Caledonian Road, properties to the southwest of the site within the eastern end of the Gifford Street terrace, and new properties currently under construction at 1 Lyon Street to the southeast of the site. Therefore, the impact on these residential properties has been assessed within the submitted Daylight, Sunlight and Overshadowing Assessment Report, and reported below.

Bunning Way Estate and Gifford Street

11.103 For the Bunning Way Estate and Gifford Street terrace the VSC tests indicate that all windows to habitable rooms for all properties would retain VSC values which comply with BRE guidance. DD tests indicate that all

habitable rooms except one room at 66 Gifford Street (which would receive a 22.7% loss) would retain DD values which comply with BRE guidance.

- 11.104 AP SH and WPSH tests show that all windows to habitable rooms, facing within 90 degrees of south, for all neighbouring properties within the Bunning Way Estate and the Gifford Street terrace would continue to receive adequate levels of sunlight (i.e. would retain 25% AP SH and 5% WSPH)
- 11.105 Many of the residential properties to the north of the site within the Bunning Way estate benefit from garden spaces which provide external amenity space for residents. The BRE guidelines state that to appear adequately sunlit throughout the year, at least half of an external amenity space should receive at least 2 hours of sunlight on 21st March. The submitted Daylight, Sunlight and Overshadowing Assessment Report illustrates that the proposed development would not result in a material increase in the amount of garden space at any neighbouring properties which would fail to receive at least 2 hours of sunlight on 21st March. Therefore, the overshadowing caused by the proposed development is well within the BRE guidelines and is not considered to be unacceptable.

349 Caledonian Road

- 11.106 With regards to the recently constructed residential units to the rear of 349 Caledonian Road (which appears to be operating as an unauthorised hotel and is currently being investigated by the Planning Enforcement Team), it is noted that the reduction in VSC would exceed BRE guidelines for a total of twelve windows. For four of these windows the guidelines would only be marginally exceeded, and the windows would receive a loss of less than 21% (as opposed to the BRE guideline of 20%). A further seven of these windows would receive a loss of less than 26%. The remaining window would receive reduced levels of daylight with a loss of 39.36%. However, this is predominantly due to the low level of light which this window receives as a result of existing obstructing walls. Three rooms would also exceed the BRE guidelines in terms of reduction in DD, with reductions of 22.9%, 28.8% and 31.3%. It is noted that no objections have been received in relation to this property.
- 11.107 AP SH and WPSH tests show that three windows to habitable rooms, facing within 90 degrees of south, for 349 Caledonian Road would receive reduced levels of sunlight with losses which exceed BRE guidelines: 30%, 43.8% and 66.7%. Again, this is predominantly due to the low existing levels of sunlight which these windows receive.

1 Lyon Street

- 11.108 With regards to the new residential units currently under construction at 1 Lyon Street, it is noted that the reduction in VSC would exceed BRE guidelines for a total of eight windows. For one of these windows the guidelines would only be marginally exceeded, and the window would receive a loss of less than 21% (as opposed to the BRE guideline of 20%). Another of these windows would receive a loss of less than 23%. The remaining six

windows would receive reduced levels of daylight with VSC losses of 33.4%, 33.7%, 36.8%, 39.5%, 41.1%, and 48.3%. Three windows would exceed the BRE guidelines in terms of reduction in DD, with losses of 32.5%, 38.7% and 42.3%.

- 11.109 The impact on the windows at 1 Lyon Street, for which loss of VSC would exceed BRE guidance, is accentuated due to the presence of balconies above windows. The VSC test for these windows has also been run for a model scenario where the balconies were removed. If the balconies were removed for these six windows the impact would be significantly reduced with two of the windows meeting BRE guidance and the other four windows receiving losses of 21.4%, 23.6%, 24.9%, and 27.2%.
- 11.110 APSH and WPSH tests show that three windows at the development under construction at 1 Lyon Street would receive reduced levels of sunlight with losses which exceed BRE guidelines: 30.8%, 34.8% and 40.9%.
- 11.111 In summary, a total of 22 windows (thirteen windows at 349 Caledonian Road, eight windows at 1 Lyon Street and one window at 66 Gifford Street) would experience a reduction in sunlight or daylight that would exceed BRE guidelines. However, many of these would only marginally exceed the BRE guidelines. Taking into account the urban location of the site, and the design, orientation and proximity to the site boundary of the neighbouring buildings at 349 Caledonian Road and 1 Lyon Street, the reductions in sunlight and daylight which would occur as a result of the development are not considered to be so significant as to warrant refusal of the application on these grounds.

Overlooking / Privacy

- 11.112 Paragraph 2.14 of the supporting text for policy DM2.1 identifies that *'To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'*. In the application of this policy, consideration also needs to be given to the nature of views between windows. For instance, where the views between windows are oblique as a result of angles or height difference between windows, there may be no harm.
- 11.113 The distance between the four storey linear block and the nearest properties to the north, on the opposite side of the railway lines, within the Bunning Way Estate is approximately 32m. The distance between the five storey book-end section of the linear block and the rear of the Gifford Street terrace to the south is approximately 50m. The distance between pavilion block 1 and the residential development currently under construction at 1 Lyon Street is approximately 25m, and the distance between block 2 and 1 Lyon Street is approximately 23m. It is considered that the separation distance between windows and balconies on the proposed buildings and windows in neighbouring buildings is sufficient, so as not to cause a material loss of amenity to any neighbouring residential occupiers, as a result of a loss of privacy due to increased overlooking.

Sense of Enclosure / Loss of Outlook

11.114 It is considered that the separation distance between the buildings within the proposed development and windows in neighbouring buildings (as set out above) is sufficient, so as not to cause an unacceptable loss of amenity to any neighbouring residential occupiers as a result of an increased sense of enclosure or loss of outlook. It should be noted that private views from windows and gardens are not protected by planning policy.

Noise and Disturbance

11.115 The development includes provision of an on-site energy centre with a communal combined heat and power (CHP) system that would be located within the single storey rear section of the building to the east of the site at 351 Caledonian Road. In order to protect the amenity of neighbouring occupiers along Caledonian Road from noise and disturbance associated with operation of the energy centre, acceptable maximum noise levels for the operation of any new plant at the site shall be controlled by a condition. Additionally, to prevent harm to air quality at neighbouring site, ultra-low NO_x CHP equipment would be secured by condition, together with full details for the CHP system including the extract flue and dispersion modelling.

11.116 Concerns have been raised by existing residential occupiers, within the Bunning Way Estate located to the north of the site on the opposite side of the NLL railway tracks, with regards the potential for the proposed linear block to reflect railway noise back towards their properties thereby increasing noise and disturbance. The council's Acoustic Officer has assessed the information provided within the submitted Noise Report and has advised that it is not considered that the development would result in a material increase in the level of noise and disturbance at any properties in the Bunning Way Estate as a result of railway noise being reflected back from the development. Full details of the Acoustic Officer's response are provided at paragraphs 8.41-8.44. Furthermore, it is noted that the north elevation of the linear building includes vertical planting which has the potential to act to absorb railway noise.

11.117 If the development is consented, a certain amount of disruption and disturbance to neighbouring residents and commercial occupiers during the period of development works would be unavoidable. In order to ensure that any disruption and disturbance is kept to an absolute minimum a Construction Environment Management Plan (CEMP) would be secured by condition to protect the amenities of neighbouring residents and business occupiers during the period of works. This would cover issues with respect to: noise, air quality, dust, smoke, odour vibration and TV reception. Further to this, a Construction Method Statement (CMS) covering issues regarding parking of vehicles of site operatives, loading and unloading of plant and materials, and storage of plant and materials shall also be secured by condition.

11.118 The applicant has given a commitment to sign up to the Considerate Contractors Scheme and it is required that the scheme should comply with

Islington's Code of Construction Practice. These would be secured within the S106 legal agreement.

- 11.119 Subject to the conditions and legal agreement clauses set out above, it is not considered that the implementation or operation of the proposed development would result in a significant increase in noise and disturbance for neighbouring occupiers compared to the existing situation.

Accessibility

- 11.120 Both the residential and commercial parts of the development are expected to meet the standards for inclusive access as set out in the Islington Inclusive Design SPD.
- 11.121 All residential units have been designed to achieve the Lifetime Homes Standards with the required wheelchair circulation space provided within living rooms and main bedrooms.
- 11.122 The development includes provision of 15 wheelchair standard units, including 3 x 3-bedroom social rented units and 12 x 2-bedroom units spread across all tenures. This equates to 9.6% of the total number of units and 10.7% of the total number of habitable rooms within the development being wheelchair standard. All wheelchair standard units are provided at ground floor level with level threshold access to private external amenity space. The development would provide 15 wheelchair accessible parking spaces exclusively for blue badge holders. The use of parking spaces would be restricted to registered blue badge holders by condition. Details of storage and charging for mobility scooters would also be secured by condition.
- 11.123 The northern section of the site is approximately 4m higher than the entrance to the site off Caledonian Road to the east. Consequently, the existing access road slopes upwards as you travel west into the site from Caledonian Road. Spot heights provided on submitted drawings indicate that the gradient of the existing slope is approximately 1:23 over a distance of approximately 95m.
- 11.124 The existing access road does not provide DDA compliant access, and due to the level change that needs to be overcome, it would not be possible to provide the main access road at a gradient which is suitable for unassisted wheelchair users. In order to provide inclusive access into the site an alternative route is proposed which includes a lift. While this is not considered to represent an ideal solution it is difficult to see how the issue of inclusive access could otherwise be resolved. Full details of the vehicular, pedestrian and wheelchair access into the site would be secured by condition.
- 11.125 The development proposals include the creation of a new pedestrian access through the site from Carnoustie Drive to the south in line with the aspirations of the Planning Brief. It is noted that the pedestrian route would include steps and would not be fully inclusive. However, taking account of the space available to provide the route, the relief of the land (7m change in level) and the fact that the route passes through the SINC, the proposed new

pedestrian route is considered to represent the best solution available. The pedestrian route would be open during daylight hours. It is considered that 24hour access through this route could create security issues and increased potential for anti-social behaviour at the site.

Energy Efficiency & Sustainability

- 11.126 Islington Core Strategy policy CS10 (Sustainable design) part A requires that all development proposals demonstrate that they have minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of 30% relative to total emissions from a building which complies with Building Regulations 2010, where connection to a decentralised energy network is not currently possible, such as is the case with the application site. Typically all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 11.127 The development includes an on-site energy centre with a communal combined heat and power (CHP) system that would serve the whole development. There are currently no decentralised energy networks (DEN) available for the development to link into. However, the energy centre has been designed in a manner that would allow connection to potential DENs that may become available in the future. This would be secured by condition and within the S106 legal agreement.
- 11.128 The development would achieve a 23% reduction in total CO2 emissions versus an equivalent 2010 part L Building Regulations compliant scheme. While it is noted that the development falls short of the policy target of a 30% reduction, the applicant has agreed to pay a carbon offset contribution of £194,056 (to be secured within a S106 agreement) covering the remaining CO2 reduction down to zero carbon. Taking this into account the energy efficiency of the development is considered to be acceptable in this instance.
- 11.129 The pre-assessment reports that have been provided indicate that the development would achieve Code for Sustainable Homes (CSH) 'Level 4' rating for the new residential units and a BREEAM 'Very Good' rating for the commercial floorspace. CSH and BREEAM levels would be secured by condition.
- 11.130 The proposal targets a water consumption rate of 105L/p/d (Code Level 4 equivalent), however, policy CS10 requires development to meet 95L/p/day, and therefore compliance with this policy is not achieved. A policy compliant water consumption rate shall be secured by condition.
- 11.131 There is a commitment to secure the relevant credits for materials and waste as sought by Islington Development Management Policy DM7.4 (Sustainable design standards) Part E. This shall be secured by condition.

- 11.132 Islington Development Management Policy DM7.1 (Sustainable design and construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation. A draft GPP setting out the predicted outputs has been submitted with the application and is considered to be acceptable. A final post occupation GPP setting out the actual measurable outputs shall be secured within the S106 legal agreement.
- 11.133 For all developments, it is required that the cooling hierarchy (as set out in Islington Development Management Policy DM7.5 (Heating and cooling) part A is followed, in order to reduce any risk of overheating and minimise the need for artificial cooling. This favours the use of passive design, natural ventilation, mechanical ventilation and finally artificial cooling, with the most efficient artificial approaches being favoured first.
- 11.134 Islington Development Management Policy DM7.5 (Heating and cooling) part C requires that thermal modelling is undertaken for major developments, to assess any risk of overheating, based on current and future summer temperatures. This has not yet been provided. Therefore, additional information covering heating and cooling for the development shall be secured by condition, including the inability to open the north facing windows on the linear block and the associated mechanical ventilation.
- 11.135 Islington Core Strategy Policy CS10 and Islington Development Management Policy DM6.5 (Landscaping, trees and biodiversity) promote urban greening and enhancing biodiversity. The development would include green roofs on all new flat roofs. A condition is required to ensure that all green roofs are extensive substrate based biodiverse roofs with a minimum substrate depth of 120-150mm.
- 11.136 Islington Development Management Policy DM6.6 (Flood prevention) requires that all developments include Sustainable Urban Drainage Systems (SUDS). The SUDS scheme proposed is expected to be designed to reduce flows to a 'greenfield rate' of run-off (8/l/sec/ha) where feasible. The submitted Flood Risk Assessment and Sustainable Drainage Strategy (by Conisbee) advises that underground modular water tanks and permeable paving would be used to ensure that drainage policy requirements would be met. Drainage flow rates and the detailed final design for rainwater harvesting and attenuation would be secured by condition.

Highways and Transportation

- 11.137 Transport for London have assessed the proposals and advised that the transport impacts are not considered to be significant.
- 11.138 The proposal is designed to be car-free with the exception of 15 wheelchair accessible parking spaces, which have been carefully integrated within the site layout to the edges of the internal street, so as not to dominate the street and waste space when not in use. The use of parking spaces would

be restricted to registered blue badge holders by condition and a condition would ensure they are marked out as for disabled users only. The ability of future residents at the site to apply to apply for parking permits would be removed (except blue badge holders). Therefore, it is not considered that the development would have a significant impact with respect to demand for on-street parking within the vicinity of the site.

- 11.139 The design of the internal street includes a turning head which would allow refuse trucks and other servicing vehicles to turn safely within the development and prevent the need for reversing through the site or back onto the highway.
- 11.140 Full details of how the site would be serviced in terms of deliveries for residents and commercial occupiers, as well as taxi pick up points would be secured with a Servicing and Delivery Management Plan that would be secured by condition. Full details of vehicular movements and servicing of the site related to development works would be secured within a Construction Logistics Plan (CLP). A Travel Plan for the development shall be secured within the S106 legal agreement.
- 11.141 The development would provide a policy compliant 306 secure and covered cycle parking spaces for future residents (one space per bedroom), together with 4 sheffield stands providing for visitor cycle parking. Resident cycle parking is conveniently located within each core of the linear and pavilion block buildings.
- 11.142 Access is required to be maintained to the CTRL portal and other adjacent Network Rail managed railway lines for emergency and maintenance purposes. Therefore, this has been provided for within the development layout and would be secured by condition.
- 11.143 A contribution would be sought with regards to highway repair reinstatement at the entrance to the site off Caledonian Road. This would be secured within the S106 legal agreement.

Contaminated Land

- 11.144 The council's Public Protection Division (Land Contamination) has advised that the northern part of the development is listed as being formerly a warehouse and has been used as a Network Rail / CTRL / London Overground site in recent times. The initial site sampling results provided within the submitted ground contamination report have highlighted elevated levels of PAHs, arsenic and the presence of asbestos fibres. Further sampling is required along with ground gas monitoring. With the proposed redevelopment of the site introducing residential use, including the provision of soft landscaping, there is concern that a pollution linkage could be formed. Therefore, a full detailed contaminated land investigation and subsequent remediation scheme is required and would be secured by condition.
- 11.145 Notwithstanding the clear need to ensure the health and safety of future residents at the site through appropriate ground contamination

remediation in any areas which would be accessible to residents for amenity purposes, it is important to note that the areas of existing SINC habitat (including the woodland areas) to be retained and fenced off as non-accessible (except supervised access along the specified nature trail) would be left as present without remediation in order to prevent further destruction of SINC and woodland habitat.

Water Infrastructure

11.146 The final design of the development including foundations and associated piling has not been completed. Thames Water have advised that vibration associated with piling and foundation excavation / construction has the potential to impact on water mains and sewers that run immediately below and adjacent to the site. Therefore, Thames Water has advised that a Piling Method Statement would need to be secured by condition.

Planning Obligations, Community Infrastructure Levy and local finance considerations

S106 Agreement

11.147 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.

11.148 The S106 agreement would include the following agreed heads of terms:

- On-site provision of affordable housing: 38.5% by unit (42.5% by habitable rooms) with a split by habitable rooms of 94.6% social rent / 5.4% shared ownership.
- A contribution of £194,056 towards offsetting projected residual CO2 emissions of the development.
- The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation of 8 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £40,000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £15,600 and submission of a site-specific response document to the

Code of Construction Practice for the approval of LBI Public Protection.
This shall be submitted prior to any works commencing on site.

- The provision of 15 accessible parking bays.
- Removal of eligibility for residents of new units to obtain on-street parking permits.
- Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
- Future proof on site heating and power solution so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a final Travel Plan for Council approval 6 months from first occupation of the development.
- 25 year woodland and landscape management plan, targeting at the 15 year from first planting to have at least 480 trees successfully taken to the site.
- Ecological clerk of works to ensure monitoring of woodland and landscape management plan and delivery of biodiversity gains at the site.
- A watching brief for the implementation of agreed planting (within the first planting season after completion of the built parts of the development) to ensure planting of 2408 trees and shrubs as agreed.
- Maintain 24 hour public access to the site from Caledonian Road.
- Maintain public access to the site from Carnoustie Drive during daylight hours.
- Allow for supervised access to the SINC.
- Garden Leases – garden to be appropriately managed as nature conservation land.
- Payment of Council's legal fees in preparing the S106 Agreement and officer's fees for the preparation, monitoring and implementation of the S106 Agreement.

Community Infrastructure Levy (CIL)

11.149 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) and Islington CIL would be chargeable for the proposed development on grant of planning permission. The CIL are contributions calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. CIL would be payable to the London Borough of Islington following implementation of the planning consent.

National Planning Policy Framework

11.150 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of increasing housing supply with enhancing the natural environment and biodiversity.

12. SUMMARY AND CONCLUSION

Summary

- 12.1 The Planning Brief for the site is clear that the site is considered suitable for development to provide housing, subject to any potential adverse impact on the SINC being adequately mitigated together with the demonstration of over-riding planning benefits to justify any adverse impact on the nature conservation land.
- 12.2 It is clear that the quantum of development coupled with the development layout would result in a 592sqm (5%) reduction in nature conservation land at the site, would reduce the site's ability to act as a green corridor and would result in the loss of 65 trees including trees forming part of a protected woodland designation. These are weaknesses of the scheme which cause harm and weigh against it. The harm which would result from the quantum of development and the layout must be balanced against the positive benefits which the development would bring.
- 12.3 As mitigation for the harm which the development would cause, in terms of loss of SINC area and trees, and reduction in the green corridor, the proposal would bring biodiversity enhancements in the form of a comprehensive landscaping scheme providing a biodiverse mosaic of habitats across the site including the planting of 2408 new trees and shrubs, which is anticipated to provide a total of 480 semi-mature to mature trees after 15 years. The site would be managed through a comprehensive landscape management plan, including a 25 year woodland management plan, together with an ecological clerk of works, in order to ensure that biodiversity enhancements at the site are realised and maintained. The proposals would also secure the eradication of the invasive Japanese Knotweed that has heavily colonised the site (affecting 1,569sqm of site area) resulting in harm to the site's biodiversity.
- 12.4 Although the site is designated as a SINC there is currently no public access to the site. The proposal would open up the site, allowing unrestricted public access to communal areas which have been designed to provide amenity / play space while also providing biodiversity value. The proposal would also provide a public pedestrian route through the SINC together with a nature trail through the enhanced SINC area, which would allow for supervised access for local school children and amenity groups. Therefore, the development would bring significant public benefits in this regard.
- 12.5 The development would provide improved permeability with a new pedestrian route connecting Caledonian Road to Carnoustie Drive. The development would also interact with the townscape to the south, providing high level overlooking which would help improve the 'feel' of the area and sense of security for people travelling along Carnoustie Drive. This is a public benefit that weighs in favour of the development.
- 12.6 The proposed scheme would deliver 56 high quality affordable residential units that would be provided for social rent. This offer is the equivalent of a

50% affordable housing offer had the tenure been split 70/30 (social rent / shared ownership). This is a particularly significant public benefit.

- 12.7 When the positive benefits of the scheme [in terms of affordable housing (social rent) provision, landscaping biodiversity enhancements (including removal of Japanese Knotweed, tree planting and woodland management), improved access to nature, improved permeability through the site, and improved interaction with the streets and townscape to the south] are combined and weighed against the harm which the development would cause (in terms of 5% reduction in nature conservation area, reduced ability of the site to operate as a green corridor, and loss of existing trees and woodland), it is considered that on balance the positive benefits of the scheme would outweigh the harm which it would cause. Therefore, the proposal is seen to accord with the main aspirations and guidance set out in the Planning Brief for the site.
- 12.8 Based on a balancing exercise of positive benefits against harm, it is considered that the scheme is acceptable and would represent sustainable development in accordance with the NPPF. As such, there is an 'on balance' officer recommendation in support of the development.

Conclusion

- 12.9 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 the Committee resolve to GRANT planning permission subject to any **direction by The Mayor to refuse the application or for it to be called in for determination by the Mayor of London.** Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

- a. allow the draft decision to proceed unchanged; or
- b. direct the Council under Article 6 to refuse the application; or
- c. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

RECOMMENDATION B

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:

1. On-site provision of affordable housing: 38.5% by unit (42.5% by habitable rooms) with a split by habitable rooms of 94.6% social rent / 5.4% shared ownership.
2. A contribution of £194,056 towards offsetting projected residual CO2 emissions of the development.
3. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
4. Compliance with the Code of Employment and Training.
5. Facilitation of 8 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £40,000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
6. Compliance with the Code of Local Procurement.
7. Compliance with the Code of Construction Practice, including a monitoring fee of £15,600 and submission of a site-specific response document to the Code of

Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.

8. The provision of 15 accessible parking bays.
9. Removal of eligibility for residents of new units to obtain on-street parking permits.
10. Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
11. Future proof on site heating and power solution so that the development can be connected to a local energy network if a viable opportunity arises in the future.
12. Submission of a final Travel Plan for Council approval 6 months from first occupation of the development.
13. 25 year woodland and landscape management plan, targeting at the 15 year from first planting to have at least 480 trees successfully taken to the site.
14. Ecological clerk of works to ensure monitoring of woodland and landscape management plan and delivery of biodiversity gains at the site.
15. A watching brief for the implementation of agreed planting (within the first planting season after completion of the built parts of the development) to ensure planting of 2408 trees and shrubs as agreed.
16. Maintain 24 hour public access to the site from Caledonian Road.
17. Maintain public access to the site from Carnoustie Drive during daylight hours
18. Allow for supervised access to the SINC
19. Garden Leases – garden to be appropriately managed as nature conservation land.
20. Future residents at the site prohibited from owning cats and dogs to prevent harm to biodiversity in the SINC.
21. Payment of Council's legal fees in preparing the S106 Agreement and officer's fees for the preparation, monitoring and implementation of the S106 Agreement.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION C

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

List of Conditions:

1	<p>Commencement (Compliance)</p> <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	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>JW-001, JW-002, JW-010, JW-011, JW-012, JW-020, JW-021, JW-022, JW-100, JW-101, JW-102, JW-103, JW-104, JW-105, JW-106, JW-107, JW-150, JW-151, JW-152, JW-153, JW-154, JW-155, JW-156, JW-157, JW-158, JW-159, JW-160, JW-161, JW-162, JW-163, JW-164, JW-165, JW-166, JW-167, JW-168, JW-169, JW-170, JW-171, JW-172, JW-173, JW-174, JW-175, JW-176, JW-177, JW-178, JW-179, JW-180, JW-181, JW-182, JW-183, JW-184, JW-185, JW-186, JW-187, JW-188, JW-189, JW-190, JW-191, JW-192, JW-193, JW-194, JW-200, JW-201, JW-202, JW-210, JW-211, JW-212, JW-213, JW-220, JW-221, JW-222, JW-223, JW-230, JW-231, JW-232, JW-233, JW-240, v41, JW-250, JW-251, JW-252, JW-253, JW-260, JW-261, JW-262, JW-300, JW-350, JW-351, JW-352, Volume 1 Environmental Statement, Volume 2 Environmental Statement, Volume 3 Environmental Statement, Volume 1 Environmental Statement Addendum, Volume 2 Environmental Statement Addendum, Design & Access Statement.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Details)</p> <p>CONDITION: Details including drawings at scale 1:20 and samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the</p>

	<p>following:</p> <ul style="list-style-type: none"> a) Facing brickwork(s); sample panels of proposed brickwork to be used showing the colour, texture, facebond, and pointing; b) terracotta / ceramic; c) laser-cut anodized aluminium detailing (including elevation and section drawings; d) Windows; e) Entrance doors f) Shopfront; g) any other materials to be used on the exterior of the development; and h) a Green Procurement Plan for sourcing the proposed materials. <p>The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <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 order to ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
4	<p>Construction Environment Management Plan (Details)</p>
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration, and TV reception) of the development has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The report shall assess impacts during the demolition and construction phases of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved at all times and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to minimise impacts on the amenity of neighbouring residents, and maintain highway safety and the free flow of traffic on the surrounding highway network.</p>
5	<p>Demolition & Construction Method Statement & Logistics Plan (Details)</p>
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Demolition & Construction Method Statement & Logistics Plan (DCMLP) has been submitted to and approved in writing by the Local Planning Authority in consultation with HS1. The approved DCMLP shall accord</p>

	<p>with the Code of Construction Practice and be strictly adhered to throughout the construction period. The DCMLP shall cover:</p> <ol style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors; ii. onsite vehicle movement and parking; iii. position and operation of cranes; iv. loading and unloading of plant and materials; v. storage of plant and materials used in constructing the development; vi. location and height of any spoil stockpiles; vii. storage of combustible / hazardous materials viii. temporary drainage measures ix. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate x. wheel washing facilities xi. measures to control the emission of dust and dirt during construction xii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority in consultation with HS1.</p> <p>REASON: In order to appropriately manage the risk which the construction activity presents to the safety, security and operation of HighSpeed1, and to ensure that the construction activities do not adversely impact on neighbouring residential amenity and the safe operation of surrounding highways.</p>
6	<p>Foundation Design (Details)</p>
	<p>CONDITION: Prior to the commencement of any construction works, details of the design of the foundations and other works proposed below existing ground level shall be submitted to and agreed in writing by the Local Planning Authority in consultation with HS1. Construction activity shall then be carried out in strict compliance with the approved details unless otherwise agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>REASON: To ensure that loads on, and settlement of, HighSpeed1 tunnels, structures, track and other infrastructure do not prejudice the safety or operation of HighSpeed1.</p>
7	<p>Site Investigation Near to HighSpeed1 (Details)</p>
	<p>CONDITION: Prior to the commencement of site investigations involving a borehole or trial pit deeper than one metre, details of the location and depth of site investigations including a method statement shall be submitted to and agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>This development shall then be carried out strictly in compliance with the approved details unless previously agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>REASON: In order to ensure that the borehole or trial pit is at an acceptable</p>

	vertical and horizontal distance from the HighSpeed1 tunnel such that it does not compromise the integrity, safety or operation of HighSpeed1.
8	<p>Piling and Works Causing Vibration (Details)</p> <p>CONDITION: Prior to the commencement of any construction works, a Piling and Vibration Works Method Statement shall be submitted to and agreed in writing by the Local Planning Authority in consultation with HS1 and Thames Water. The Statement shall set out details of the plant and equipment proposed which are likely to give rise to vibration such as:</p> <ul style="list-style-type: none"> a) pile driving b) demolition and c) vibro-compaction of the ground d) together with predicted vibration levels. <p>Activities likely to cause vibration in the vicinity of HighSpeed1 infrastructure such that a peak particle velocity (PPV) of 5mm/s may be exceeded at the railway boundary will be subject to agreement in advance.</p> <p>Construction activity shall then be carried out in strict compliance with the approved details unless otherwise agreed in writing by the Local Planning Authority in consultation with HS1 and Thames Water.</p> <p>REASON: To ensure that piling and any other works causing vibration are carried out in a manner which does not prejudice safety, operation and structural integrity of HighSpeed1, or cause harm to below ground sewer and water infrastructure assets owned and managed by Thames Water, which pass through the site.</p>
9	<p>Final Site Layout (Details)</p> <p>CONDITION: Prior to the commencement of any construction works a final site layout plan showing proximity of the development and its services to HighSpeed1 infrastructure shall be submitted to and agreed in writing by the Local Planning Authority in consultation with HS1. Construction activity shall then be carried out in strict compliance with the approved details unless otherwise agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>REASON: In order to ensure that the development does not compromise the integrity, safety or operation of HighSpeed1.</p>
10	<p>Site Access & Vehicular Movements (Details)</p> <p>CONDITION: No development (including demolition works) shall take place until details of the demolition and construction phase vehicle access and circulation have been submitted to and agreed in writing by the Local Planning Authority in consultation with HS1. Where vehicle movements are close to HighSpeed1 infrastructure vehicle containment may be required. The details shall include but not be limited to:</p> <ul style="list-style-type: none"> i. site access

	<ul style="list-style-type: none"> ii. onsite vehicle routes and movements iii. types of vehicles iv. number and frequency of such movements v. vehicle containment to be provided to protect HighSpeed1 against the risk of vehicle incursion (buffer zone). <p>Vehicle circulation shall then be carried out strictly in accordance with the approved details unless agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>REASON: In order to ensure that vehicular movement related to development works would not compromise the integrity, safety or operation of HighSpeed1.</p>
11	<p>Temporary Errant Vehicle Protection (Details)</p> <p>CONDITION: Prior to the start of works, details of temporary errant vehicle protection measures during the construction phase shall be submitted in writing and approved by the Local Planning Authority in consultation with HS1.</p> <p>This errant vehicle protection shall be provided prior to start of the works and retained until permanent barriers, if required, are in place.</p> <p>REASON: In order to ensure that vehicular movement related to development works would not compromise the integrity, safety or operation of HighSpeed1. This is because vehicle incursion is one of the biggest risks facing railways and this risk is amplified for high speed lines. CTRL was designed with adequate protection for existing road layouts and vehicle movements but does not necessarily provide protection for new developments. The level of containment depends upon speed, weight and type of vehicle, and on angle of incidence.</p>
12	<p>Excavations (Details)</p> <p>CONDITION: Prior to the commencement of any construction works, engineering details of the size, depth and proximity to HighSpeed1 of any excavations shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1.</p> <p>Excavations shall then be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>If the excavation is within the zone of influence of HighSpeed1 infrastructure an engineering design will be required from the developer for approval in advance of excavation.</p> <p>REASON: In order to ensure that excavation works would not compromise the integrity, safety or operation of HighSpeed1.</p>
13	<p>Imposed Loads (Details)</p> <p>CONDITION: Prior to the commencement of any construction works, details of the size, loading and proximity to HighSpeed1 of additional ground loads, such as stockpiles, shall be submitted to and agreed in writing by the Local Planning</p>

	<p>Authority in consultation with HS1. Works shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority in consultation with HS1.</p> <p>If any additional ground load is proposed within the zone of influence of HighSpeed1 infrastructure an engineering design will be required from the developer for approval in advance of excavation.</p> <p>REASON: In order to ensure that the stability of HighSpeed1 tunnels, structures, track and other infrastructure are not prejudiced.</p>
14	<p>Storage of Hazardous Materials (Details)</p> <p>CONDITION: Details of the materials and arrangements for the storage of combustible gases or hazardous materials within 200m of HighSpeed1 infrastructure shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1.</p> <p>No such materials shall be introduced to the site without the prior approval of the Local Planning Authority in consultation with HS1.</p> <p>REASON: In order to ensure that development works would not compromise the integrity, safety or operation of HighSpeed1.</p>
15	<p>Construction Phase Car Parking (Details)</p> <p>CONDITION: Details of construction phase vehicle parking locations shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1.</p> <p>No parking shall take place other than in the approved locations without the prior written agreement of the Local Planning Authority in consultation with HS1.</p> <p>REASON: In order to ensure a clear access route is maintained for Network Rail (High Speed) maintenance teams.</p>
16	<p>Planting Near to HighSpeed1 (Details)</p> <p>CONDITION: The planting near to HighSpeed1 shall be designed and specified to minimise the risk of trespass and vandalism. Details of the planting shall be submitted to and approved in writing by the Local Planning Authority in consultation with HighSpeed1.</p> <p>Any planting within 3m of the HighSpeed1 boundary fence shall be designed to allow for access of plant and machinery for maintenance of that fence and any other HighSpeed1 assets.</p> <p>Unless otherwise agreed in writing with the Local Planning Authority in consultation with HS1, the planting shall be implemented and maintained in accordance with the approved details prior to the first occupation of the site.</p> <p>REASON: To permit access for maintenance purposes to the HighSpeed1 boundary fence. To prevent trespass and vandalism risk from trees which could</p>

	provide a climbing aid for unauthorised persons to scale the fence. To control incidences of reduced traction and braking force as a result of leaves on the line.
17	Electromagnetic Compatibility (EMC) (Details)
	<p>CONDITION: Prior to the commencement of any construction works an EMC Statement shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1. The statement shall indicate that the final design of the development is compatible with EMC regulations. Unless otherwise agreed in writing with the Local Planning Authority in consultation with HS1, the development shall be implemented in strict accordance with the approved details.</p> <p>REASON: In order to ensure that the development would not compromise the integrity, safety or operation of HighSpeed1.</p>
18	Control of Maintenance Risk (Details)
	<p>CONDITION: Prior to the commencement of any development works, proposals for those elements of maintenance of the development which could prejudice the safety, operation or maintenance of HighSpeed1 shall be submitted to and agreed in writing by the Local Planning Authority in consultation with HS1. The details shall include:</p> <p>Overloading of HS1 tunnels from maintenance vehicle (i.e. cranes).</p> <p>The development shall then be carried out only in accordance with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change.</p> <p>Reason: In order to manage the risk to the safety and operation of HighSpeed1 arising from maintenance of the development.</p>
19	Sound Insulation and Noise Control Measures - External Noise (Details)
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p style="padding-left: 40px;">Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq,8\text{ hour}}$ and 45 dB $L_{Amax\text{ (fast)}}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16\text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16\text{ hour}}$</p> <p>The details shall include as built foundation and structural designs for the building.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be fully implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior</p>

	<p>written consent of the Local Planning Authority.</p> <p>REASON: In order to ensure that all new residential accommodation would provide an acceptable standard of amenity for future occupiers.</p>
20	<p>Anti-Vibration Measures (Details)</p> <p>CONDITION: Prior to the commencement of any construction works, a scheme for anti-vibration treatment of the foundations and services shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The development shall be completed in strict accordance with the approved details and the approved anti-vibration measures shall be fully implemented prior to the first occupation of the development and maintained as such thereafter. The development shall achieve the following internal noise targets:</p> <p>Internal vibration levels shall not exceed the category of “low probability of adverse comment” in Table 7 of Appendix A of BS 6472:2008 and ground borne noise shall not exceed 35dB L_{Amax},Slow as measured in the centre of any residential room.</p> <p>REASON: In order to ensure that all new residential accommodation would provide an acceptable standard of amenity for future occupiers.</p>
21	<p>Mechanical Ventilation (Details)</p> <p>CONDITION: Details of the mechanical ventilation including suitable NO_x filtration shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any construction works. The development shall be completed in strict accordance with the approved details prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: In order to ensure that all new residential accommodation would provide an acceptable standard of amenity for future occupiers.</p>
22	<p>CHP (Details)</p> <p>CONDITION: Full particulars and details of the CHP system, including the extract flue and dispersion modelling shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details of the CHP system shall be specified to include ultra low NO_x CHP equipment. The details shall include:</p> <ul style="list-style-type: none"> • The make and model of the system and details of the additional abatement technology that has been investigated for fitment to reduce air pollution emissions. • A life cycle analysis showing a net benefit to carbon emissions from the plant. • The type, height and location of the flue/chimney (including calculations details regarding the height of the flue/chimney). • Certification for use of the flue/chimney in a smoke control area.

	<ul style="list-style-type: none"> • Information on the fuel, fuel feed system, the fuel supply chain and the arrangements that have been investigated to secure fuel. Fuel usage shall be monitored for 3 years from the first operation of the plant. Details of fuel usage shall be forwarded to the Local Planning Authority annually, the first report to be forwarded 1 year after the commencement of operation of the plant. • A breakdown of emissions factors of nitrogen oxides (NOx), particulates and any other harmful emissions from the gas fired CHP and details of any mitigation measures to reduce emissions to an acceptable level. • An assessment of the impact of the emissions to ground level concentrations and any additional impact to surrounding buildings/ structure. <p>The CHP system shall be installed strictly in accordance with the details so approved, shall be implemented and fully operational prior to the first occupation of the development hereby 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: The site is within an Air Quality Management Area where development is required to be designed to mitigate the impact of poor air quality to within acceptable limits.</p>
23	<p>Ground Contamination Investigation / Remediation (Details)</p>
	<p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out, shall be submitted to and approved in writing of the Local Planning Authority in accordance with part b).</p> <p>REASON: In order to protect the health and amenity of future residential occupiers at the site.</p>

24	<p>Ground Floor of Building on Caledonian Road Frontage (Details)</p>
	<p>CONDITION: Notwithstanding the approved drawings listed under condition 2, no permission is given for the ground floor level street facing elevations of the building fronting Caledonian Road hereby approved. Prior to the commencement of any construction works, revised elevation and section drawings for this building, to a scale of not less than 1:50, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the drawings 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: To ensure that the resulting appearance and construction of the development is of a high standard and would adequately preserve the special historic character of the Barnsbury Conservation Area.</p>
25	<p>Roof-level structures (Details)</p>
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
26	<p>Inclusive Design (Details)</p>
	<p>CONDITION: Notwithstanding the approved drawings listed under condition 2, the residential units shall be constructed to the standards for flexible homes in Islington (as set out in the Inclusive Design in Islington SPD) and shall incorporate all Lifetime Homes standards. Amended plans/details confirming that these standards have been met shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include:</p> <ul style="list-style-type: none"> a) Plans (and if necessary elevations) to scale 1:50; b) An accommodation schedule documenting, in relation to each dwelling, how Islington's standards for flexible homes criteria and Lifetime Homes standards have been met; c) Details (including plans) of provision for mobility scooter storage. <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written</p>

	<p>consent of the Local Planning Authority.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs and to ensure the development is of an inclusive design in accordance with policy 7.2 of the London Plan 2011, policy CS12 of Islington's Core Strategy 2011, and and policies DM2.2 and DM3.4 of Islington's Development Management Policies 2013.</p>
27	<p>Security & General Lighting (Details)</p> <p>CONDITION: Notwithstanding the approved drawings listed under condition 2, details of general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and 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 good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
28	<p>Sustainable Urban Drainage (Details)</p> <p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system (SUDS) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits in line with the requirements of Islington Development Management Policy DM6.6 (Flood prevention). The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at a minimum achieve a post development run off rate of 50L/sec/ha, unless justification for a higher runoff rate is provided to the satisfaction of the Local Planning Authority.</p> <p>The SUDS scheme shall include provision for rainwater harvesting and re-use details of which shall be agreed in writing prior to the commencement of any superstructure works. The agreed rainwater harvesting system shall be fully implemented and operational prior to the first occupation of the development and maintained as such thereafter.</p> <p>The SUDS shall be fully installed in strict accordance with the approved details, operational prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: In order to ensure that sustainable management of water and flood</p>

	prevention.
29	Landscaping (Details)
	<p>CONDITION: Details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> • Proposed trees, including their location, species, size, and confirmation that existing and proposed underground services would not intrude into root protection areas; • Soft planting, including details of any grass and turf areas, shrub and herbaceous areas; • Vertical planting on elevations of buildings; • Planting on green / brown roofs; • Topographical survey, including details of any earthworks, ground finishes, any topsoiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; • Boundary treatments, enclosures, including types, dimensions and treatments of any walls, fences, screen walls, barriers, rails, retaining walls and hedges; • Hard landscaping, including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and synthetic surfaces; • Confirmation that all areas of hard landscaping, together with the communal amenity and playspace areas have been designed in accordance with Islington's Inclusive Landscape Design SPD or Islington's successor SPD or policy; • Details of how the landscaping scheme includes and integrates measures to enhance biodiversity and sustainable urban drainage solutions and has been designed in accordance with Development Management Policy DM6.6 and London Plan policy 5.13; • A Landscaping Management Plan describing how the landscaping would be maintained and managed following implementation; • Any other landscaping feature(s) forming part of the scheme. <p>All landscaping so approved shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a maintenance/watering provision following planting and any trees or shrubs which die, become severely damaged or diseased shall be replaced with the same species or an approved alternative and to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details (including the Landscape Management Plan) so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainability, to ensure the development provides the maximum possible provision towards creation of habitats and valuable</p>

	<p>areas for biodiversity, to ensure the development is of an inclusive design, and to ensure that a satisfactory standard of visual amenity is provided.</p>
30	<p>Woodland Management Plan (Details)</p> <p>CONDITION: Details of a woodland management plan shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The woodland management plan shall be prepared by a qualified and experienced arboricultural consultant and shall include the following elements:</p> <ul style="list-style-type: none"> a) A statement of the overall design vision for the woodland and for individual trees retained as part of the development - including amenity classification, nature conservation value and accessibility. b) Type and frequency of management operations to achieve and sustain canopy, understorey and ground cover, and to provide reinstatement including planting where tree loss or vandalism occurs. c) Frequency of safety inspections, which should be at least three yearly in areas of high risk, less often in lower risk areas d) Confirmation that the tree pruning work is carried out by suitably qualified and insured tree contractors to British Standard 3998 (2010). e) Special measures relating to Protected Species or habitats, e.g. intensive operations to avoid March - June nesting season or flowering period. f) Inspection for pests, vermin and diseases and proposed remedial measures. g) Recommendations relating to how trees within the immediate vicinity of properties or within private areas are to be protected, such that these are retained without the loss of their canopy or value as habitat. h) Confirmation of cyclical management plan assessments and revisions to evaluate the plan's success and identification of any proposed actions. <p>REASON: In the interests of sustainability, to ensure the development provides the maximum possible provision towards creation of woodland habitats and valuable areas for biodiversity.</p>
31	<p>Playspaces (Details)</p> <p>CONDITION: Details of all playspaces, including drawings and specification of any proposed play equipment, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The playspace shall be carried out strictly in accordance with the details so approved and provided prior to the first occupation of the development, shall be</p>

	<p>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 good design, enhancing biodiversity, safety and protecting residential amenity, and to ensure the development is of an inclusive design.</p>
32	<p>Cycle Parking (Details)</p> <p>CONDITION: Details of the layout, design and appearance of the bicycle storage areas shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 306 cycle parking spaces.</p> <p>The bicycle storage areas shall be provided strictly in accordance with the details so approved and installed prior to the first occupation of the development, 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>
33	<p>Delivery and Servicing Management Plan (and Waste Management Plan)</p> <p>CONDITION: A Delivery and Servicing Management Plan (DSMP), including a Waste Management Plan (WSP), shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The DSMP shall include details of all servicing and delivery requirements, including details of how waste (including recyclable waste) would be transferred and collected, and shall confirm the timings of all deliveries and collections from service vehicles.</p> <p>The development shall be occupied and operated strictly in accordance with the DSMP so approved.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
34	<p>Japanese Knotweed Removal Method Statement (Details)</p> <p>CONDITION: A Japanese Knotweed Removal Method Statement (JKRMS) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The JKRMS shall include details of the method of removal / chemical treatment for each stand of Japanese Knotweed on site, including all vehicles, machinery and chemicals to be used, the routes for vehicles and operatives to access the stand and remove contaminated soil and vegetation, the protection measures (fencing, matting etc) used to protect surrounding trees and habitat, the dates outside of the bird breeding season when the work would be undertaken.</p> <p>The Japanese Knotweed removal shall be undertaken in strict accordance with the details so approved.</p>

	<p>REASON: In order to minimise the impact of works to remove Japanese Knotweed on existing trees and biodiversity at the site and to prevent the spread of the Japanese Knotweed beyond the site.</p>
35	<p>Tree Protection (Details)</p> <p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of all trees to be retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction have been submitted to and approved in writing by the Local Planning Authority. The specific issues to be dealt with in the TPP and AMS shall include:</p> <ul style="list-style-type: none"> a. Protection of trees during removal / treatment of Japanese Knotweed. b. Location and installation of services/ utilities/ drainage. c. Details of construction within the Root protection Area (RPA) or that may impact on the retained trees. d. Tree protection during construction indicated on a TPP and construction activities clearly identified as prohibited in this area. e. The RPA of retained trees not to be used for storage, welfare units or the mixing of materials. g. The method of protection for the retained trees. <p>Development shall be carried out in strict accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
36	<p>Energy/carbon dioxide reduction (Details)</p> <p>CONDITION: Prior to the commencement of any superstructure works details shall be submitted to and approved in writing by the Local Planning Authority illustrating how the development has been designed in a manner that would allow connection to potential DENs that may become available in this area in the future. The development shall then be undertaken in strict accordance with the details so approved and maintained as such unless agreed in writing by the Local Planning Authority.</p> <p>The proposed measures relevant to energy as set out in the approved Energy Strategy which shall together provide for no less than a 23% on-site total (regulated and unregulated) carbon dioxide reduction in comparison with total emissions from a building which complies with Building Regulations 2010 shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>Should, following further assessment, the approved energy measures be found</p>

	<p>to be no longer suitable, a revised energy strategy, which shall provide for no less than a 23% on-site total (regulated and unregulated) carbon dioxide reduction in comparison with total emissions from a building which complies with Building Regulations 2010, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The development shall then be undertaken in strict accordance with the details so approved and maintained as such unless agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interests of sustainable development and to ensure that the Local Planning Authority may be satisfied that the carbon dioxide reduction target is met</p>
37	<p>Access into the Site from Caledonian Road (Details)</p>
	<p>CONDITION: Prior to the commencement of any superstructure works, full details of the vehicular, pedestrian and wheelchair access into the site from Caledonian Road including:</p> <ul style="list-style-type: none"> a) the gradient of any slopes, b) steps, c) hand rails, d) lifts and e) paving materials, <p>shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and 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 ordert to ensure that safe and inclusive access is provided.</p>
38	<p>Route Through Site to Carnoustie Drive (Details & Compliance)</p>
	<p>CONDITION: Prior to the commencement of any superstructure works, full details of the pedestrian route through the site to Carnoustie Drive including:</p> <ul style="list-style-type: none"> a) the gradient of any slopes, b) steps, c) hand rails, and d) materials, <p>shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The pedestrian route shall be completed in strict accordance with the details so approved, shall be open to the public prior to the first occupation of the site and 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>The pedestrian route to Carnoustie Drive shall be open to the public during</p>

	<p>daylight hours at all times.</p> <p>REASON: In order to ensure that safe and inclusive access is provided.</p>
39	<p>Managed Access Plan for the SINC (Details)</p> <p>CONDITION: A Managed Access Plan (MAP) detailing how access to the SINC would be organised and managed shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>Managed access to the SINC area at the site shall be maintained in accordance with the details set out in the approved MAP at all times unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In order to secure improved access to nature in accordance with the site allocation, the planning brief for the site and Core strategy policy CS15.</p>
40	<p>No pipes & cables to outside of building (Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes, foul pipes, or cables other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing, pipes and cables would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
41	<p>Code for Sustainable Homes (Compliance)</p> <p>CONDITION: The residential units hereby approved shall achieve a Code for 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>
42	<p>BREEAM (compliance)</p> <p>CONDITION: The commercial unit hereby approved shall achieve a BREEAM New Construction rating (2011) of no less than 'very good'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
43	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans 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</p>

	adhered to.
44	Plant Noise (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. 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 an appropriate standard of residential accommodation is provided.</p>
45	Green/Brown Biodiversity Roofs (Compliance)
	<p>CONDITION: All green/brown roofs shown across the approved development shall be designed, installed and maintained in a manner that meets the following criteria:</p> <ul style="list-style-type: none"> a) green/brown roofs shall be biodiversity based with extensive substrate base (depth 120 -150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise run-off.</p>
46	Window & Door Reveals (Compliance)
	<p>CONDITION: All windows and doors shall be set within reveals no less than 100mm deep unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard, to ensure sufficient articulation in the elevations</p>
47	No Gates (Compliance)
	<p>CONDITION: No gates shall be installed at the main entrance to the site from Caledonian Road or anywhere along the access road / internal street, without the</p>

	<p>prior written consent of the Local Planning Authority. Notwithstanding the provisions under Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 the erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure within the site shall not be carried out without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future development relating to means of enclosure in view of the limited space within the site available for such development, to ensure that the resulting appearance and construction of the development is to a high standard, to ensure neighbourhood permeability is improved, to ensure public access is provided to amenity resource within the site.</p>
48	<p>Wheelchair Accessible Units (Compliance)</p> <p>CONDITION: The wheelchair-accessible/adaptable flats, in accordance with the plans hereby approved, shall be provided prior to the first occupation of the development, 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: To ensure the provision of an appropriate number of wheelchair-accessible/adaptable flats and to ensure the development is of an inclusive design.</p>
49	<p>Accessible Parking Bays (Compliance)</p> <p>CONDITION: The 15 wheelchair accessible disabled parking bays, as shown on the approved drawings listed in condition 2, shall be provided and marked out as approved prior to the first occupation of the development and maintained as such thereafter.</p> <p>The 15 wheelchair accessible disabled parking bays shall only be used for parking by blue badge holders.</p> <p>REASON: To ensure adequate provision of parking for residents with disabilities and to ensure that the development is otherwise car free.</p>
50	<p>Water Consumption (Compliance)</p> <p>CONDITION: The development hereby approved shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>The above water use target shall apply to all tenures within the development hereby approved.</p> <p>REASON: To ensure the sustainable use of water</p>

List of Informatives:

1	<p>S106</p> <p>SECTION 106 AGREEMENT 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>
2	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the 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>Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	<p>Roller Shutters</p> <p>ROLLER SHUTTERS The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
5	<p>Car-Free Development</p> <p>INFORMATIVE: (Car-Free Development) All new developments are car free in</p>

	accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.
6	Water Infrastructure
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
7	Working in a Positive and Proactive Way
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
8	Materials
	INFORMATIVE: In addition to compliance with condition 3, 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.
9	Protective Provisions Agreement (HighSpeed1)
	The nature and scale of the proposed development is such that detailed discussions, agreements and indemnities are required in respect of the design, construction and future maintenance of the development in order to protect HighSpeed1. Therefore, the developer is expected to enter into a PPA with HS1. This is a legal agreement between HS1 and the developer covering safeguards, processes, responsibilities and cost recovery.
10	Rights of Access (HighSpeed1)
	HS1 requires access to operate and maintain the HighSpeed1 railway, including in emergency. This right is normally contained in the sale/transfer of land agreement. Therefore, the applicant is reminded that HS1 has the right to access the maintenance area west of 351 Caledonian Road including parking space for 2 maintenance vehicles.
11	Maintenance Strip (HighSpeed1)
	The applicant is reminded that a 3m wide maintenance strip exists alongside

	<p>the HighSpeed1 fence. No development or planting should take place within this strip. Access to this strip is required across the site from Caledonian Road. The maintenance strip has been specifically provided to allow for safe and adequate maintenance of HighSpeed1 and is allowed for in the sale/transfer of land agreement.</p>
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APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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, 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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

Policy 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

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

Policy 3.13 Affordable housing thresholds

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.12 Improving opportunities for all

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 5.4 Retrofitting

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.19 Hazardous waste

Policy 5.21 Contaminated land

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.13 Parking

7 London's living places and spaces

- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall and large buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.13 Safety, security and resilience to emergency
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting local open space and addressing local deficiency
- Policy 7.19 Biodiversity and access to nature
- Policy 7.20 Geological conservation
- Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

- Policy 8.1 Implementation
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy
- Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Spatial Strategy

- Policy CS6 (King's Cross)
- 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)

- Policy CS14 (Retail and Services)
- Policy CS15 (Open Space and Green Infrastructure)
- Policy CS16 (Play Space)
- Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation

- Policy CS18 (Delivery and Infrastructure)
- Policy CS19 (Health Impact Assessments)
- Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

- DM2.1** Design
- DM2.2** Inclusive Design
- DM2.3** Heritage
- DM2.4** Protected views

Housing

- DM3.1** Mix of housing sizes
- DM3.4** Housing standards
- DM3.5** Private outdoor space
- DM3.6** Play space
- DM3.7** Noise and vibration (residential uses)

Shops, culture and services

- DM4.1** Maintaining and promoting small and independent shops
- DM4.8** Shopfronts

Health and open space

- DM6.1** Healthy development
- DM6.2** New and improved public open space
- DM6.3** Protecting open space
- DM6.4** Sport and recreation
- DM6.5** Landscaping, trees and biodiversity
- DM6.6** Flood prevention

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
- DM7.5** Heating and cooling

Transport

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

Infrastructure

- DM9.1** Infrastructure
- DM9.2** Planning obligations
- DM9.3** Implementation

D) Site Allocations June 2013

Site Allocation - KC5

3. Planning Advice Note/Planning Brief

A Planning Brief for the Gifford Street Railway Embankment and 351 Caledonian Road was published in October 2012. The key aims of the Planning Brief are:

- to secure the provision of housing including the maximum amount of affordable housing and a good mix of housing size;
- to reprovide any SINC land used by the development;

- to enhance the biodiversity at the site;
- to provide increased public access to nature;
- to provide a new public pedestrian route through the site;
- to provide enhanced interaction with the street and townscape to the south of the site (Carnoustie Drive); and
- to reprovide a building at the site frontage on Caledonian Road.

4. Designations

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

- Copenhagen Junction SINC - Borough Grade 1
- Site Allocation KC5
- Gifford Street Embankment & 351 Caledonian Rd Planning Brief
- Barnsbury Conservation Area
- Local View from Archway Road to St. Paul's Cathedral (LV4)
- Local View from Archway Bridge to St. Paul's Cathedral (LV5)
- Channel Tunnel Railway Safeguarding Area (RS3)
- Kings Cross Special Policy Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Accessible Housing in Islington
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Cally Plan

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London