

# PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB COMMITTEE A</b>		
<b>Date:</b>	9 <sup>th</sup> July 2015	<b>NON-EXEMPT</b>

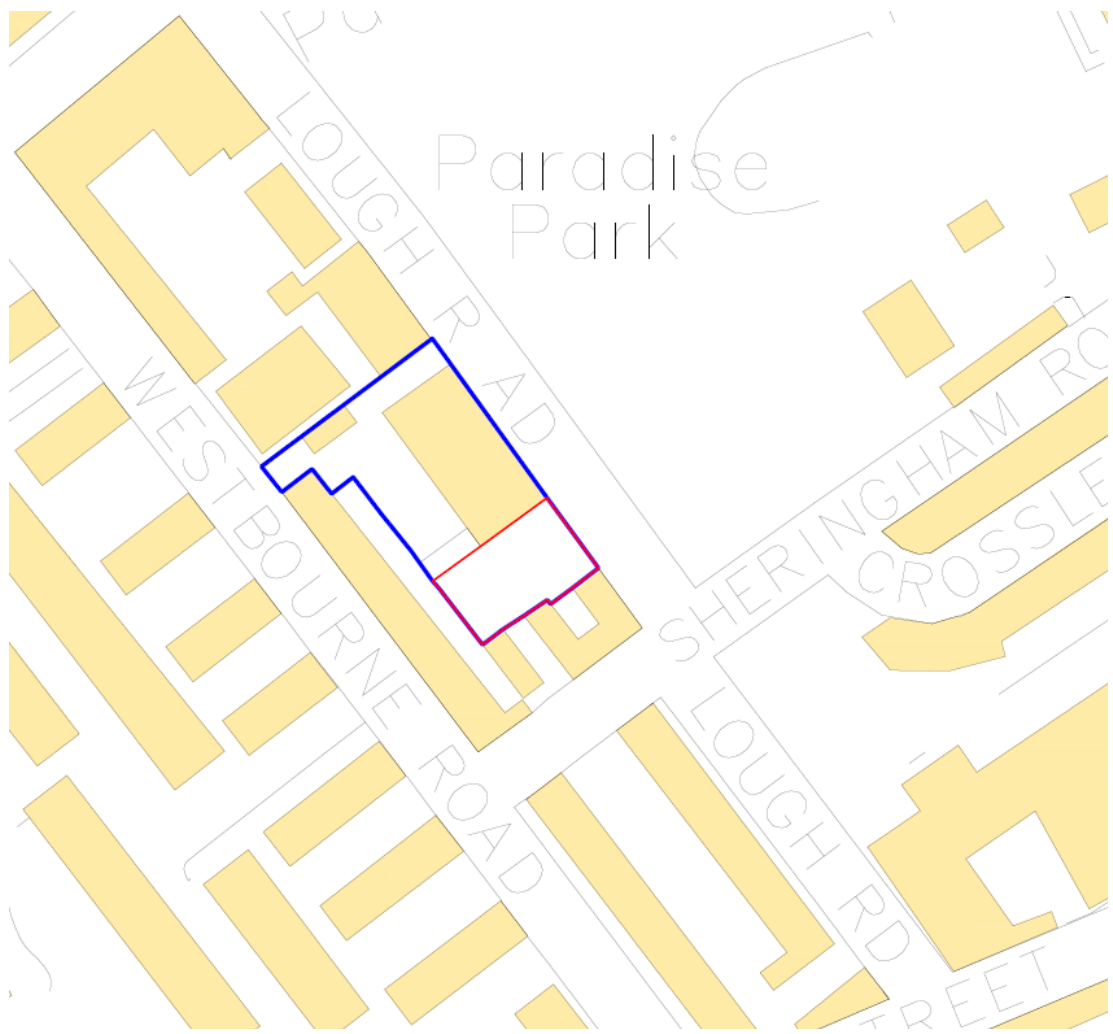
Application number	P2015/1336/FUL
Application type	Full Planning Application
Ward	Holloway Ward
Listed building	Unlisted
Conservation area	Not located in a conservation area
Development Plan Context	- Local Cycle Route - Major Cycle Route
Licensing Implications	None
Site Address	New River College, Lough Road, London, N7 8RH
Proposal	Conversion of existing car park into external play space offering multi-sports use with internal access to and from the school via the existing fencing and access to and from Lough Road. Improved access to Lough Road. Erection of fencing and roof netting, insertion of 4no. floodlights and sports storage facilities.

Case Officer	Emily Benedek
Applicant	Nigel Smith – New River College
Agent	Tom Betts

## 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission - subject to the conditions set out in Appendix 1 and conditional upon the completion of a Directors Service Level Agreement securing the heads of terms set out in Appendix 1

**2. SITE PLAN (site outlined in black)**



**3. PHOTOS OF SITE/STREET**



Image 1: Aerial view of street elevation



Image 2: Photo of the site from Lough Road



Image 3: Photo of the site in relation to the surrounding properties

#### **4. SUMMARY**

- 4.1 Planning permission is sought for the conversion of existing car park into external play space offering multi-sports use with internal access to and from the school via the existing fencing and access to and from Lough Road, improved access to Lough Road. The proposal also seeks consent for the erection of fencing and roof netting, insertion of 4no. floodlights and sports storage facilities.
- 4.2 The proposal will provide a better use of the disused car park, creating a multi-use games area which will provide on-site amenity space for students at New River College and the local community. Subject to conditions relating to hours of use and a flood lighting scheme, the proposal is not considered to have a detrimental impact on neighbouring amenity.
- 4.3 The proposed development is considered to be acceptable with regards to the land use, design, neighbour amenity, transport and highways, accessibility and Service level Agreement. In summary, the application is considered to be acceptable and in accordance with relevant planning policy.

#### **5. SITE AND SURROUNDING**

- 5.1 The application site relates to the New River College, a modern five storey building, which was rebuilt in the last two years and is located on the south-west side of Lough Road. The application site is used as a pupil referral unit and is linked to two other pupil referral units spread across four sites within the borough with shared facilities between these units.
- 5.2 The properties surrounding the site on Lough Road and Hides Street comprise a mix of educational and residential buildings, ranging from three to four storeys in height. Immediately opposite the site is Paradise Park. To the rear of the site the property three-storey properties in Westbourne Road which are used for residential purposes.
- 5.3 The application site is not listed and the property is not located in a conservation area.

#### **6. PROPOSAL (IN DETAIL)**

- 6.1 The proposal consists of the conversion of existing car park into external play space offering multi-sports use with internal access to and from the school via the existing fencing and access to and from Lough Road, improved access to Lough Road. The proposal also seeks consent for the erection of fencing and roof netting, insertion of 4no. floodlights and sports storage facilities.
- 6.2 The proposal involves the removal of the existing concrete hardstanding area and the creation of a new artificial grass sports pitch measuring a maximum of 31 metres in depth and 15 metres in width. Two new storage containers are proposed which will be located along the boundary with Westbourne Road and will measure 3 metres in width, 2 metres in depth and 2.4 metres in height.
- 6.3 The new multi-use games area will be enclosed with 4 metre high fencing and will be enclosed with netting to prevent balls leaving the pitch. 4no. floodlights are also proposed which will be located on 6 metre high posts on the four corners of the pitch.
- 6.4 New access gates are also proposed fronting Lough Road and will measure a maximum of 2.6 metres in height.



## 7. RELEVANT HISTORY:

### Planning Applications:

- 7.1 **P100270** - Demolition of existing four storey Victorian building with associated outbuildings and the erection of a new three storey building (2635m<sup>2</sup>GEA) fronting Lough Road for continued education purposes (as a Pupil Referral Unit) within use class D1 (non-residential institutions). The development involves: a new vehicle access off Westbourne Road for parking and servicing; landscaping including shade canopy and external exercise equipment; cycle and refuse storage and associated boundary treatment. Approved (30/03/2011)

### ENFORCEMENT:

- 7.2 E2013/0437 - Breach of Condition 16 (Breeam) of P100270

### PRE-APPLICATION ADVICE:

- 7.3 Q2014/4889/MIN - External play space offering multi-sports use with internal access to and from the school via existing fencing and access to and from Lough Road. Improved access to Lough Road. Fencing and roof netting. Floodlighting and sports storage facilities (17/03/2015). The advice highlighted that the development may be acceptable but would need to pay special attention to maintaining the character and appearance of the area and safeguarding adjoining residents amenity levels in terms of light pollution, noise and disturbances.

## 8. CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of 97 adjoining and nearby properties at Lough Road, Hides Street and Westbourne Road on 24 April 2015. A site notice was placed outside the site and the application was advertised in the Islington Gazette on 30 April 2015. The public consultation of the application therefore expired on 21 May 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 23 responses, including 3 letters of support had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Proposed floodlights outside of school hours is unacceptable (10.12)
  - Proposal contravenes policy DM2.1 (10.10-10.17)
  - Noise and disturbance from use seven days a week (10.12)
  - Light pollution from floodlights (10.13-10.15)
  - Impact on car parking after 6:30pm (10.18-10.20)
  - Even with fencing balls could still get into neighbouring properties and cause damage (10.7)
  - Design of the fencing (10.7-10.8 & 10.25)
  - Same hours should be applied as to Mary Magdalene Academy (07:30-18:00 Monday-Friday) (10.12)
  - Pavement outside the site should be reinstated (10.19)
  - If pitch used outside school hours it will change the primary use of the facility from a school facility to a sports venue (10.4)
  - Security – the proposal will lead to an increased risk of being burgled (10.16)
  - Impact on neighbouring locally listed building (10.24)

- Stress and impacts on health as a result of the application (8.3)
- No need for MUGA in this location (10.4)
- Site should have been developed for social housing as per the original application (10.24)
- Lack of planting (10.8)

8.3 It must be noted that matters related to the impact on health as a result of the application is not a material planning consideration which can be taken into account when assessing the proposal.

#### **External Consultees**

8.4 None

#### **Internal Consultees**

8.5 Planning Policy Officer – no in principle objection to the multi-sports space, subject to further details of the final activities management plan. In addition, the proposal must ensure it does not negatively impact Paradise Park and the Site of Importance for Nature Conservation

8.6 Public Protection Division (Noise Team) – no objection subject to conditions relating to noise management plan, hours of use and lighting strategy

8.7 Transport Officer - no objection subject to all alteration costs to the public highway will need to be covered by the applicant

8.8 Sustainability Officer – no objection subject to a condition regarding the feasibility of using sustainable urban drainage

8.9 Access Officer – no objection to the proposal

#### **Other Consultees**

8.10 Sport England – no comments received

### **9. RELEVANT POLICIES**

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

#### **National Guidance**

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

9.2 Since March 2014 Planning Practice Guidance for England has been published online.

#### **Development Plan**

9.3 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 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 to this report.

### **Designations**

9.4 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Local Cycle Route
- Major Cycle Route

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

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

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and Appearance
- Neighbouring Amenity
- Transport and Highways
- Accessibility
- Other matters & Section 106

### **Land-use**

10.2 The application site is part of the New River College campus which was never redeveloped as part of the larger scheme. Several other educational establishments including Paradise Park Children's Centre and St Mary Magdalene C of E Primary School are located in close proximity to the site and benefit from Multi Use Games Areas (MUGA) as part of their site with high fencing around. The MUGA would provide ancillary outdoor space in connection with the educational use and is therefore falls within the category of 'social infrastructure.'

10.3 Development Management policy DM4.12 part C is therefore of relevance. This policy states that new social infrastructure should be conveniently located to be accessible by a range of transport modes, provide buildings which are inclusive, accessible and flexible, are sited to maximise shared use of the facility and complement the existing uses and character of the area and avoid adverse impacts on the amenity of the surrounding area.

10.4 The proposal to remove the existing hard surfaced area and replace it with an artificial grass multi sports pitch would result in an increase in the area designated for sports and recreation, in association with the school. The existing car park is currently in a poor state of repair and is not currently used for this purpose therefore the proposal will involve the re-use of this existing brownfield site. The facility will also be open to members of the public (outside of school hours) which will be managed via a Management Plan, thereby maximising the shared use of the facility. However, the hours the proposed MUGA will be open to the public will be more limited than the existing facilities in Paradise Park; and the proposal will therefore not conflict with the existing community facilities nearby. Furthermore, as the MUGA will only be used for a limited period outside of school hours, therefore the use is considered ancillary to the main educational use associated with the school. As such, the principle of development is considered to be acceptable.

## **Design and Appearance**

- 10.5 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
- 10.6 The proposed sports pitch will take up the majority of the existing car park site with a small path surrounding the pitch to allow access through the site. The proposed sports pitch will be made of artificial grass whilst the surrounds will be resurfaced macadam; no objections are raised to the use of materials. It is proposed that 2no. storage containers will be located along the boundary with the neighbouring properties in Westbourne Road, however these will be replacing a disused toilet block currently situated along the shared boundary and are considered improvements to the character and appearance of the area.
- 10.7 It is proposed that the sports pitch will be enclosed with 4 metre high perimeter bullstock fencing with roof netting to ensure the sports equipment is contained within the site. There are several other examples of similar fencing in close proximity to the site, namely the existing MUGAs in Paradise Park and St Mary Magdalene School, both of which are visible from the public highway and the addition of high fencing is considered appropriate in this location.
- 10.8 The existing boundary treatment adjoining the site of Lough Road is currently in a poor state of repair and as part of the wider application new access gates are proposed measuring 2.6 metres in height. The existing front boundary treatment varies in height and looks unsightly. The proposal will provide some uniformity to the front boundary and will not look out of character within the street scene. It was agreed prior to the submission of the application that no soft landscaping treatment would be required around the site as given the nature of the use it is unlikely that any soft landscaping would be properly maintained.
- 10.9 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

## **Neighbouring Amenity**

- 10.10 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of light pollution, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policies 7.14 and 7.15 as well as Development Management Policies DM 2.1 and DM6.1 which requires for all developments to be safe and inclusive and maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.11 Bearing in mind the open nature of the proposed fencing and its overall height, it is not considered that the development would give rise to any material adverse impacts on adjoining resident's amenity levels in terms of loss of daylight/sunlight, increased enclosure or privacy concerns. The site is proposed to be in a more active use as the pitch would function. However it is considered that the use of the area for a sports pitch at ground level would not give rise to any substantial overlooking or loss of privacy of adjoining properties windows in this case. The pitch would be screened by open fencing and it is considered that there are adequate separation distances between the existing boundary walls in situ to mitigate any concerns in this area.



- 10.12 Adjoining residents at Hides Street, Lough Road and Westbourne Road and front and rear windows facing onto the existing open site. It is accepted that the development will change these residents' view into the site from their properties. However the overall design and scale of the proposed fencing and pitch itself are not considered to be excessive nor visually harmful. Therefore the view will inevitably change from these properties but it is not considered that these views will be harmed and it is considered that there will be no material loss of outlook to any adjoining properties in relation to the proposed development.
- 10.13 However, the impacts on light pollution, safety and noise and disturbance require further assessment. An Activities Management Plan submitted as part of the application proposed the MUGA would be in use from 09:00 to 21:00 Monday to Friday, 09:00-18:00 Saturdays and 10:00-14:00 on Sundays. Whilst the application site forms part of an existing school it is acknowledged that the site is surrounded by residential properties to the south, west and east, which benefit from small rear gardens. The Council's Noise Officer raised concerns regarding the proposed hours of use, bearing in mind the proximity to residential dwellings and the fact that potential noise such as shouting (and swearing), ball impacts and whistles could have a detrimental impact on neighbouring amenity. It is therefore proposed to overcome this issue, subject to a condition, that the hours of use are restricted to 09:00-20:30 Monday to Friday, 10:00 to 18:00 Saturday and the site is not used at all on Sundays and public holidays. In addition, a condition has also been proposed regarding a Noise Management Plan. This will ensure the applicant considers the impact on neighbouring amenity and include measures for mitigating any identified impacts.
- 10.14 The light pollution from the proposed floodlights has also been assessed. Concerns have been raised by the Council's Acoustics officer that the proposed lighting assessment does not appear to take into account the properties in Hides Street or at the corner of Sheringham Road and Lough Road. A condition is therefore proposed to review and resubmit the lighting assessment including these details and the predicted lux levels. In addition, whilst the times of the floodlights has also been reduced (by virtue of the new hours of operation) a condition has been attached to ensure the operational management of the floodlights is reinforced including the hours of use and the fitting of timer switches to avoid the lighting becoming misdirected. These measures will also minimise the impact on neighbouring amenity.
- 10.15 It is also noted that the restriction in the hours of operation until 20:30 all year round will mean the floodlights are mainly required during the winter months as during the summer period it will still be light during this time and the floodlights will therefore not be required.
- 10.16 Concerns have been raised regarding safety and security as a result of the development including increased risk of burglary. The proposal is in an enclosed space with high boundary fencing on all sides. The addition of floodlighting until 8:30pm at night when the site is in use will render any activity in this location more visible and therefore act as a deterrent to potential troublemakers and the provision of providing additional sports facilities has the potential of providing additional activities for young people as an alternative to crime and anti-social behaviour.
- 10.17 Given the above measures, the proposal is not considered to result in any significant impacts on residential amenity in terms of light pollution, safety and noise and disturbance. The proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 of the adopted Islington Development Management Policies 2013.

### **Transport and Highways**

- 10.18 The site has a PTAL of 6a, which is 'Excellent', with Caledonian Road Railway Station and Highbury and Islington Tube Stations and a number of major bus routes in close proximity to the site.
- 10.19 It is proposed that many of the users of the sports pitch outside of school hours will be local community group's currently in close proximity to the site and therefore the lack of cycle parking spaces on site is considered acceptable. Although the Council is unable to control parking after 6:30pm, as part of the Activities Management Plan it is hoped that the school will look at alternative measures to ensure the local community do not access this site by car.
- 10.20 Alterations are also proposed to the public highway involving the alterations to the cross overs. An informative is attached to this application to remind the applicant that all alteration costs will need to be covered by the developer.

### **Accessibility**

- 10.21 All developments are required to demonstrate that they provide for ease of and versatility in use; deliver safe, legible and logical environments; produce places and spaces that are convenient and enjoyable to use for everyone, and bring together the design and management of a development from the outset and over time. Planning applications need to meet the above criteria in order to be consistent with Policy DM2.2 of Islington's Development Management Policies.
- 10.22 The proposal has been designed with level access and sufficient width around the perimeter of the court to provide ease of use for people with mobility impairments. The single and double leaf gates providing entry onto the pitch exceed the minimum 1 metre and 2 metre width requirements, ensuring the sports pitch is fully accessible and therefore complies with Development Management policy DM2.2.

### **Directors Service Level Agreement**

- 10.23 The new sports pitch would be subject to a Community Use and Management agreement to ensure that the space is suitably managed and public access is guaranteed. This safeguard would also secure the appropriate management and long term use and intensity of the use of the sports space. It is considered that this agreement to provide these details coupled with controls on light levels and hours of operation would ensure that close by adjoining residents amenity levels would be safeguarded to an acceptable degree.

### **Other Matters**

- 10.24 Comments have been raised by neighbouring occupiers that the site should have been turned into social housing as per the details in the original planning application P100270. However, each application must be considered on its own merits and the Council would have needed to justify the loss of educational facilities against the merits of social housing. It is considered that the creation of a sports pitch in association with the school is an appropriate use of the site.
- 10.25 The application site only has a side boundary with the locally listed properties in Hides Street and the boundary treatment along this elevation is not going to change. The proposal will therefore not cause any harm to the setting of the locally listed building. The overall scale and proposed height of the related sports pitch fencing is not considered to be excessively high such that any material visual harm could be caused when looking towards and into the site from Lough Road, Hides Street and from the rear elevations of properties along Westbourne Road.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed multi use games area would provide much needed recreational facilities for the existing school and wider community. In addition, proposal has been sympathetically designed and would not have a detrimental impact on the character and appearance of the property and wider site or wider locality.
- 11.2 The proposed development is considered to be acceptable with regards to the land use, detailed design, neighbour amenity, transport and highways, accessibility and Section 106.
- 11.3 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

### **Conclusion**

- 11.4 It is recommended that planning permission be granted subject to the terms set out in the Service Level Agreement and the conditions as set out in Appendix 1 - RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Directors Service Level Agreement between the Director of Children’s Services and the Director of Environment and Regeneration to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management or in their absence the Deputy Head of Service:

1. A Community Use and Management Agreement to ensure suitable management and community use.

### RECOMMENDATION B

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<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>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>SSL1746 08, SS1746 02/REV 00, SS1746 01/REV 00, SS1746 09, SS1746 07/REV 00, SS1746 03/REV 00, SS1746 06/REV 00, SS 1746 04/REV 00, SS1746 05/REV 00, Design &amp; Access Statement, Activities Management Plan, Master MHN-FC Floodlighting details, Guidance Notes for Reduction of Obtrusive Lights, Surfacing Standards Limited report dated 23 March 2015.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials</b>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"><li>a) Samples of all boundary treatment</li><li>b) Paving details;</li><li>c) Details of proposed lighting;</li><li>d) Any other materials to be used.</li></ol> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

<b>4</b>	<b>Hours of Use</b>
	<p>CONDITION: The proposed all weather football pitch shall operate only between the hours of 09:00-20:30 Monday to Friday, 10:00-18:00 Saturdays and not at all on Sundays or Bank Holidays.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<b>5</b>	<b>Lighting Hours</b>
	<p>CONDITION: The Multi Use Games Area floodlighting shall be operated during the hours of 09:00-20:30 Monday to Friday and 10:00-18:00 Saturdays only. Usage within these hours shall be controlled by a photocell detector and timer switch.</p> <p>REASON: To ensure that any resulting general or security lighting does not adversely impact neighbouring residential amenity as well as protecting the biodiversity value of Paradise Park.</p>
<b>6</b>	<b>Lighting Details</b>
	<p>CONDITION: Notwithstanding the approved plans, a lighting strategy for the Multi Use Games Area (MUGA) shall be submitted to and approved by the Local Planning Authority prior to construction. The details of the approved lighting strategy shall be implemented prior to the first occupation of any of the users hereby approved and maintained thereafter.</p> <p>REASON: To ensure that any resulting lighting does not adversely impact neighbouring residential amenity.</p>
<b>7</b>	<b>Noise Control Measures</b>
	<p>CONDITION: A Noise Management Plan assessing the impact of the Multi Use Games Area shall be submitted to and approved in writing by the Local Planning Authority prior to the ball court use commencing on site. The report shall assess impacts during the operational phase of the ball court on nearby residents and other occupiers together with means of mitigating any identified impacts. The ball court shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that existing residential amenity is maintained.</p>
<b>8</b>	<b>Sustainable Urban Drainage</b>
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The Drainage Strategy shall include the following details:</p> <p style="margin-left: 40px;">a) A drainage plan detailing the proposed method for disposing of surface water by means of appropriate sustainable drainage systems. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve no net increase in surface water runoff from the site post-development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

REASON: In the interest of sustainability.
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**List of Informatives:**

<b>1</b>	<p><b>Positive Statement</b></p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</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>
<b>2</b>	<p><b>Highways</b></p> <ul style="list-style-type: none"> <li>- Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</li> </ul> <p>All agreements relating to the above need to be in place prior to works commencing.</p> <ul style="list-style-type: none"> <li>- Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Section 50 license must be agreed prior to any works commencing.</li> <li>- Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</li> </ul> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a></p> <p>Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <ul style="list-style-type: none"> <li>- Temporary crossover licenses to be acquired from <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</li> <li>- Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</li> <li>- Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months' notice to meet the requirements of the Traffic Management Act, 2004.</li> <li>- Development will ensure that all new statutory services are complete prior to footway</li> </ul>



<b>3</b>	<p><b>Community Infrastructure Levy (CIL)</b></p> <p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/">www.planningportal.gov.uk/planning/applications/howtoapply/</a></p>
<b>4</b>	<p><b>Other legislation</b></p>
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations &amp; the Party Wall etc. Act 1996 ("the Act")</p>
<b>5</b>	<p><b>Service Level agreement</b></p>
	<p>Your attention is drawn to the fact that this grant of permission is subject to a Service Level agreement.</p>

## APPENDIX 2: RELEVANT POLICIES

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

### 1 National Guidance

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

Since March 2014 Planning Practice Guidance for England has been published online.

### 2. Development Plan

The Development Plan is comprised of the London Plan 2015, 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 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011**

##### **1 Context and strategy**

Policy 1.1 Delivering the strategic vision and objectives for London

##### **2 London's places**

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.9 Inner London

Policy 2.14 Areas for regeneration

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

Policy 3.17 Health and social care

Policy 3.18 Education facilities

Policy 3.19 Sports facilities

##### **4 London's economy**

Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision

Policy 4.12 Improving opportunities for all

##### **5 London's response to climate change**

Policy 5.3 Sustainable design and construction

Policy 5.10 Urban greening

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

##### **6 London's transport**

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.7 Better streets and surface transport

Policy 6.10 Walking

##### **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 7.11 London View Management Framework

Policy 7.15 Reducing noise and enhancing soundscapes

use

##### **8 Implementation, monitoring and review**

Policy 8.1 Implementation  
Policy 8.2 Planning obligations

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

### **Spatial Strategy**

Policy CS7 (Bunhill and Clerkenwell)  
Policy CS8 (Enhancing Islington's  
Character)

### **Strategic Policies**

Policy CS9 (Protecting and Enhancing  
Islington's Built and Historic Environment)  
Policy CS10 (Sustainable Design)

### **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

### **Housing**

**DM3.6** Play space  
**DM3.7** Noise and vibration

### **Health and Open space**

**DM6.1** Healthy development  
**DM6.2** New and improved public open  
space  
**DM6.4** Sport and recreation  
**DM6.6** Flood prevention

### **Energy and Environmental Standards**

**DM7.4** Sustainable design standards

### **Transport**

**DM8.1** Movement hierarchy  
**DM8.2** Managing transport impacts  
**DM8.3** Public transport  
**DM8.4** Walking and cycling

### **Infrastructure**

**DM9.2** Planning obligations  
**DM9.3** Implementation

## **3. Designations**

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Local Cycle Route
- Major Cycle Route

**4. Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

**Islington Local Plan**

- Environmental Design
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

**London Plan**

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