



PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE A		AGENDA ITEM NO:
Date:	3 March 2014	NON-EXEMPT

Application number	P2013/4775/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Not listed
Conservation area	Not in a conservation area.
Development Plan Context	CAZ, Bunhill & Clerkenwell Core Strategy Key Area, Employment Priority Area
Licensing Implications	None.
Site Address	31-41 Pear Tree Street, London, EC1 V3AG
Proposal	Erection of single storey structure on roof for use as 1 x 2 bedroom flat.

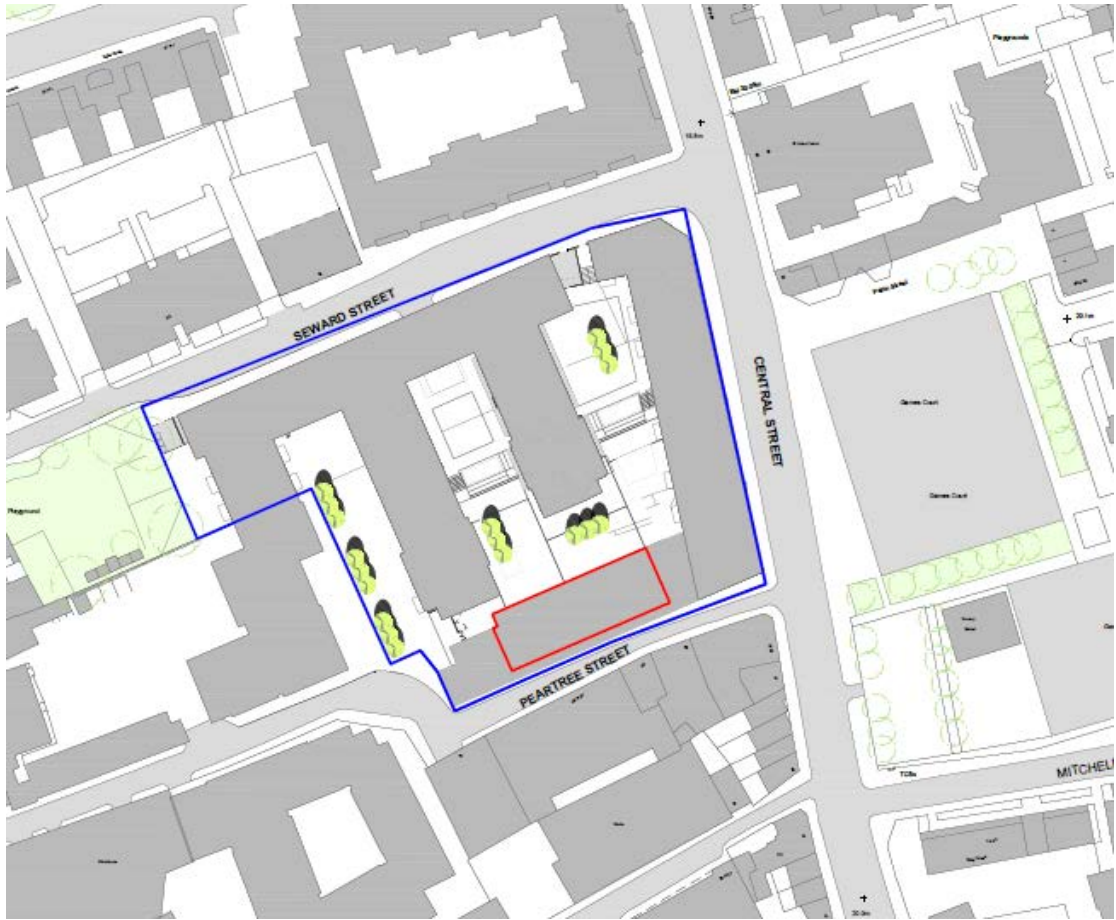
Case Officer	Russell Butchers
Applicant	Central Street (Pear Tree) Limited
Agent	Edward Ledwidge, Blue Sky Planning

1. RECOMMENDATION

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

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

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



3. PHOTOS OF SITE/STREET



Photo 1: View east of existing roof space.



Photo 2: View west of existing roof space.



Photo 3: Looking north towards opposite block.



Photo 4: Looking south towards Pear Tree Street.

4. SUMMARY

- 4.1 The application is for the erection of a single storey structure on the fourth floor roof of the building for use as a two-bedroom flat.
- 4.2 This application is the re-submission of a scheme (P2013/2807/FUL) that was refused by the Planning Committee 5 November 2013. The sole reason for refusal was: *The size and position of the proposed development would result in a loss of outlook that would be detrimental to the amenities of the adjoining neighbouring occupiers contrary to policy DM2.1 of the Development Management Policies 2013 and paragraph 17 of the NPPF which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.*
- 4.3 The applicant has addressed the reason for refusal by increasing the gap between the proposed extension and the neighbouring block C by an additional 3 metres, so that the distance between the extension and block C is now between 10 metres and 12 metres. Objections have been received from 102 neighbouring residents and occupiers. These objections largely relate to loss of outlook, redevelopment of a recently completed development, loss of daylight/sunlight, loss of biodiversity and loss of privacy.
- 4.4 Following assessment of the application it has been concluded that the applicant has addressed the reason for the refusal of the previous application and that the application complies with the Council's policies. The proposal will result in a quality residential unit and that there are no concerns with regards to neighbouring amenity that would warrant withholding planning permission.

5. SITE AND SURROUNDING

- 5.1 The site is located to the north of Pear Tree Street towards the eastern side of Clerkenwell, between Goswell Road to the west and Central Street.
- 5.2 The existing roof space is currently a 600m² green roof on top of the fourth floor with access only for maintenance. The building forms part of the recently completed 'Central Square' development which was developed in accordance with planning permission P110653 and comprises 274 residential flats and 6,625m² of commercial floorspace over buildings of between 4 – 10 storeys.

6. PROPOSAL (IN DETAIL)

- 6.1 The application proposes the erection of a single storey structure on the fourth floor of Block D of the Central Square development to be used as a two-bedroom penthouse flat. The penthouse flat has a gross internal area of 220m².

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

P2013/2807/FUL: Erection of single storey structure on roof for use as 1 x 2 bedroom flat. Refused 05-11-2013 for the following reason:

The size and position of the proposed development would result in a loss of outlook that would be detrimental to the amenities of the adjoining neighbouring occupiers contrary to policy DM2.1 of the Development Management Policies 2013 and paragraph 17 of the NPPF which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

P110653: Erection of part 5, part 6-storey building providing for 45 dwellings and 354sqm business (class B1) floorspace together with the creation of public realm/open space and associated works. Approved 09-11-2011

P120025: Demolition of existing 2 storey building and erection of a 5 storey mixed use building to provide 446m² of commercial office space (Use Class B1) at ground and first floor and 8 flats above (comprising 1 x four-bed, 6 x two-bed and 1 x one-bed flats). Approved 30-03-2012.

ENFORCEMENT:

7.1 None.

PRE-APPLICATION ADVICE:

7.2 None.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 396 adjoining and nearby properties. A site notice was also erected. At the time of the writing of this report 102 objections had been received 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):

8.2 Objections:-

- Overdevelopment of site (10.2);
- Loss of daylight/sunlight to neighbouring flats and communal garden area (10.9 – 10.20);
- Poor design and harm to appearance of Central Square development (10.3 – 10.8);
- Loss of privacy (10.23 – 10.26);
- Disruption during construction (10.27);
- Loss of outlook; (10.28 – 10.35)

- Loss of green roof area; (10.40 – 10.41)
- Approval would set a precedent for the Council to allow modifications to previously agreed scheme that may not have originally been acceptable (10.47 – 10.48).

External Consultees

8.3 None.

Internal Consultees

8.4 Access Officer: No objection.

8.5 Sustainability Officer: The loss of green roof area is not ideal and could be mitigated by vertical green walls or by turfing the proposed amenity space.

8.6 Tree Preservation Officer: Trachelospermum jasminoides or a Clematis species would be an appropriate climbing plant for the proposed trellis.

Other Consultees

8.7 None.

9. RELEVANT POLICIES

9.1 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

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

Development Plan

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

Designations

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

- Central Activities Zone
- Central London Area Special Policy

- Employment priority area

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;
- Neighbouring amenity;
- Quality of resultant residential accommodation;
- Accessibility;
- Affordable housing and carbon off-setting contribution;
- Sustainability;
- Highways and transportation;
- Waste and recycling.

Land use

- 10.2 The site currently has a mixed residential and commercial usage and the principle of an additional two-bedroom penthouse is acceptable in land use terms. The proposed unit is to be constructed on the fourth floor roof of the building and the resultant height of the building would be comparable with surrounding development and is not considered to constitute overdevelopment of the site.

Design

- 10.3 The existing buildings permitted under P110653 have only recently been completed and are not listed or in a conservation area.
- 10.4 It is noted that the application property is within Block D and that Block D contains the only rooftop within the Central Street development that does not contain a residential unit set back from the main building line. The applicant states that the massing of the proposed penthouse is intended to reflect that of the top storey penthouses within Central Square.
- 10.5 The block on the opposite side of Pear Tree Street consists of four storeys, other blocks that are within the Central Square development range from 10 storeys to four storeys. Block C, which is located immediately to the east of Block D has a height of six storeys and Block F which is located immediately to the north-west is 10 storeys although this steps down to five storeys as the block approaches Seward Street.
- 10.6 The proposed penthouse would be set back from the Pear Tree Street roof parapet by 2.0m in order to maximise private amenity space and to reduce the massing along the southern frontage. The proposed extension is set in from

the western parapet by 18 metres and the eastern parapet by 7 metres and these set backs ensure that the proposed penthouse is barely visible from Pear Tree Street at street level.

- 10.7 Immediately north of Block D is the communal courtyard and the proposed penthouse is set in from the courtyard façade by 1.0m. This elevation features a green copper-like metal cladding which matches other rooftop units of the Central Square development, in order to visually break up this elevation three groups of high level windows are proposed. These will be obscure glazed to ensure privacy for neighbouring occupiers.
- 10.8 Overall the design of the proposed penthouse is considered to be acceptable and is consistent with policy DM2.1 and the Urban Design Guide 2006.

Neighbouring Amenity

Daylight

- 10.9 The applicant has submitted a daylight and sunlight assessment to assess the impact of the proposal on neighbouring occupiers.
- 10.10 Results have been included for the Vertical Sky Component (VSC) within the daylight report for the relevant windows in Blocks C, E and F facing onto the proposed development followed by Average Daylight Factor results for the relevant rooms in Blocks E and F, where corner rooms lit from two directions is a common feature.
- 10.11 VSC is a measurement of the amount of skylight falling on a vertical wall or window. With regards to Block C of Central Square, the VSC would always be at least 0.87 or better in relation to the existing value and would comply with Buildings Research Establishment (BRE) guidance.
- 10.12 Within Blocks E and F the VSC values, nine of the 16 windows would retain a VSC of 0.87 or better in relation to the existing value. The proposed extension would result in windows of the first to fourth floors to Blocks E and F having values of between 0.60 and 0.78 of the existing values. However it is noted that the relevant rooms which these windows serve are corner rooms lit from two directions.
- 10.13 Average Daylight Factor (ADF) is a measure of interior daylight as is the appropriate measurement value for Blocks E and F, where the corner rooms are lit from two directions. The BRE recommendations the following ADF values for different rooms:
- 2% Kitchen or living space with integral kitchen (K/L/D)
 - 1.5% Living room or study (L/D)
 - 1% Bedroom

10.14 Within Blocks E and F of Central Square the ADF is in the majority of cases greater than the BRE required values. Five rooms fall below these BRE guidelines. These are outlined in the table below.

Block/ Floor	Room Ref	Room Use	ADF Existing	ADF Proposed	BRE Req Value	% of original value
E/1 st	R1	K/L/D	1.87	1.83	2.0	97.91%
E/1 st	R3	L/D	1.29	1.17	1.5	90.03%
E/2 nd	R1	K/L/D	2.39	1.97	2.0	82.24%
E/2 nd	R3	L/D	1.64	1.44	1.5	87.84%
F/2 nd	R1	K/L/D	1.77	1.64	2.0	92.66%

10.15 Given the modest reductions in ADF the small variations would not be discernible to the occupant. On balance, given the low level of impact on terms of daylight these values are considered to be acceptable and there is no justification for refusing the application in terms of reduction in daylight.

10.16 The proposed development would not adversely affect daylight to any of the neighbouring residential buildings.

10.17 An objection was received that the Daylight & Sunlight Assessment has inaccurately stated that the first floor 49-51 Central Street is in “commercial use throughout”. The objection points out that the first floor is in part residential use. Consequently, the applicant has undertaken a further assessment of the first floor of 49-51 Pear Tree Street which has confirmed that there would only be a slight difference between the existing and proposed VSC values. As a result of the proposed development the daylight to the residential premises on the opposite side of Pear Tree Street would continue to satisfy the Building Research Establishment (BRE) criteria.

Sunlight

10.18 Sunlight is only relevant to neighbouring residential windows which have a view of the proposed development and face within 90 degrees of south, i.e. south of the east-west axis.

10.19 The windows of the residential units on the opposite side of Pear Tree Street do not face within 90 degrees of south and there is no sunlight criteria to satisfy.

10.20 Within the Central Square development, nearly every window of Blocks C, E and F would retain sunlight availability in both annual and winter conditions that is either the same as, or very similar to, existing sunlight availability. The stability in the numerical values means that there would be no adverse effect.

10.21 The report states that in the very few locations where the value is reduced, the loss is still extremely small but relates to what is already a very low level of sunlight availability. The report states that in a central urban landscape this is inevitable and does not undermine the generality of the BRE guidance and

what is otherwise considered to be a good set of results and the proposed development is considered acceptable in sunlight terms.

Loss of light to communal courtyard area

10.22 Following concerns from neighbours a further assessment was undertaken of potential daylight and sunlight loss to the communal residential amenity area of Central Square. This further assessment includes shadow diagrams which demonstrate that sunlight availability to the residential amenity areas. The results of this assessment confirm that there are no concerns with regards to overshadowing and that the amenity areas would meet BRE sunlight requirements.

Loss of privacy

10.23 For reasons of privacy the applicant is not proposing any windows to the eastern elevation of the building and the windows to the northern elevation are high level windows and are to be obscure glazed. The windows on the western and southern elevations look across Pear Tree Street. As a result of this fenestration arrangement it is considered that none of the units within Central Square would be overlooked by the proposed penthouse. Given the 2.0m setback from the Pear Tree Street elevation it is considered that the proposal would not result in any undue levels of overlooking to the properties on the opposite side of Pear Tree Street.

10.24 The proposed penthouse has a large roof terrace that wraps around the southern and western edges of the roof space. The roof terrace will therefore predominantly overlook the properties on the opposite side of Pear Tree Street. However given that there are existing levels of overlooking from the Pear Tree Street elevation of this block and that the distance from the edge of proposed terrace to the block opposite would be approximately 10m it is not considered that there would be any concerns relating to overlooking or loss of privacy that would warrant the refusal of planning permission.

10.25 The distance from the edge of the proposed terrace to the edge of the neighbouring tower block F is approximately 4 metres and as a result there may be some overlooking from the northern edge of the proposed terrace to tower block F. A condition requiring that the balustrade on the northern edge of the terrace be constructed of obscured glass would overcome these concerns given its height of 1.8m.

10.26 In light of the above it is concluded that the proposal would not result in any levels of undue overlooking and the proposal is consistent with the requirements of policy DM2.1.

Disruption during construction

10.27 Disruption to neighbouring occupiers would be limited to the standard construction hours for noisy activities for which contractors must abide to. Generally standard construction hours allow for works on Saturdays between

8am and 1pm, however, the applicant has stated that they are willing to accept a condition that would preclude any construction works on weekends.

Loss of outlook/view

- 10.28 It is not the role of the planning system to protect private views. Where a development would interfere with the outlook from a habitable room window, to the extent that the building would appear unduly intrusive and oppressive, then this loss of outlook becomes an important consideration.
- 10.29 A loss of outlook was the sole reason for the refusal of the previous application, given the proximity of the proposed development to Block C. In order to address the concerns regarding a loss outlook the applicant has reduced width of the building by up to 3m to the eastern elevation. This has increased the distance between the side elevation of the proposed unit and the neighbouring block C to between 10m and 12m.
- 10.30 Policy DM2.1 states that developments should “provide a good level of amenity including consideration of...outlook.” Paragraph 17 of the NPPF also states that developments should secure a good standard of amenity for all existing and future occupants of land and buildings.
- 10.31 As the immediate neighbouring blocks, it is considered that blocks C and F are the only blocks to be affected by a loss of outlook. The remaining blocks of the development are considered to be sited sufficiently far away that whilst there may be an impact upon a view, there is no impact in terms of outlook.
- 10.32 The proposed extension has been arranged so that it is set in from the western elevation by 18 metres and this ensures that the outlook of block F is maintained. A separation of between 10 and 12m is maintained between the edge of the extension and block C. In order to reduce the impacts of block C occupiers looking out onto a blank wall the applicant is proposing to include a trellis on this elevation for climbing plants. A condition requiring maintenance and irrigation of the plants on this trellis is proposed. The flat roof area between the extension and block C would also include an 84m² area of green roof which would ensure that outlook is maintained.
- 10.33 It is also noted that Block C would be a storey higher than the proposed extension and therefore outlook from the units on this 6th floor would be maintained. The windows on the 5th floor of Block C would retain a distance of between 10m and 12m to the proposed extension and would retain adequate outlook.
- 10.34 A minimum distance between buildings to maintain an adequate outlook is not set out within Islington’s Development Management Policies or within any supplementary planning guidance but must be considered on a case by case basis. Given the dense urban environment of the application site a distance between the neighbouring blocks of between 10m and 12m for block C is acceptable. The outlook of block F is maintained due to the setting in of the extension from the western elevation by 18m.

10.35 In light of the above it is considered that the proposed extension would provide a good level of amenity for neighbouring units by ensuring that outlook is not unacceptably compromised, and that a good standard of amenity is provided for all occupiers of the buildings, consistent with policy DM2.1 and paragraph 17 of the NPPF.

Quality of Resulting Residential Accommodation

10.36 At 220m² the proposed dwelling far exceeds the minimum London Plan requirements for a two-bedroom/four-person flat of 70m². The proposed habitable room sizes also exceed the standards found within the London Housing Design Guide. The proposed unit is therefore considered to be of an acceptable standard with ample outdoor space.

Accessibility

10.37 Following advice from the Council's Access Officer on the previous application the lift core has been extended so that stair free access is provided to the penthouse. The proposal now complies with the Lifetime Homes Standards, Council's Inclusive Design in Islington SPD and policy DM2.2 (Inclusive design) of the Development Management Policies 2013.

Affordable Housing and Environmental Design SPD

10.38 The applicant has agreed to pay the full amount for the Affordable Housing Small Sites Contribution (£60,000) and the Carbon Off-setting Contribution (£1,000) and a Unilateral Undertaking is being prepared by the Council's Legal Department to be signed by the applicant.

Sustainability

10.39 The applicant has submitted a Code for Sustainable Homes assessment that demonstrates that the proposed penthouse would achieve a higher rating of Level 4. A condition requiring that the penthouse be constructed to this level is considered appropriate.

10.40 The proposed penthouse flat is to be constructed on an area of existing green roof. The proposed unit incorporates 181m² of green roof and 220m² of the existing green roof is retained. Although the loss of the green roof is unfortunate within the greater scheme of the wider Central Square development the loss is not substantial and would not have any significant impact on biodiversity or sustainability. It is considered that it would be unreasonable to refuse the application on the basis of the loss of an area of green roof.

10.41 Providing turfed amenity space and or a vertical green wall system was considered by the applicant. However as the flat would be sold it is the owner that would be responsible for maintaining these, as opposed to the common green roof areas which are maintained by freeholder of the wider development. Therefore requiring proper maintenance of any privately owned turfed areas would be difficult to manage and could result in damage to the

fabric of the building (including the occupiers of the units below) if not maintained properly. Therefore the proposed fixed planter boxes are considered to be a suitable low maintenance option. The applicant has proposed to include a planter box and trellis on the eastern elevation which will assist with biodiversity whilst also softening the appearance of that façade. A maintenance and irrigation condition is proposed for the planter box climbing plant.

- 10.42 The proposal incorporates other sustainable design features, including natural ventilation with extract to wet rooms and connection to the existing bio-diesel combined heat and power system which serves the wider development.

Highways and Transportation

- 10.43 The site has an excellent PTAL rating of 6a and is well connected to local public transport routes.
- 10.44 In line with the Council's policy of car free housing developments, a condition is recommended that prevents future occupiers from obtaining an on-street car parking permit.
- 10.45 The application states that existing secure cycle storage facilities are to be used however given that the proposal would result in an increase in demand for these facilities a condition requiring that an additional two secure cycles parking spaces be provided is considered necessary.

Waste and recycling

- 10.46 The proposal will utilise the existing waste and recycling facilities available to residents of the Central Square Development.

Setting of a precedent

- 10.47 Objections have been received on the grounds that the proposal would set a precedent whereby the Council grants permission for a development only to subsequently amend the scheme with a different design. There is no provision within the planning system that prevents applicants from submitting an additional or revised scheme following the grant of planning permission.
- 10.48 Each application for planning permission is assessed on its own merit and against the Council's current policies and other material considerations. As such, it is considered that this application for planning permission is being assessed on its own merits and against the Council's adopted policies and other material considerations. It is considered that the application site has its own unique characteristics and that the Council does not risk setting a precedent in its determination of the application.

Community Infrastructure Levy

- 10.49 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) will be chargeable on this application on

grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule, 2012. CIL will be payable to the London Borough of Islington after the planning consent has been implemented and will be used by the Mayor of London to pay for Crossrail in accordance with CIL Regulations 2010 (as amended).

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposal would result in the provision of a high quality dwelling that well exceeds the minimum requirements of the London Plan. Furthermore, the proposal would not result in any undue harm to the amenities of neighbouring occupiers by way of loss of daylight/sunlight, overlooking or loss of outlook. The proposed additional unit is considered to complement the design of the host block and would not unduly harm the character or appearance of the surrounding area.
- 11.2 The proposal is considered to accord with the policies of the London Plan, Islington's Development Plan and the National Planning Policy Framework.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to the conditions and unilateral undertaking as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. A contribution of £60,000 towards affordable housing within the Borough.
2. A contribution of £1,000 towards carbon offsetting.

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<p>The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Design & Access Statement Rev B 13.11.13; CSH Pre-Assessment Phase 3 rev 1 Final 11/07/13; BVP Daylight & Sunlight Report ref 9216; supplementary BVP Daylight & Sunlight report ref JC/FR/9216.</p> <p>Drawings: 1317-PL: 001A, 010, 110E, 061B, 062A, 063B, 064A, 071A, 072A, 841B, 842B, 843</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Code for Sustainable Homes (Compliance)
	<p>The development shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

4	<p>Accessible Homes Standards (Compliance)</p>
	<p>The residential dwellings, in accordance with the Design and Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
5	<p>Car free housing</p>
	<p>All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except :</p> <p>(1) In the case of disabled persons;</p> <p>(2) In the case of units designated in this planning permission as “non car free”; or</p> <p>(3) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: In the interests of sustainability and in accordance with the Council's policy of car free housing.</p>
6	<p>Cycle parking provision</p>
	<p>An additional two cycle parking spaces shall be provided within the existing bicycle storage area of the development prior to first occupation of the unit hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
7	<p>Construction hours</p>
	<p>No noisy construction shall take place outside the hours of 08:00 and 18:00 Monday to Friday nor at any time on Saturdays, Sundays or Bank Holidays.</p> <p>REASON: To ensure that the development would not be detrimental to the amenity of neighbouring occupiers.</p>
8	<p>Green Roof (Compliance)</p>
	<p>The biodiversity green roofs shall be:</p> <ol style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plan 1317-PL-110B 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 roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity
9	Obscure glazing (windows) The northern elevation windows of the extension hereby approved and shown on plan 1317-PL-063B shall be obscurely glazed prior to occupation of the development and maintained as such thereafter. All obscurely glazed windows shall be permanently fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows. REASON: To prevent the undue overlooking of neighbouring habitable room windows.
10	Obscure glazing (balustrade) The 1.8m high balustrade on the northern edge of the terrace hereby approved shall be obscurely glazed prior to occupation of the development and maintained as such thereafter. REASON: To prevent the undue overlooking of neighbouring habitable room windows and amenity spaces.
11	Materials 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: a) render (including colour, texture and method of application); b) metal cladding to the northern elevation; c) roofing materials (excluding the green roof); d) balustrading treatment (including sections); e) any other materials to be used. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. 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.
12	Climbing Planter Prior to first occupation of the development a trellis and planter box shall be erected to the eastern elevation of the extension hereby approved, as shown on drawing 1317-PL-110-E. The planter box shall be planted with Trachelospermum jasminoides (Star Jasmine) or a Clematis species prior to occupation of the development. The planter box shall include a means of irrigation which shall be maintained in good working order. Should the plant die or become diseased it shall be replaced with the same species or another species that has been agreed in writing by the local planning authority. REASON: To ensure the amenity benefits provided by the climbing plant and the planting of an appropriate species.

List of Informatives:

1	Community Infrastructure Levy (CIL) (Granting Consent)
	<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>
2	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</p>
3	Section 106 Agreement
	<p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>

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. The following policies of the Development Plan are considered relevant to this application:

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

3 London's people

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

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.3 Sustainable design and construction

7 London's living places and spaces

Policy 7.2 An inclusive environment
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.15 Reducing noise and enhancing soundscapes

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Health and open space

DM6.5 Landscaping, trees and biodiversity

Housing

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.7 Noise and vibration (residential uses)

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

5. Designations

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

- None

- None

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

The following SPGs and/or SPDs are relevant:

Islington UDP

- Inclusive Design in Islington SPD
- Urban Design Guide
- Affordable Housing Small Sites SPD
- Environmental Design SPD

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2013/4475/FUL

LOCATION: 31-41 PEAR TREE STREET, LONDON EC1V 3AG

SCALE: 1:1300

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