



PLANNING SUB-COMMITTEE A
Date: 25/10/2012

AGENDA ITEM NO: B3

Application number	P121361
Application type	Full Planning Application
Ward	Caledonian
Listed building	Unlisted
Conservation area	No
Development Plan Context	Industrial and Warehousing Area
Licensing Implications	None
Site Address:	252-254 York Way, Islington, London, N7 9QQ
Proposal	Erection of a four storey building plus basement to provide retail floorspace at basement and ground floor level, with six residential units (comprising three x two-bedroom units and three x one-bedroom units) provided on the upper floors.

Case Officer	Ben Dixon
Applicant	Mr Dursun Nalbant
Agent	Angus Brown Architects

1. RECOMMENDATION

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

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



4. SUMMARY

- 4.1 The key issues involved in determining this application are the principle of the proposed mixed use (retail / residential) development, the quality of the design and residential accommodation proposed and the impact of the development on the amenity of the amenity of neighbouring occupiers.
- 4.2 It is considered that the principle of the proposed mixed use retail / residential development is acceptable given the planning history and site context.
- 4.3 It is considered that the proposed scheme represents a well considered high quality development which would make best use of the site to provide retail space and good quality new residential units. It is considered that the development's scale and design are appropriate to the location and, moreover, that the development would successfully preserve and enhance the quality, character and appearance of the streetscene and surrounding townscape.
- 4.4 It is considered that the proposal would not impact unacceptably on the amenity of any neighbouring occupiers.

5. SITE AND SURROUNDINGS

- 5.1 The application site is in a prominent corner location at the cross-roads junction of York Way, Brewery Road and Agar Grove, being located on the south side of Brewery Road. The site is currently being redeveloped, and the part single, part two storey commercial buildings, which previously occupied the site, have been demolished.
- 5.2 The site lies at the edge of a designated Industrial and Warehousing Area, where there is a transition from predominantly industrial type uses to other commercial and residential uses. It is located at the borough's boundary edge with Camden.
- 5.3 Adjacent to the south of the site are a pair of two storey buildings (248 & 250 York Way) comprising commercial units at ground floor level with residential accommodation above. Adjacent to the southeast of the site is a four storey building (34 Brandon Road) that comprises live-work accommodation. Adjacent to the northeast of the site is a three storey commercial / industrial building (55-61 Brewery Road). To the north of the site on the opposite side of Brewery Road, is a three storey former public house building (256 York Way), which has been converted to residential use. To the northwest of the site on the opposite side of York Way is a four storey block of flats. To the west of the site, on the opposite side of York Way, is a three storey public house building (New Market Ale House – 17 York Way).

6. PROPOSAL (IN DETAIL)

- 6.1 It is proposed to erect a four storey building with a basement to provide (approximately 224sqm) retail floorspace at basement and ground floor level, with six residential units, comprising three x two-bedroom units and three x one-bedroom units on the upper floors.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 Planning permission (ref. P092118) was granted in February 2010 for a scheme extending the existing retail shops at ground & basement level, together with erection of a first floor extension to create a four-bedroom residential unit. Works to implement this permission are currently in progress, but the development is not yet complete. The pre-commencement condition requiring samples of facing materials and more detailed drawings be submitted for written approval has not yet been discharged.
- 7.2 Planning permission (ref. P101760) was granted in March 2012 for 34 Brandon Road, allowing alterations to the ground floor street elevation to create new entrances for the workshop and residential accommodation in order to facilitate separation of the workshop and residential uses; together with extensions at first, second and third floor levels. This permission is extant but has not yet been commenced.

PRE-APPLICATION

- 7.3 A pre-application meeting was held with the applicant in May 2012 to discuss a similar proposal to the scheme currently proposed. The applicant put forward a five storey mixed use building, and was advised that, although the proposed mix of retail space at ground floor and basement level with residential accommodation provided above was acceptable in principle, the building should be reduced in height to four storeys, to accord with the surrounding townscape. Advice was also given with respect to refinement of the detailing of the elevations.

8. CONSULTATION

Public Consultation

- 8.1 A total of 81 letters were sent to occupants of adjoining and nearby properties at York Way, Brewery Road, Brandon Road and Marquis Road on 07-August-2012. A site notice was displayed on 09-August. Although, the public consultation period expired on 30-August, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of writing this report, one response has been received from the public with regard to the application. The response received is a letter of objection and the issues raised can be summarised as follows:
- The building is too tall;
 - The design does not relate well to the corner location;
 - The building would be out of character with the surrounding townscape and would harm the setting of neighbouring historic public house buildings;
 - The standard of the proposed facing materials is poor;

- The balconies are not in-keeping with the setting and location of the site. They will be used for storage and drying washing and will give the building an untidy appearance;
- Loss of light to living and working areas at 34 Brandon Road;
- The proposal will compromise the approved development at 34 Brandon Road;

External Consultees

8.3 Transport for London - No objection subject to condition to secure construction management plan

8.4 London Borough of Camden – No objection

Internal Consultees

8.5 Access Officer - No objection

8.6 Conservation and Design Officer - No objection, subject to conditions to secure fine details and material samples

8.7 Public Protection Division (Noise Team) - No objection, subject to condition to secure sound insulation and restrict hours of servicing for commercial use.

8.8 Spatial Planning and Transport (Transport Officer) - No objection, subject to condition to secure details of waste storage and collection and servicing for commercial use

8.9 Sustainability Officer - No objection subject to condition to secure CSH4 and water consumption

8.10 Street Environment Division - No response 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.

Development Plan

9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002.

Emerging Policy Documents

Islington's Development Management Policies – Proposed Submission, June 2012

Designations

9.3 The site has the following designations under the London Plan 2011 and Islington Proposals Map (2011):

- Vale Royal / Brewery Road Locally Significant Industrial Site

Supplementary Planning Guidance (SPG) / Document (SPD)

9.4 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:

- Principle
- Design
- Neighbouring Amenity
- Dwelling mix
- Standard of residential accommodation
- Sustainability
- Transport

Land-use

10.2 The proposal is seeking to create approximately 224sqm of A1 retail floorspace at ground floor (82sqm) and basement level (142sqm) with residential accommodation provided on the upper floors. Planning permission (ref. P092118) was granted in 2010 for a similar scheme, but of a smaller scale, providing retail floorspace at ground floor and basement level with residential accommodation provided above on the first floor. As mentioned, works have commenced on this scheme, although in breach of the terms of consent.

10.3 The application site is located within the boundaries of the designated Vale Royal / Brewery Road Locally Significant Industrial Site, where there is a general presumption in favour of retention and intensification of industrial and warehousing type employment generating uses. However, the application site is located on the very edge of the designated Industrial Site where there is a clear transition from predominantly industrial type uses to other commercial and residential uses. Therefore, taking into consideration that the site has historically been used for retail / residential purposes, and has not provided industrial or warehouse accommodation, and in light of the previous recent, implemented, planning permission allowing redevelopment of the site for mixed use retail / residential purposes, in this instance it is considered that the current proposal would not conflict with the aims of policy CS13 (Employment Spaces) of the Islington Core Strategy 2011 and emerging policy DM32 (Vale Royal / Brewery Road Locally

Significant Industrial Site) of the Islington Development Management Policies (Submission June 2012).

- 10.4 It is also considered that the proposed development is in accordance with the aims of policies CS12 (Meeting the housing challenge) and CS14 (Retail and services) of the Islington Core Strategy 2011, and policies 3.3 (Increasing housing supply) and 4.8 (Supporting a successful and diverse retail sector) of the London 2011. Consequently, the proposed development is considered to be acceptable in principle.

Design

- 10.5 The prevailing building height in the area surrounding the application site, which forms the context for the development, is of three to four storeys. The bulk, scale, and massing of the proposed four storey building is considered to be appropriate for the local townscape context.
- 10.6 The building's design has been revised and refined in line with advice given during pre-application discussions. The elevations of the building would be constructed with a re-constituted stone "frame" with inset brick panels. Recessed balconies and consistent fenestration are considered to give a balanced articulation to the front elevations and provide some quality and robustness to the building. In order to ensure the building benefits from an appropriately high quality finish, conditions are required to secure samples of all facing materials, good quality brickwork (ideally Flemish bond with flush pointing), use of a dark engineering brick or dark stone for the stall risers, deep window reveals, detailed drawings of the shopfronts, and details of any roller shutters.
- 10.7 Overall, the proposed development is considered to be acceptable in terms of its bulk, scale, massing and external appearance, subject to the alterations and details to be secured by condition which are stated above. The proposal is considered to be in accordance with policies D4 (Designing in Context), and D5 (Townscape) of the Islington Unitary Development Plan 2002, policies CS8 (Enhancing Islington's character), and CS9 (Protecting and enhancing Islington's built and historic environment) of the Islington Core Strategy 2011, emerging policy DM1 (Design) of the Islington Development Management Policies (Submission June 2012) and policies 3.5 (Quality and design of housing developments), 7.4 (Local character), and 7.6 (Architecture) of the London Plan 2011.

Neighbouring Amenity

- 10.8 In terms of the potential impact of the proposed development on neighbouring residential amenity, the only residential accommodation which the proposal could potentially impact on is within the first floor of 248 & 250 York Way and on the upper floors of 34 Brandon Road. The properties at 248 & 250 York Way are located directly south of the application site and neither of the first floor residential properties have windows which face towards the development. In fact the proposed development would be at an angle of 90 degrees or greater to the units' rear windows. As such, it is considered that the proposal would not have a material impact on the amenity of the occupiers of these properties in terms of loss of sunlight, loss of daylight, increased sense of enclosure or loss of outlook.
- 10.9 The application site is located between west and northwest of the neighbouring property at 34 Brandon Road. Due to the orientation of the two sites, the proposed development

would have a minimal impact in terms of loss of sunlight to 34 Brandon Road. The building at 34 Brandon Road has windows to habitable rooms which face the proposed development in a southwest direction. Taking a 45 degree line from the centre of the nearest window at first, second and third floor level at 34 Brandon Road, the proposed development would breach the 45 degree line at a distance of approximately 7.5m from the nearest window. It is, therefore, accepted that the proposal would have an impact on the amenity of the occupiers of 34 Brandon Road, resulting in some reduced outlook and an increased sense of enclosure. However, it must be noted that each of the rooms to the southwest end of the building at 34 Brandon Road are provided with light and outlook by two or three windows, with one of the those windows being within the building's south-southeast facing elevation, which faces away from the application site across Brandon Road.

- 10.10 Taking into consideration the orientation and proximity of the application site with respect to the building at 34 Brandon Road and the fact that the nearest rooms within the property at Brandon Road are served by several windows, it is not considered that the proposal would result in such significant harm to residential amenity in the form of a loss of sunlight, loss of daylight, loss of outlook or increased sense of enclosure, so as to warrant a refusal of planning permission. It is considered that the development would also have a minimal impact in terms of the level of light reaching the ground floor workshop at 34 Brandon Road via the first floor level roof lights within the flat roof.
- 10.11 It is noted that planning permission (reference P101760) was granted in March 2012 for extension and alteration to the building at 34 Brandon Road. It is considered that the proposed development would not prejudice the implementation of this planning permission and would not have an unacceptable impact on residential amenity or light to the ground floor workshop if this permission is implanted.
- 10.12 Taking into consideration the height, bulk and massing of the proposed development and its location and orientation with respect to surrounding buildings, it is considered that the development would not result in material harm to the neighbouring occupiers and, the proposal is considered to be in accordance with policies Env17 (Protecting Amenity) and D3 (Site Planning) of the Islington Unitary Development Plan 2002, emerging policy DM1 (Design) of the Islington Development Management Policies (Submission June 2012), and policies 7.6 (Architecture) and 7.15 (Reducing noise and enhancing soundscapes) of the London Plan 2011.

Dwelling Mix

- 10.13 The proposal would provide three x two-bedroom flats and three x one-bedroom flats. These units would help to meet the borough's housing need in line with the aims of policy H3 (New Housing and Changes of Use to Residential) of the Islington Unitary Development Plan 2002, policy CS12 (Meeting the housing challenge) of the Islington Core Strategy 2011, emerging policy DM9 (Mix of housing sizes) of the Islington's Development Management Policies (Submission June 2012) and policy 3.8 (Housing choice) of the London Plan 2011.

Standard of Residential Accommodation

- 10.14 In terms of the standard of the residential accommodation proposed, all units would comfortably 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 emerging policy DM12 (Housing standards) of the Islington's Development Management

Policies (Submission June 2012). All rooms within each dwelling would exceed the required minimum size as set out in the London Housing Design Guide SPD and the internal arrangement allows for a functional use.

- 10.15 All habitable rooms would have a decent outlook, appropriate privacy, and would benefit from adequate natural light and ventilation. All units would be single aspect, which is not ideal, however, the constraints of the site mean that this is unavoidable.
- 10.16 All units have a practical internal layout, which has been designed to provide inclusive access in accordance with the requirements of the Accessible Housing in Islington SPD and Lifetime Homes and each unit is serviced by a lift. The unit layouts have been designed to be adaptable to meet changing occupier circumstances over the lifetime of the building. Each unit would benefit from some private external amenity space in the form of balconies on the front elevation. There is adequate provision for refuse and recycling storage and adequate secure cycle parking in line with TfL guidance.
- 10.17 Due to the site being located on a busy road junction it is necessary to secure a high level of sound insulation for all units as well as securing adequate sound insulation between the ground floor commercial unit and the residential units above. These shall be secured by condition. The times of servicing for the ground floor commercial unit shall also be restricted by condition in order to ensure an adequate level of amenity for future occupiers of the residential units.
- 10.18 Overall, the proposed development is considered to provide good quality residential units which are in accordance with policies H3 (New Housing and Changes of Use to Residential), H7 (Standards and Guidelines) and H10 (New Development) of the Islington Unitary Development Plan 2002, policy CS12 (Meeting the housing challenge) of the Islington Core Strategy 2011, emerging policy DM12 (Housing standards) of the Islington's Development Management Policies (Submission June 2012) and policy 3.5 (Quality and design of housing developments) of the London Plan 2011.

Sustainability

- 10.19 A Code for Sustainable Homes (CSH) commitment ensures a high standard of performance on a range of sustainability issues (e.g. energy, materials, waste) for new build residential units. The Council expects all new build residential schemes to achieve CSH Level 4, in line with policy CS10 (Sustainable design) of the Islington Core Strategy 2011. A CSH Pre-Assessment Report has been submitted which illustrates how the development would achieve CSH Level 4. A condition is required to ensure that CSH Level 4 is met. Policy CS10 also expects all residential developments to achieve a water consumption target of 95l/p/d, therefore this shall also be conditioned. The proposal includes the provision of a green roof, which would provide a welcomed boost to biodiversity and reduce rain water runoff at the site. It is expected that the green roof should have a substrate depth of 80-150mm and be planted with wild flowers. This shall be secured by condition.

Highways and Transportation

- 10.20 The application site has a Public Transport Accessibility Level (PTAL) rating of 3 (1 being the worst and 6 the best). The development would be car free with future occupiers (except disabled people) prohibited from obtaining parking permits. Therefore, the proposal would not result in a material increase in parking pressure on surrounding

roads. The proposal makes adequate provision for the secure storage of cycles in line with TfL guidance.

- 10.21 The application site fronts onto York Way which is part of the TfL managed Strategic Road Network. As such, a construction management plan is required in order to ensure that construction works relating to the proposed development do not impact on the free flow of traffic or highway safety on York Way. For the same reason, a servicing management plan for the ground floor commercial unit is also required. These shall be secured by condition.
- 10.22 Subject to construction and operation of the development in accordance with agreed management plans, it is considered that the proposal would not have a material impact on highway safety or the free flow of traffic on surrounding roads. The proposal is considered to be in accordance with policy T34 (Cycle Parking) of the Islington Unitary Development Plan 2002, emerging policies DM46 (Managing transport impacts), and DM49 (Vehicle parking) of the Islington Development Management Policies (Submission June 2012), and policies 6.3 (assessing effects of development on transport capacity), 6.9 (Cycling) and 6.13 (Parking) of the London Plan 2011.

Affordable Housing

- 10.23 The proposed development would provide six new residential units. As the development would not meet the required threshold of ten or more new residential units, the requirement for the provision of affordable housing is not triggered.

Community Infrastructure Levy (CIL)

- 10.24 The applicant has submitted a completed CIL liability form. It is likely that the development will be subject to the requirement of a CIL payment that will be payable on commencement of the development.

National Planning Policy Framework (NPPF)

- 10.25 The proposed development is considered to represent sustainable development which is in accordance with Islington's Development Plan. Therefore, the proposal is in accordance with the national planning guidance set out in the NPPF

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The key issues involved in determining this application are the principle of the proposed mixed use (retail / residential) development, the quality of the design and residential accommodation proposed and the impact of the development on the amenity of the amenity of neighbouring occupiers.
- 11.2 It is considered that the principle of the proposed mixed use retail / residential development is appropriate to the site given the planning history and site context.
- 11.3 It is considered that the proposed scheme represents a well considered high quality development which would make best use of the site to provide retail space and good quality new residential units. It is considered that the development's scale and design are appropriate to the location and, moreover, that the development would successfully

preserve and enhance the quality, character and appearance of the streetscene and surrounding townscape.

- 11.4 It is considered that the proposal would not impact unacceptably on the amenity of any neighbouring occupiers.
- 11.5 Finally, the proposal is in accordance with the relevant policies contained in the Islington Development Plan and national guidance provided in the NPPF. The proposal is supported by officers and it is recommended that planning permission should be granted.

Conclusion

- 11.6 It is recommended that planning permission be granted subject to conditions for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That if members are minded to approve this proposal, subject to conditions, officers recommend that the following summary forms the **reasons for grant** to be published on the decision notice:

This proposal has been approved following consideration of all the relevant policies in the Development Plan (London Plan 2011, Islington Core Strategy 2011 and Islington Unitary Development Plan 2002), the National Planning Policy Framework (2012) and other material considerations.

- This decision was made by the Members of the Planning Sub- A Committee on the 25-October-2012.
- The delivery of this scheme would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth, but also seeks to ensure social and environmental progress;
- The proposed development is acceptable in principle and in accordance with policies CS12 (Meeting the housing challenge), CS13 (Employment Spaces) and CS14 (Retail and services) of the Islington Core Strategy 2011, emerging policy DM32 (Vale Royal / Brewery Road Locally Significant Industrial Site) of the Islington Development Management Policies (Submission June 2012), and policies 3.3 (Increasing housing supply) and 4.8 (Supporting a successful and diverse retail sector) of the London 2011.
- The development is acceptable in terms of its bulk, scale, massing and external appearance, and subject to the alterations and details to be secured by condition, the proposal is considered to be in accordance with policies D4 (Designing in Context), and D5 (Townscape) of the Islington Unitary Development Plan 2002, policies CS8 (Enhancing Islington's character), and CS9 (Protecting and enhancing Islington's built and historic environment) of the Islington Core Strategy 2011, emerging policy DM1 (Design) of the Islington Development Management Policies (Submission June 2012) and policies 3.5 (Quality and design of housing developments), 7.4 (Local character), and 7.6 (Architecture) of the London Plan 2011.
- The development would not result in material harm to the neighbouring occupiers and is in accordance with policies Env17 (Protecting Amenity) and D3 (Site Planning) of the Islington Unitary Development Plan 2002, emerging policy DM1 (Design) of the Islington Development Management Policies (Submission June 2012), and policies 7.6 (Architecture) and 7.15 (Reducing noise and enhancing soundscapes) of the London Plan 2011.
- The proposal would help to meet the borough's housing need in line with the aims of policy H3 (New Housing and Changes of Use to Residential) of the Islington Unitary Development Plan 2002, policy CS12 (Meeting the housing challenge) of the Islington Core Strategy 2011, emerging policy DM9 (Mix of housing sizes) of the Islington's Development Management Policies (Submission June 2012) and policy 3.8 (Housing choice) of the London Plan 2011.
- The development would provide good quality residential units which are in accordance with policies H3 (New Housing and Changes of Use to Residential), H7 (Standards and Guidelines) and H10 (New Development) of

the Islington Unitary Development Plan 2002, policy CS12 (Meeting the housing challenge) of the Islington Core Strategy 2011, emerging policy DM12 (Housing standards) of the Islington's Development Management Policies (Submission June 2012) and policy 3.5 (Quality and design of housing developments) of the London Plan 2011.

- The development would meet sustainability requirements in line with policy CS10 (Sustainable design) of the Islington Core Strategy 2011.
- Subject to construction and operation of the development in accordance with agreed management plans, the proposal would not have a material impact on highway safety or the free flow of traffic on surrounding roads and is in accordance with policy T34 (Cycle Parking) of the Islington Unitary Development Plan 2002, emerging policies DM46 (Managing transport impacts), and DM49 (Vehicle parking) of the Islington Development Management Policies (Submission June 2012), and policies 6.3 (assessing effects of development on transport capacity), 6.9 (Cycling) and 6.13 (Parking) of the London Plan 2011.

RECOMMENDATION B

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

List of Conditions:

1 Commencement

CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).

2 Approved plans list

CONDITION: The development hereby approved shall be carried out in accordance with the approved plans.

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.

3 Materials

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:

- a) solid brickwork (including brick panels and mortar courses)
- b) reconstituted stone;
- c) window treatment (including sections and reveals);
- d) Shopfront
- e) balustrading treatment (including sections);

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 in accordance with policies: 5.3; 7.4; 7.5 7.7 and 7.6; of the London Plan 2011, and policies: CS9A, B and G and CS10F of the Islington Core Strategy 2011.

4 Stall Riser

CONDITION: The stall risers for the shopfronts shall be constructed using an engineering brick or dark stone.

REASON: To ensure that the Authority may be satisfied with the external appearance of the building in accordance with policies: 7.4 7.7; 7.8 and 7.6 of the London Plan 2011, and policy CS9A and G of the Islington Core Strategy 2011.

5 Window / Shopfront Details

CONDITION: Detailed typical elevation and section drawings for all windows and shopfronts at scale 1:20 shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site.

All windows shall have a reveal depth of at least 180mm.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: To ensure that the Authority may be satisfied with the external appearance of the building in accordance with policies: 7.4 7.7; 7.8 and 7.6 of the London Plan 2011, and policy CS9A and G of the Islington Core Strategy 2011.

6 Roller Shutters

CONDITION: No roller shutters shall be installed on the building without the prior written approval of the Local Planning Authority.

REASON: To ensure the good design of any roller shutter(s) and in the interest of preventing the creation of dead, inactive street frontages in accordance with policies: 7.3; 7.4 and 7.6 of the London Plan 2011, policies: D3; D4, D13 and Env12 of the Islington Unitary Development Plan 2002 and policy CS9A, D and G of the Islington Core Strategy 2011.

7 Non-obscured Glazing

CONDITION: The glazing of all ground floor elevations shall not be painted, tinted or otherwise made obscure, and fixtures and fixings which may obscure visibility above a height of 1.4 metres above finished floor level shall not be placed within 2 metres of the inside of the window glass unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent the creation of dead, inactive street frontages in accordance with policies: 7.3; 7.4 and 7.6 of the London Plan 2011, policies:

D3; D4, D13 and Env12 of the Islington Unitary Development Plan 2002 and policy CS9A, D and G of the Islington Core Strategy 2011.
Code for Sustainable Homes.

- 8 Code for Sustainable Housing
CONDITION: The development shall achieve a Code for Sustainable Homes rating of no less than 'Level 4'.

REASON: In the interest of addressing climate change and to secure sustainable development in accordance with policies 5.2 and 5.3 of the London Plan 2011 and policy CS10 of Islington's Core Strategy.

- 9 Water Consumption
CONDITION: The development 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.

REASON: To ensure the sustainable use of water in accordance with policy 5.15 of the London Plan 2011, policy Env39 of the Islington Unitary Development Plan 2002 and policy CS10C and G of the Islington Core Strategy 2011.

- 10 Green Roof
CONDITION: Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:
- a) biodiversity based with extensive substrate base (depth 80-150mm);
 - b) laid out in accordance with plan 2119/YWKC/PL/20 Rev B hereby approved; and
 - c) planted/seeded with an agreed 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).

The biodiversity (green/brown) roof 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.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 7.19; 5.3; 5.9 and 5.11 of the London Plan 2011, policy Env24 of the Islington Unitary Development Plan 2002 and policy CS10E and G and CS15F and G of the Islington Core Strategy 2011.

- 11 Cycle Parking
CONDITION: The bicycle storage area(s) hereby approved, shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport in accordance with policies 6.7 and 6.9 of the London Plan 2011, policies: T34 and T52 of the Islington Unitary Development Plan 2002 and policy CS10H of the Islington Core Strategy 2011.

12 Refuse Stores

CONDITION: The refuse and recycling storage hereby approved, shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.

REASON: To ensure adequate refuse and recycling storage is available and easily accessible on site in accordance with policy env37 of the Islington Unitary Development Plan 2002 and policy CS11 of the Islington Core Strategy 2011.

13 Construction Management Plan

CONDITION: A construction management plan (CMP) and construction logistics plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the development hereby approved.

The development shall be constructed and operated strictly in accordance with the details 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.

REASON: To ensure that the construction works are satisfactory in terms of their impact on highway safety and the free-flow of traffic in accordance with policies: 6.7 and 6.13 of the London Plan 2011 and policies: D3; T15; and T55 of the Islington Unitary Development Plan 2002.

14 Servicing Management Plan

CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the development hereby approved.

The development shall be constructed and operated strictly in accordance with the details 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.

REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic in accordance with policies: 6.7 and 6.13 of the London Plan 2011 and policies: D3; T15; and T55 of the Islington Unitary Development Plan 2002.

15 Sound Insulation 1

CONDITION: The scheme for sound insulation and noise control measures shall be implemented prior to the first occupation of the development and

shall be maintained as such thereafter. The scheme for sound insulation and measures shall achieve the following internal noise targets (in line with BS 8233:1999):

Bedrooms (23.00-07.00 hrs) 30 dB L_{Aeq}, and 45 dB L_{max} (fast)
Living Rooms (07.00-23.00 hrs) 30 dB L_{Aeq},
Kitchens, bathrooms, WC compartments and utility rooms
(07.00 –23.00 hrs) 45 dB L_{Aeq}

REASON: To secure an appropriate internal residential environment in accordance with PPG24, policy 7.15 of the London Plan 2011, policies: D3; Env17 and H3 of the Islington Unitary Development Plan 2002 and policy CS12F of the Islington Core Strategy 2011.

16 Sound Insulation 2

CONDITION: Full particulars and details of a scheme for sound insulation between the proposed ground floor retail use and residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.

The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. The insulation and measures shall be implemented prior to the first occupation of the development hereby approved.

REASON: In the interest of protecting future residential amenity against undue noise and nuisance arising from non-residential uses in accordance with policy 7.15 of the London Plan 2011, policies: D3; Env17 and H3 of the Islington Unitary Development Plan 2002 and policy CS12F of the Islington Core Strategy 2011.

17 Restricted Hours of Servicing

CONDITION: All service vehicle deliveries / collections / visits to and from the retail unit hereby approved must not take place outside hours of:

0800 hours to 2000 hours on Monday to Saturday.

REASON: To ensure that resulting servicing arrangements do not adversely impact on existing and future residential amenity in accordance with policies: 6.7 and 6.13 of the London Plan 2011 and policies: D3; T15; and T55 of the Islington Unitary Development Plan 2002.

List of Informatives:

1 Superstructure

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.

2 Roller Shutters

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.

3 Car Free

All new developments are car free in 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.

4 CIL

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 <mailto:cil@islington.gov.uk>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.

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 here:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>.

APPENDIX 2 : RELEVANT POLICIES

This appendices list all relevant development plan polices 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 and Islington Unitary Development Plan 2002. The following policies of the Development Plan are considered relevant to this application:

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

- | | |
|---|--|
| Policy 3.1 Ensuring equal life chances for all | Policy 5.9 Overheating and cooling |
| Policy 3.2 Improving health and addressing health inequalities | Policy 5.10 Urban greening |
| Policy 3.3 Increasing housing supply | Policy 5.11 Green roofs and development site environs |
| Policy 3.4 Optimising housing potential | Policy 5.12 Flood risk management |
| Policy 3.5 Quality and design of housing developments | Policy 5.13 Sustainable drainage |
| Policy 3.6 Children and young people's play and informal recreation facilities | Policy 5.15 Water use and supplies |
| Policy 3.8 Housing choice | Policy 6.1 Strategic approach |
| Policy 3.9 Mixed and balanced communities | Policy 6.3 Assessing effects of development on transport capacity |
| Policy 4.1 Developing London's economy | Policy 6.5 Funding Crossrail and other strategically important transport infrastructure |
| Policy 4.4 Managing industrial land and premises | Policy 6.9 Cycling |
| Policy 4.7 Retail and town centre development | Policy 6.13 Parking |
| Policy 4.8 Supporting a successful and diverse retail sector | Policy 7.1 Building London's neighbourhoods and communities |
| Policy 4.9 Small shops | Policy 7.2 An inclusive environment |
| Policy 5.1 Climate change mitigation | Policy 7.3 Designing out crime |
| Policy 5.2 Minimising carbon dioxide emissions | Policy 7.4 Local character |
| Policy 5.3 Sustainable design and construction | Policy 7.6 Architecture |
| Policy 5.7 Renewable energy | Policy 7.15 Reducing noise and enhancing soundscapes |
| | Policy 7.19 Biodiversity and access to nature |
| | Policy 8.3 Community infrastructure levy |

B) Islington Core Strategy 2011

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

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 CS13 (**Employment Spaces**)

Policy CS14 (**Retail and Services**)

Policy CS15 (**Open Space and Green Infrastructure**)

C) Islington Unitary Development Plan (2002)

Env16 & 17 (**Protection of Amenity**)

Env37 (**Waste and Recycling**)

D3 (**Site Planning**)

D4 (**Designing in Context**)

D5 (**Townscape**)

H3 (**New Housing and Changes of Use to Residential**)

H7 (**Standards and Guidelines**)

H10 (**New Development**)

T18 (**Parking and Traffic Restraint**)

T32 (**On-Street Servicing**)

T34 (**Cycle Parking**)

T45 (**Land Use Planning**)

T46 (**Design Issues**)

T49 (**Meeting the Needs of People with Mobility Problems**)

T52 (**Facilities for Cyclists**)

T55 (**New Development**)

3. Emerging Policy Documents

A) Islington's Development Management Policies – Proposed Submission, October 2011

[Delete reference to Finsbury Local Plan / Site Allocations Document if not relevant] The Proposed Submission of Islington's *Development Management Policies* went out to consultation in October 2011 and this process was completed on 12 December 2011. Following this amended drafts of these documents were produced and a further round of public consultation commenced on 8th May 2012. The final drafts of these documents will be submitted to the Planning Inspectorate for Independent Examination later in the year. These documents whilst not adopted, give an indication of the Council's approach to sustainable development proposals for the next 15 years, a spatial approach to the Bunhill and Clerkenwell areas as well as particular site allocations. The emerging policies are a material planning consideration.

DM1 Design

DM2 Inclusive Design

DM12 Housing Standards

DM30 New business floorspace

DM32 (Vale Royal / Brewery Road

Locally Significant Industrial Site)

Health and open space

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

The following SPG's and/or SPD's are relevant:

Islington UDP

- **Accessible Housing in Islington**
- **Car Free Housing**
- **Green Construction**
- **Planning Standards Guidelines**
- **Urban Design Guide**

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**