



AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on, **29 June 2015 at 7.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 19 June 2015

Welcome:
Members of the public are welcome to attend this meeting.

Consideration of Planning Applications – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk**

Committee Membership

Councillor Klute (Chair)
Councillor Nicholls (Vice-Chair)
Councillor Convery
Councillor Gantly
Councillor Ismail

Wards


- St Peter's;
- Junction;
- Caledonian;
- Highbury East;
- Holloway;

Substitute Members

Councillor Chowdhury
Councillor Diner
Councillor Fletcher
Councillor Kay
Councillor Khan
Councillor A Perry
Councillor Picknell
Councillor Poyser
Councillor Spall
Councillor Wayne

- Barnsbury;
- Canonbury;
- St George's;
- Mildmay;
- Bunhill;
- St Peter's;
- St Mary's;
- Hillrise;
- Hillrise;
- Canonbury;

Quorum: 3 councillors



A. Formal Matters	Page
1. Introductions	
2. Apologies for Absence	
3. Declarations of Substitute Members	
4. Declarations of Interest	

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Minutes of Previous Meeting	1 - 6
6. Order of Business	7 - 10
B. Consideration of Planning Applications	Page
1. 168 Upper Street, N1	11 - 26

2.	9 Dallington Street, EC1V 0BQ	27 - 60
3.	Car Park Adjacent to 24 Morton Road, N1 3BA	61 - 86
4.	Highbury Fields Playground, Highbury Crescent, N5	87 - 98
5.	Highbury Pool, Highbury Crescent, N5 1RR	99 - 116
6.	Land adjacent to St Georges and All Saints Church Hall, Crayford Road, N7 0ND	117 - 136
7.	Land at rear of nos. 13-17 Thane Villas, N7 7PH	137 - 164
8.	Macpherson House, 69-85 Old Street, EC1V 9HX	165 - 182
9.	Newington Green Primary School, 105 Matthias Road, N16 8NP	183 - 194
10.	St Marks Primary School, 175 Sussex Way, N19 4JF	195 - 212

C. Consideration of other planning matters

D. Urgent non-exempt items

Any non-exempt items which the Chair is of the opinion should be considered as a matter of urgency and to consider whether the special circumstances included in the report as to why it was not included on and circulated with the agenda are acceptable for recording in the minutes.

E. Exclusion of press and public

To consider whether, in view of the nature of the remaining items on the agenda, it is likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

F. Confidential/exempt items

G. Urgent exempt items (if any)

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

Date of Next Meeting: Planning Sub Committee B, 3 September 2015

Please note all committee agendas, reports and minutes are available on the council's website:

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

Each Planning Sub-Committee consists of five locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Sub-Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

Consideration of the Application

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Sub-Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

What Are Relevant Planning Objections?

The Planning Sub-Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Sub-Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Zoe Crane/Jackie Tunstall on 020 7527 3044/3068. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk

London Borough of Islington

Planning Sub Committee B - 21 May 2015

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD on 21 May 2015 at 7.35 pm.

Present: **Councillors:** Martin Klute (Chair), Tim Nicholls (Vice-Chair), Paul Convery (Items B2-B5) and Osh Gantly

Councillor Martin Klute in the Chair

- 98** **INTRODUCTIONS (Item A1)**
Councillor Klute welcomed everyone to the meeting. Members of the Sub-Committee and officers introduced themselves. The Chair explained that the Sub-Committee would deal with the determination of planning applications and outlined the procedures for the meeting. Councillor Klute also explained that a further consultation for Item B6, Land at rear of 13-17 Thane Villas, had been recently triggered and it had therefore been agreed that this item be deferred to the next meeting of Planning Sub B on the 29 June 2015 to allow for the consultation period.
- 99** **APOLOGIES FOR ABSENCE (Item A2)**
Apologies for absence were received from Councillor Ismail and for lateness from Councillor Convery.
- 100** **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
None.
- 101** **DECLARATIONS OF INTEREST (Item A4)**
Councillor Gantly reported that he had met with the applicant regarding Item B4 – 7 Aberdeen Lane and stated that he did not believe this prejudiced his position and that he had an open mind regarding this item.
- 102** **ORDER OF BUSINESS (Item A5)**
Agenda Item B6 had been withdrawn from the agenda. The order of business would be B1, B4, B3, B5 and B2.
- 103** **MINUTES OF PREVIOUS MEETING (Item A6)**
That the minutes of the meeting held on the 19 March 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 104** **139 GROSVENOR AVENUE, N5 2NH (Item B1)**
Demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO-use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings (C3) consisting of 2 x 4 bedroom units and 6 x2 bedroom units with bin storage area to the front, cycle storage area to rear and associated landscaping. (P2014/3449/FUL).

In the discussion the following points were considered:-

Planning Sub Committee B - 21 May 2015

- The concern that two units in the development were significantly over the required floor space and it could be possible to reconfigure the units to increase the number of units.
- It was noted that there had been two viability reports, one in October 2014 and one in March 2015 with higher revised costs. The second study included site specific costs. The first study was based on assumptions made by the applicant. Both studies had been assessed and agreed.
- The daylight/sunlight test on No. 137 was based on an assumption of residential units and not commercial. This was a higher standard of test and the reduction in daylight/sunlight on this property was not sufficient to warrant refusal.
- The daylight and sunlight report did not consider that the proposed development would have an unacceptable impact on the amenity of any of the neighbouring properties.
- The concern of the residents regarding the inaccuracy of the plans and the comment by the case officer that the plans submitted were accurate in his opinion.
- The concern of residents regarding the position of the bike store which could be noisy and could be repositioned away from neighbouring properties.

Councillor Klute proposed a motion that was seconded by Councillor Nicholls and carried.

RESOLVED:-

That the application be refused on the basis of the viability assessment, the number of units and the position of the bike store. The wording to be delegated to officers and appended to the minutes.

105

21-36 OUTRAM PLACE AND PLAYGROUND AT REAR, N1 0UX (Item B2)

Permanent retention of the construction and conversion of undercroft car parking area into offices, locker rooms, storage and kitchen facilities and the use of the playground, to the north of Bingfield Street for the parking for service vehicles. (P2014/4049/FUL).

In the discussion the following points were considered:-

- The Sub-Committee noted that the New Homes Board were considering the suitability of housing for this site and for two other local blocks.

Councillor Convery proposed a motion regarding the length of term for the permission which was seconded by Councillor Klute.

RESOLVED

That planning permission be granted for a period of 12 months, subject to the conditions and informative as set out in the report.

106

68 HANLEY ROAD, N4 3DR (Item B3)

Erection of single storey side/rear extension at lower ground floor level and installation of sliding folding doors. (P2015/1156/FUL).

In the discussion the following points were considered:-

- The foundations to the extension would be the normal depth considered for a single storey extension.
- The remaining garden space was considered acceptable amenity space.
- Sound insulation and depth of foundation would be dealt with under Building Control regulations.
- The adjoining property had a single storey rear infill extension.

- Any encroachment on neighbouring properties would need to be dealt with under the Party Wall Act.

RESOLVED

That planning permission be granted subject to the conditions and informative set out in the report.

107

7 ABERDEEN LANE, N5 2EJ (Item B4)

Creation of a new roof terrace to existing flat roof of property including installation associated frameless glass balustrade to front elevation and planters to the rear, concealed access hatch, new surfacing, benches and planters. (P2015/0589/FUL).

The typing error at paragraph 6.2 of the report was noted. 2.8m should read 1.8m.

In the discussion the following points were considered:-

- A previous refusal had been dismissed at appeal, however the Inspector had stated that the view from the new roof terrace would be more limited because of the downward angle and that there was already equivalent overlooking from the first floor window.
- The balustrading, planting and benching was set in by 0.8m to reduce overlooking and would also minimise its visibility from the mews and views along Aberdeen Lane.
- There was a proposed condition regarding the balustrade to prevent future removal.
- The proposal related to an existing residential property and was therefore not considered to result in unreasonable noise disturbance from the terrace.

RESOLVED

That planning permission be granted subject to the conditions and informative set out in the report.

108

GROUND FLOOR, HALIDAY HOUSE, 2 MILDMAY STREET, N1 4NF (Item B5)

Conversion of disused spaces in the ground floor of Haliday House into 2 no. flats (1 x 1 bed flat and 1 x 2 bedroomed flat) including external alterations to the west elevation and the creation of garden areas including the erection of garden walls. (P2014/3961/FUL).

In the discussion the following points were considered:-

- There would be a loss of five parking spaces. It was noted that two car parking spaces could be allocated to blue badge holders.
- There was a concern regarding the corridor open access to the proposed dwellings and possible anti-social behaviour.

Councillor Klute proposed a motion that was seconded by Councillor Convery.

RESOLVED

That planning permission be granted subject to a Directors level agreement, conditions and informatives as set out in the report and two additional conditions regarding the marking out of two parking bays for blue badge holders and a satisfactory secure entrance flush with the elevation of the building. Wording of the additional conditions to be delegated to officers and appended to the minutes.

109

13-17 THANE VILLAS, N7 7PH (Item B6)

Construction of 3 self-contained single storey dwellings to the rear of 13-17 Thane Villas (2 x 3 bed 4 person 1 x 3 bed 5 person) together with associated bin and cycle storage. (P2014/0472/FUL).

RESOLVED

That this item be deferred to the next meeting of the Planning Sub B Committee.

The meeting ended at 9.15 pm

CHAIR

110 **WORDING DELEGATED TO OFFICERS**

139 Grosvenor Avenue, N5 2NH

Reasons for refusal:-

- The proposed scheme does not result in sustainable development as it fails to maximise the development of this urban site. It fails to deliver a maximum number of units on the site, and consequently fails to deliver affordable housing on the site, of which there is an acute need within the borough, and is therefore contrary to Policy CS12 of the Islington Core Strategy.
- The applicant has failed to submit written confirmation of an agreement to pay the full contribution sought by the Islington Affordable Housing Small Sites Contributions SPD for the number of housing units proposed. The applicant has submitted a viability assessment to demonstrate that the full contribution is not viable and that instead a lesser contribution should be made, however this has not been agreed by the Council. Therefore, the proposal is contrary to policy CS12 Part G of the Islington Core Strategy 2011, the Islington Affordable Housing Small Sites Contributions SPD.
- The proposed bike shed by virtue of its scale and siting on the boundary, is considered to have a detrimental overbearing impact and potential detrimental noise impact on the amenity of the neighbouring property No 137, contrary to policy DM2.1 of Islington's Development Management Policies.

Ground Floor, Holiday House, 2 Mildmay Street, N1 4NF

Additional conditions

CONDITION: Notwithstanding the plans hereby approved, details of the access arrangements including any gates or doors to the building's side elevations shall be submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of safety / security, amenity and to ensure that the resulting appearance and construction of the development is of a high standard.

CONDITION: Notwithstanding the plans hereby approved, a plan showing two wheelchair accessible parking bays shall be submitted to and approved by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: To secure the provision of accessible homes that meet the needs of all residents.

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COMMITTEE AGENDA

1 168 Upper Street
Islington
London

2 9 Dallington Street, London, EC1V 0BQ

3 Car Park Adjacent to 24 Morton Road London N1 3BA

4 Highbury Fields Playground, Highbury Crescent, London, N5

5 Highbury Pool Highbury Crescent Islington London N5 1RR

6 Land adjacent to St George's and All Saints Church Hall, Crayford Road, London N7 0ND.

7 Land at rear of nos. 13 -17 Thane Villas, London N7 7PH

8 Macpherson House 69 - 85 Old Street London EC1V 9HX

9 Newington Green Primary School, 105 Matthias Road, London N16 8NP

10 St Mark'S Primary School 175 Sussex Way London N19 4JF

1 168 Upper Street
Islington
London

Ward: St. Marys

Proposed Development: Approval of details pursuant of condition 3 (Details and samples of facing materials) of planning consent ref P2014/0189/FUL dated 22/07/2014

Application Number: P2014/4534/AOD

Application Type: Approval of Details

Case Officer: Emily Benedek

Name of Applicant: Pushpa Gulhane & Mr David Smith

Recommendation:

2 9 Dallington Street, London, EC1V 0BQ

Ward: Bunhill

Proposed Development: Erection of a fourth floor rear extension and fifth floor roof extension to provide an increase in office floor space (Use Class B1) together with associated works and external alterations, provision of amenity space, landscaping and installation of eight No. condenser units with a screened enclosure at fifth floor level. Internal alterations at the ground floor level to create a new entrance courtyard and insertion of two new roof lights to the rear.

Application Number: P2015/0586/FUL

Application Type: Full Planning Application

Case Officer: Emily Benedek

Name of Applicant: Harmsworth Pooled Property Unit Trust

Recommendation:

3 Car Park Adjacent to 24 Morton Road London N1 3BA

Ward: St. Peters

Proposed Development: The creation of 3 new houses for social rent (1x1-bed, 1x2-bed, 1x3-bed) with associated landscaping on an existing disused car park site.

Application Number: P2015/1289/FUL

Application Type: Full Planning Application

Case Officer: Stefan Sanctuary

Name of Applicant: Mrs Geraldine Medrano

Recommendation:

4 Highbury Fields Playground, Highbury Crescent, London, N5

Ward: Highbury East

Proposed Development: Replace existing playground structure (at the end of its serviceable life) with upgraded play equipment.

Application Number: P2015/0102/FUL

Application Type: Full Planning Application

Case Officer: Ben Phillips

Name of Applicant: Mr John Reynolds

Recommendation:

5 Highbury Pool Highbury Crescent Islington London N5 1RR

Ward: Highbury East

Proposed Development: Single storey extension with pitched roof. Flat roof draught lobby box to the front. Double height extension sitting above the existing gym, spa and plant areas on Eastern side elevation.

Application Number: P2015/0386/FUL

Application Type: Full Planning Application

Case Officer: Ben Phillips

Name of Applicant: GLL - Mrs Lucy Murray-Robertson

Recommendation:

6 Land adjacent to St George's and All Saints Church Hall, Crayford Road, London N7 0ND.

Ward: St. Georges

Proposed Development: The erection of a four storey building to provide three residential units comprising 2no. two bedroom flats and 1no. three bedroom maisonette, together with private open space to the rear. Please note this scheme has been amended with new elevations and internal redesign.

Application Number: P2014/4555/FUL

Application Type: Full Planning Application

Case Officer: Ashley Niman

Name of Applicant: no information given

Recommendation:

7 Land at rear of nos. 13 -17 Thane Villas, London N7 7PH

Ward: Finsbury Park

Proposed Development: Construction of 3 self-contained single storey dwellings to the rear of 13-17 Thane Villas (2 x 3bed 4 person 1 x 3 bed 5 person) together with associated bin and cycle storage.

Application Number: P2014/0472/FUL

Application Type: Full Planning Application

Case Officer: Ben Oates

Name of Applicant: Hibbs Property Holdings Ltd & Kafes Ltd.

Recommendation:

8 Macpherson House 69 - 85 Old Street London EC1V 9HX

Ward: Bunhill

Proposed Development: Change of use of part of ground and basement floors from Use Class A2 to Use Class D1 including alterations to external ground floor facades on Old Street, Central Street elevations and rear elevations.

Application Number: P2015/1163/FUL

Application Type: Full Planning Application

Case Officer: Nathaniel Baker

Name of Applicant: Ms Teresa Santucci

Recommendation:

9 Newington Green Primary School, 105 Matthias Road, London N16 8NP

Ward: Mildmay

Proposed Development: Construction of a canopy to the western elevation of the school building of the nursery classrooms to provide direct access to the covered play space from the nursery classroom.

Application Number: P2015/0697/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Krystyna Williams

Name of Applicant: Islington Council - Mr Lee Griffiths

Recommendation:

10 St Mark'S Primary School 175 Sussex Way London N19 4JF

Ward: Finsbury Park

Proposed Development: Demolition of the existing Nursery School building and construction of a new single storey Early Years Unit with associated works including canopies and a new boundary fence at St Mark's primary School.

Application Number: P2015/1251/FUL

Application Type: Full Planning Application

Case Officer: Clare Preece

Name of Applicant: London Diocesan Board for Schools

Recommendation:

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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE B		
Date:	29 th June 2015	NON-EXEMPT

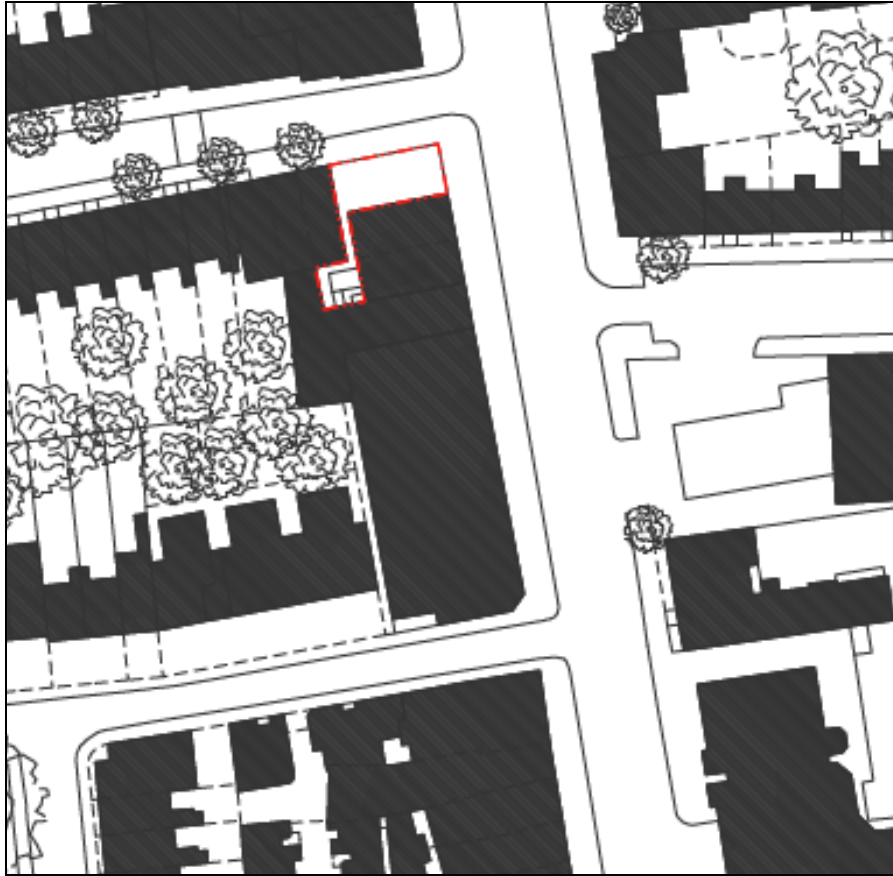
Application number	P2014/4534/AOD
Application type	Approval of Details
Ward	St. Marys
Listed building	Unlisted
Conservation area	Upper Street (North)
Development Plan Context	<ul style="list-style-type: none"> - Islington Village and Manor House Archaeological Priority Area - Angel and Upper Street Core Strategy Key Area - Article 4.1 (Upper Street (North)) - Local Cycle Route - Strategic Cycle Route - Employment Growth Area - Local Shopping Area - Within 100m of TLRN Road - Within 50m of the Barnsbury Conservation Area
Licensing Implications	None
Site Address	168 Upper Street, London, N1
Proposal	Approval of details pursuant to condition 3 (Details and Samples of Facing Materials) of planning consent reference P2014/0189/FUL dated 22/07/2014.

Case Officer	Emily Benedek
Applicant	Pushpa Gulhane & Mr David Smith
Agent	Amin Taha Architects

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** approval of details.

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



3. PHOTOS OF SITE/STREET



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

Application site



Image 2: View westwards of existing application site.

Application site



Image 3: View eastwards of existing application site.



Image 4: Photo of sample material

4. 4. SUMMARY

- 4.1 Approval of details is sought pursuant to condition 3 (Details and Samples of Facing Materials) of planning permission P2013/0189/FUL dated 22/07/2014.
- 4.2 It is considered that the proposed materials would harmonise with the materials used in the neighbouring properties, would not have a detrimental impact on the character and appearance of the locality and would continue to preserve and enhance the character and appearance of the Upper Street (North) Conservation Areas.

5. SITE AND SURROUNDING

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

6. PROPOSAL (IN DETAIL)

- 6.1 This application seeks permission for the approval of details pursuant to condition 3 (Details and Samples of Facing Materials) of planning permission P2014/0189/FUL dated 22/07/2014.
- 6.2 The proposed facing materials will comprise of brick terracotta red bricks which are clay based metal oxide which will retain its colour similar to brick. The clay will be moulded in a pre-prepared structure to ensure the panels would be consistent and retain the high level of detailing required for this development. The proposed material will age naturally with wind and rain, staining similarly with the constituent parts of local atmospheric conditions whether pollutants or natural dust and can be cleaned of staining and graffiti similar to brick work. It was agreed that the proposed joints would be minimally visible.
- 6.3 It is also proposed that the window frames and doors will be made of patented brass frames.
- 6.4 Several different samples were presented to officers since the application was submitted in October 2014. However, the case officer and conservation officer considered these samples unacceptable in terms of the finishing details and proposed colour.

7. RELEVANT HISTORY:

- 7.1 P2014/0189/FUL - Redevelopment of the site to provide a 6 storey plus basement building with retail A1 uses at basement and ground floor level, the creation of 3 self-contained residential units (3 x 2 beds), new ground floor shop frontages and associated alterations. Approved (22/07/2014)

PLANNING APPLICATIONS:

- 7.2 P2013/0499/ADV: Refused advertisement and subsequent dismissed appeal at Advertisement hoarding. 2.84m high hoardings with 'Aria' logo painted four times.
- 7.3 P110603: Planning permission granted on the 31st October 2013 for the change of use of ground and basement floors to create 4 retail units (A1 use) and one restaurant/bar (A3/A4 dual use) together with external alterations at ground floor level to streetfrontages and rear. (Adjoining site 159-167 Upper Street).
- 7.4 167 Upper Street: P2013/1976/PRA Approval of prior approval on the 6th August 2013 for the change of use of the first and second floors and curtilage from B1 (a) office accommodation to 3 x 1 bed residential flats (C3 use class).
- 7.5 166 Upper Street: P2013/2949/PRA Approval of prior approval on the 25th September 2013 for the for the change of use of the first and second floors and curtilage from B1(a) office accommodation to 1 x 1 bed & 1x 3 bed residential flats (C3 use class).
- 7.6 The majority of the upper floors of 159-167 Upper Street have recent prior approvals allowing the change of use of the vacant office floorspace to residential units of a variety of mix's and numbers under the government relaxed change of use allowances.

ENFORCEMENT:

- 7.7 None

PRE-APPLICATION ADVICE:

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

8. CONSULTATION

Public Consultation

- 8.1 No public consultation is required for this application.

External Consultees

- 8.2 There was no external consultation.

Internal Consultees

- 8.3 Design and Conservation Officer raises no objections to the materials. Full comments are detailed in the main report. Discussions have taken place between the conservation officer and Members regarding the proposed joints and what level of visibility would be acceptable. It was agreed that minimally visible joints which do not become a feature of the site would be most appropriate.

Other Consultees

- 8.4 None

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.
- 9.3 Development Plan
- 9.4 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

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:

- Upper Street (North) Conservation Area
- Islington Village and Manor House Archaeological Priority Area
- Angel and Upper Street Core Strategy Key Area
- Article 4.1 (Upper Street (North))
- Local Cycle Route
- Strategic Cycle Route
- Employment Growth Area
- Local Shopping Area
- Within 100m of TLRN Road
- Within 50m of the Barnsbury Conservation 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 This application seeks to approve the details of condition 3 (Details and Samples of Facing Materials) pursuant to planning permission P2014/0189/FUL dated 22/07/2014. Condition 3 reads:
- 10.2 CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. These shall include:
- a) detailed elevation drawings at scale appropriate to show the precise profile and configuration of the moulded terracotta cladding panels and style of joint between panels
 - b) sample panel of a minimum of two moulded terracotta cladding panels showing colour and texture and style of joint between panels
 - c) details (including sections and reveals) and sample of window frames showing colour and texture
 - d) details and sample of roofing materials
 - e) details and elevations of the shop fronts and samples showing colour and texture
 - f) any other materials to be used

The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.

- 10.3 Having received and reviewed numerous samples, it is considered that the proposed moulded terracotta sample has a successful appearance in terms of colour and texture and would harmonise well with the surrounding properties. Furthermore, reassurance has been given that the form of construction is robust and the colour will not fade. This material will be used for the walls and roof.
- 10.4 With regards to the joints between the panels, the Design and Conservation officer is satisfied with the very slightly visible join (as a positive detail in itself) proposed. This will ensure that whilst the joints are visible they do not become a feature of the site.
- 10.5 Details, including a sample of the proposed window frames were shown to the case officer and Design and Conservation officer on site. The proposed brass window frames are considered to be of extremely high quality and are therefore considered acceptable.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 It is considered that the external facing materials are of extremely high quality and would be appropriate to satisfy the wording of Condition 3 pursuant to planning permission P2014/0189/FUL.

Conclusion

- 11.2 It is recommended that the condition is discharged with the recommendation for approval.

APPENDIX 1 – RECOMMENDATIONS

List of Informatives:

1	Plans
	The plans accompanying this application are: Letter to case officer dated 8 th June 2015, 219-1200 Revision F, 219-1201 Revision E, 219-6003 Revision A, 219-6010 Revision A, 219-SP01 Revision C.

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

retain / delete as necessary

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 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

Policy 2.5 Sub-regions

Policy 2.9 Inner London

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

Policy 2.15 Town centres

Policy 2.17 Strategic industrial locations

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 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.8 Coaches

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 6.14 Freight

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 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.14 Existing housing
Policy 3.15 Coordination of housing development and investment
Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.3 Mixed use development and offices
Policy 4.7 Retail and town centre development
Policy 4.8 Supporting a successful and diverse retail sector
Policy 4.9 Small shops
Policy 4.10 New and emerging economic sectors
Policy 4.11 Encouraging a connected economy
Policy 4.12 Improving opportunities for all

Policy 7.6 Architecture
Policy 7.7 Location and design of tall and large buildings
Policy 7.8 Heritage assets and archaeology

8 Implementation, monitoring and review

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

B) Islington Core Strategy 2011

retain / delete as necessary

Spatial Strategy

Policy CS5 (Angel and Upper Street)
Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS13 (Employment Spaces)

Infrastructure and Implementation

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes
DM3.2 Existing housing

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new developments

DM3.3 Residential conversions and extensions
DM3.4 Housing standards
DM3.6 Play space
DM3.7 Noise and vibration (residential uses)

Shops, culture and services

DM4.1 Maintaining and promoting small and independent shops
DM4.2 Entertainment and the night-time economy
DM4.3 Location and concentration of uses
DM4.4 Promoting Islington's Town Centres
DM4.5 Primary and Secondary Frontages
DM4.6 Local shopping Areas
DM4.7 Dispersed shops
DM4.8 Shopfronts

Infrastructure

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

5. 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:

- Upper Street (North) Conservation Area
- Islington Village and Manor House Archaeological Priority Area
- Angel and Upper Street Core Strategy Key Area
- Article 4.1 (Upper Street (North))
- Local Cycle Route
- Strategic Cycle Route
- Employment Growth Area
- Local Shopping Area
- Within 100m of TLRN Road
- Within 50m of the Barnsbury Conservation Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

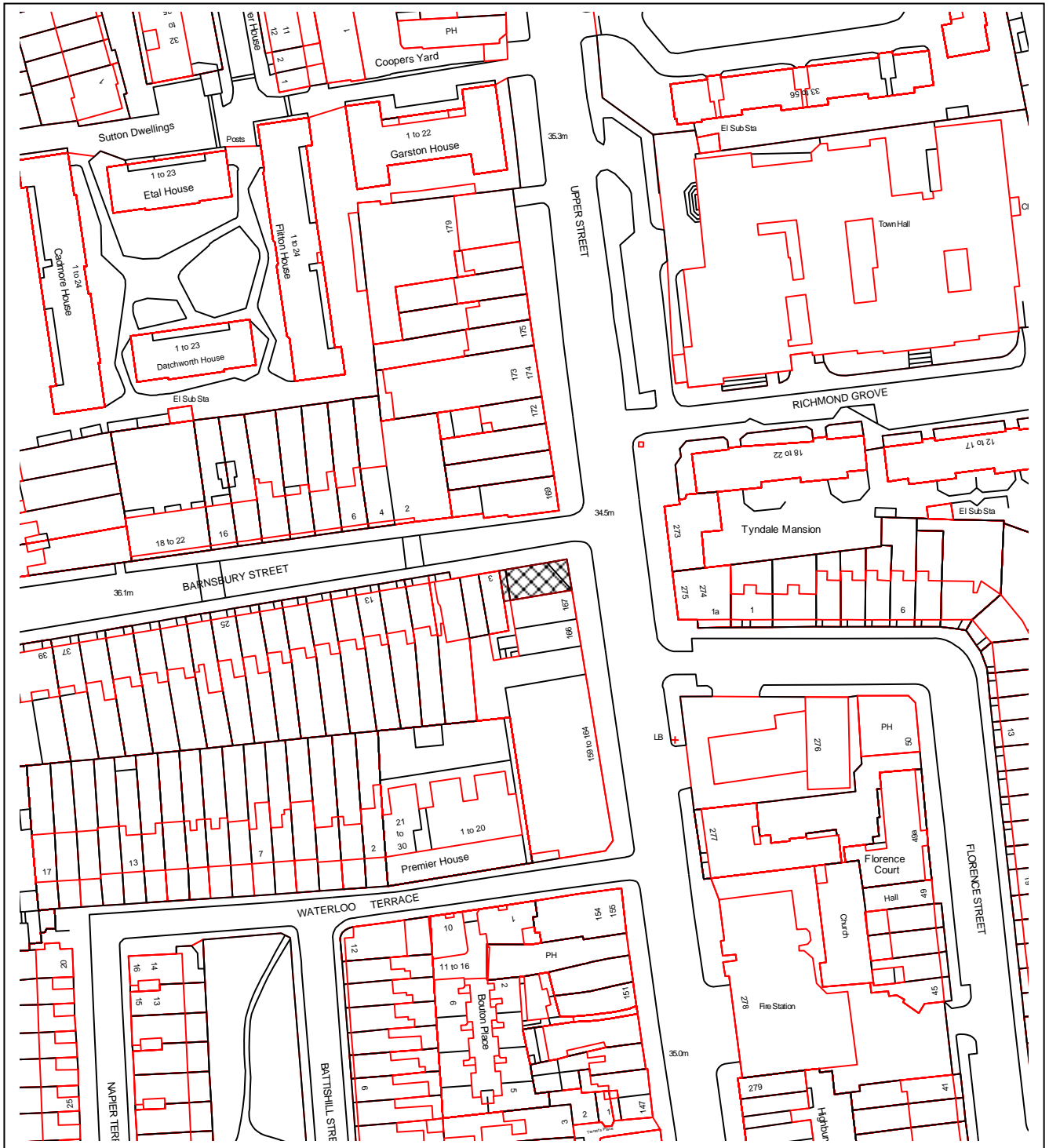
- Small Sites Contribution
- Accessible Housing in Islington
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

London Plan

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

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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE B		
Date:	29 June 2015	NON-EXEMPT

Application number	P2015/0586/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	Unlisted
Conservation area	Hat and Feathers Conservation Area
Development Plan Context	<ul style="list-style-type: none"> - Building Structure to be Retained - Central Activities Zone (CAZ) - Bunhill and Clerkenwell Core Strategy Key Area - Employment Priority Area – Finsbury Local Plan Policy BC8 - Mayors Protected Vista – Alexandra Palace viewing deck to St Pauls Cathedral
Licensing Implications	None
Site Address	9 Dallington Street, London, EC1V 0BQ
Proposal	Erection of a fourth floor rear extension and fifth floor roof extension to provide an increase in office floor space (Use Class B1) together with associated works and external alterations, provision of amenity space, landscaping and installation of eight No. condenser units with a screened enclosure at fifth floor level. Internal alterations at the ground floor level to create a new entrance courtyard and insertion of two new roof lights to the rear.

Case Officer	Emily Benedek
Applicant	Harsworth Pooled Property Unit Trust
Agent	Jessica McSweeney – Carter Jonas LLP

1. RECOMMENDATION

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

1. subject to the conditions 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: View from Compton Street



Image 3: Existing Front Elevation

4. SUMMARY

- 4.1 Planning permission is sought for the erection of a fourth floor rear extension and fifth floor roof extension to provide an increase in office floor space (Use Class B1) together with associated works and external alterations, provision of amenity space, landscaping and installation of eight No. condenser units with a screened enclosure at fifth floor level. The scheme also includes internal alterations at the ground floor level to create a new entrance courtyard and insertion of two new roof lights to the rear.
- 4.2 The proposed additional office space would provide a good level of amenity and the extension would not detract from the character and appearance of the application property or the conservation area and would not detrimentally impact upon neighbour amenity. The quality of the existing showrooms to be retained will be improved by the new internal layout.
- 4.3 This scheme follows the refusal of a planning application at this site for the erection of a fourth floor extension and a fifth floor at roof level to provide an increase in office floorspace (Use class B1a) along with 3 x residential flats (Use class C3) (2x2bed and 1x3 bed units) together with associated works and external alterations, provision of private amenity space, landscaping and installation of 10x no.condensers within a screened enclosure at roof level. This previous application was refused by Members of the Planning B Sub-Committee on 15 July 2014 and was subsequently dismissed on appeal on 23 December 2014. The plans for the current application have been amended to address the Inspector's concerns and overcome the previous reason for refusal.

5. SITE AND SURROUNDING

- 5.1 The site is located on the north side of Dallington Street and consists of a mid-terraced property which is used for retail purposes on the ground floor and offices on the upper floors. The property is five storeys in height, with a flat roof. The rear part of the building is set at a lower level than the main part of the building fronting Dallington Street.
- 5.2 The properties surrounding the site on Dallington Street comprise a mix of styles ranging from 1970s style buildings to art deco and modern buildings. These vary in height ranging from five to six storeys. The neighbouring properties include a mix of uses including educational, retail, commercial and residential facilities. To the rear of the site the property abuts St Peters and St Pauls Primary School a four storey building and a five storey building used for commercial purposes.
- 5.3 The site is located within the Hat and Feathers Conservation Area, however the building is not listed.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal consists of erection of a fourth floor rear extension and fifth floor roof extension to provide an increase in office floor space (Use class B1) together with associated works and external alterations, provision of roof terraces and installation of 8x no. condenser units within a screened enclosure at roof level. Internal alterations at the ground floor level to create a new entrance and the insertion of two roof lights at the rear is also proposed.
- 6.2 The ground floor plan will be altered to create a new internal courtyard via the main entrance which will lead to the entrance to the ground floor showrooms and commercial premises on the upper floors above. In addition the rear section of Unit A at the ground floor level will be replaced with toilets and a plant room to enable to insertion of roof lights to the front and rear elevations of this unit. 16 cycle parking spaces and a mobility scooter charging point will be located in the front of Unit B. Units A and B will continue to be used as showrooms (use Class A1) and will be maintained as two separate units measuring 167m² and 219m² respectively.
- 6.3 Minor changes are proposed on the second and third floors including the insertion of new accessible toilet facilities, the relocation of the existing staircase and toilet facilities, the insertion of an additional lift and an additional internal staircase to be located at the front of the building. Refuse facilities for the B1 office space will be located on every floor adjacent to the lift. A small cantilevered extension on the second, third, fourth and fifth floor levels is proposed measuring 3 metres in depth, 3.5 metres in width and 17.55 metres in height. This will be located to the west of Dallington School and will be set back 0.5 metres from the building line with Dallington School.
- 6.4 The proposed partial fourth floor extension covering the rear part of the site will measure a maximum of 12.65 metres in width, 10.2 metres in depth and 17.75 metres in height. This part of the extension will provide 112m² of office space.
- 6.5 The proposed fifth floor roof extension will follow the profile of the existing building and will be set back by 5.5 metres from the front building line. The proposal will measure a maximum of 11.6 metres in width, reducing to 7.7 metres in the narrowest parts, 17.7 metres in depth and 18.3 metres in height. The extension will increase in width to the rear part of the site creating an 'L shaped' formation and will provide 169 m² of office space. The rear part of the extension will measure 17.3 metres in width, a maximum of 5.6 metres in depth and 17.95 metres in height. It will provide 48 m² of additional office space.

- 6.6 A new screened plant enclosure is proposed on the roof of the fifth floor extension to the rear of the building which will incorporate the lift overrun and 8no. condenser units and will be set back 23.1 metres from the front building line. It is proposed that this enclosure will measure a maximum of 3 metres in depth, 11.9 metres in width and 19.2 metres in height from ground floor level.
- 6.7 A previous planning application (P2014/1604/FUL) was refused by planning Sub Committee B on 15 July 2014 and subsequently dismissed at appeal. The main differences between the current application and the previous proposal are:
- the depth of the extension in front of the lift shaft has been reduced by 1.3 metres at the fourth floor level and the extension to the rear of Dallington School has been reduced by 2 metres
 - at the fifth floor level the depth of the extension has been reduced by 3 metres in front of the proposed lift and the fifth floor extension to the rear of Dallington school has been reduced by 2.5 metres
 - the removal of extensions at the second, third and fourth floor level which brought the existing building closer to Dallington School
 - the removal of any C3 (residential) accommodation, only B1(a) accommodation is proposed for this scheme
 - the design and siting of the screened enclosure and condenser units

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 **P2014/1604/FUL** - Erection of a fourth floor extension and a fifth floor at roof level to provide an increase in office floorspace (Use class B1a) along with 3 x residential flats (Use class C3) (2x2bed and 1x3 bed units) together with associated works and external alterations, provision of private amenity space, landscaping and installation of 10x no. condensers within a screened enclosure at roof level. Refused at Planning B Sub-Committee on 15/07/14.

Reason for Refusal: The proposed development, by reason of the additional height in close proximity to the site boundary, would result in a detrimental material impact on the amenity of the neighbouring Dallington School by virtue of an unacceptable loss of daylight. As such the proposal would be contrary to policy DM2.1 of the Development Management Policies June 2013 together with the guidance within the Hat and Feathers Conservation Area Guidelines.

The application was subsequently appealed (appeal reference APP/V5570/A/14/2226349) through the written representations process. The application was dismissed at appeal on 23/12/2014. In his report the Inspector concluded that *the proposed development would, by reason of its height and proximity to the boundary, unduly harm the amenity of users of Dallington School with regard to loss of daylight*. The full decision is appended to this report at Appendix 3.

- 7.2 **P031181** - Renewal of existing lean to roof to the rear of the premises, including slight adjustment of roof pitch and boundary wall height. Approved 18/07/2003
- 7.3 **961164** - Change of use of the top (third) floor (rear) from B1 offices to a live-work unit; the installation of a roof lantern within the unit. Approved 24/10/1996
- 7.4 **P00373** - Change of use of loading bay to gallery and installation of new shopfront. Approved 27/03/2000

- 7.5 **931394** - Alterations to windows and doors replacement of skylight new flat roof raising 4th floor flank wall and other alterations in connection with refurbishment for business use (B1). Approved 03/12/1993

ENFORCEMENT:

- 7.6 None

PRE-APPLICATION ADVICE:

- 7.7 Q2013/1009/MIN - Extension to existing fourth floor to provide an increase in employment floorspace together with a new fifth floor also a rooftop extension to provide four residential flats with associated amenity space. Pre-app advice also sought in respect of a proposed new entrance (07/01/2014).

Q2012/0170/MIN - Proposed extensions at 4th floor level and new 5th floor level with terrace (20/11/2012).

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 97 adjoining and nearby properties at Dallington Street and Compton Street on 11 February 2015. A site notice and press advert were displayed on 14 May 2015. The public consultation of the application therefore expired on 4 June 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 21 responses (including two letters of support) had been received from the public with regard to the application. The issues raised in the 19 objections can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Loss of light and overshadowing of neighbouring properties (10.18-10.22)
- Proposal too big (10.8-10.9)
- Loss of privacy (10. 21)
- Already inadequate parking in the area this application will exacerbate proposal (10.25-10.26)
- Building works will contribute to hazardous traffic especially as the site is next to a nursery (8.3)
- Proximity of proposed balconies to neighbouring balconies (10.21)
- Overshadowing to neighbouring balconies (10.20)
- Loss of views (10.22)
- Noise and disturbance from the building works (8.3)
- Dallington Street already over-congested and proposal will result in increased traffic congestion (10.25-10.26)
- Noise and disturbance from increase in use (10.27)
- Previous planning decisions rejected this proposal so it is an abuse of the planning process, there should be a public enquiry if this appeal is granted (8.3)
- Loss of daylight, sunlight and overshadowing to Enclave Court (10.18, 10.21)
- Proposed height of development will exceed height of restrictions in Hats and Feathers Conservation Area guidance (10.7-10.9)
- Noise and disturbance from air conditioning units (10.27)
- Noise and disturbance to pupils at Dallington School (10.27)

- Proposal harms the outlook from Enclave Court (10.13, 10.22)
- Daylight/Sunlight report does not make any mention of Enclave Court (10.18, 10.22)
- Scale and massing of the scheme and its relationship with and impact on the character of the Conservation Area (10.6-10.13)
- Over-dominance in respect to Enclave Court and Dallington School (10.21)
- Daylight/sunlight report not been undertaken properly and cannot be relied on (10.19)

8.3 It must be noted that matters related to the manner and method of construction of the proposed extensions are not material planning considerations in the planning assessment of this application. These are matters that are covered by separate legislation including the Building Regulations, the Party Wall Act and the Environment Protection Act. However, a condition is proposed to ensure that construction traffic and methods would protect residential amenity. The applicant is entitled to submit new applications as long as they are materially different to previously determined schemes.

External Consultees

8.4 None

Internal Consultees

8.5 Design and Conservation Officer – no objection in principle subject to conditions regarding: details of all facing materials, detailed drawings of all proposed window and door frames and details of the landscaping for the internal courtyard

8.6 Planning Policy Officer – no in principle objection to the creation of B1 floor space.

8.7 Public Protection Division (Noise Team) – no objection subject to conditions relating to fixed plant noise limit and details of compliance with noise limit condition

8.8 Transport Officer - no objection in principle subject to conditions relating to servicing, car-free development and construction management plan

Other Consultees

8.9 None

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:
- Hat and Feathers Conservation Area
 - Building Structure to be Retained
 - Central Activities Zone (CAZ)
 - Bunhill and Clerkenwell Core Strategy Key Area
 - Employment Priority Area – Finsbury Local Plan Policy BC8
 - Mayors Protected Vista – Alexandra Palace viewing deck to St Pauls Cathedral

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, Conservation and Heritage Considerations (including Archaeology)
- Accessibility
- Landscaping
- Neighbouring Amenity
- Highways and Transport
- Noise and Vibration
- Refuse collection and storage

Land-use

- 10.2 The site is within the Historic Clerkenwell area as identified in the Finsbury Local Plan policy BC7. This requires the protection and enhancement of the special character of Historic Clerkenwell through heritage-led development that reinforces its uniqueness and provides for a limited expansion in floorspace including a range of employment uses, along with an enhanced public realm. Policy CS13 encourages new business floorspace within the CAZ, while CS7 supports employment development within Bunhill and Clerkenwell which contributes to a diverse local economy and supports that of central London. The proposal will provide 329m² of B1 floorspace and is therefore considered acceptable.
- 10.3 Although it is acknowledged that the proposal will result in the loss of 12% of the existing showroom area (use class A1) to make space for the cycle storage facilities and the plant room which are considered ancillary uses to the existing facilities. This loss equates to 78m² out of a total of 615.7m² and it is considered that the proposed alterations to the ground floor layout will improve the facilities to the existing ground floor units providing more natural light to both units and accordingly is considered acceptable.

- 10.4 As such, the principle of the development is acceptable subject to the assessment of the proposal in light of all other relevant policy, the site context and any other material planning consideration. The character of the conservation area would be preserved.

Design, Conservation and Heritage Considerations (including Archaeology)

- 10.5 The application site consists of a mid-terraced property five storey property set within a row of terraced properties of mixed design. Whilst it is appreciated that some of the properties have been modernised in recent years, there is a clear vertical delineation formed by the alignment of windows in the front elevation, such that provides a uniform appearance to the street scene.
- 10.6 The proposal would introduce a rear extension to the fourth floor and a new fifth floor. The proposed fourth floor extension, which will be located to the rear of the site, will match the fabric of the existing building using the same bricks and window layout to ensure the proposal matches the existing floors below. It is proposed that the new fifth floor level will be almost entirely glazed (with small amounts of white render) in order to minimise its impact on the street scene and the proposal has been designed to have limited views of the rooflines from the public realm and the extensions would therefore not be considered prominent.
- 10.7 The Conservation Area Design Guide (CADG) for Hat and Feathers Conservation Area states that: *roof extensions should be set back and not visible from public spaces*. It also states that buildings should be limited to 18 metres in height however, it is noted that the overall height of the proposal would be 19.2 metres.
- 10.8 In his report (appeal reference APP/V5570/A/14/2226349, paragraph 19) the Inspector stated that:

“The Council’s Conservation Area Guidelines advise that new buildings and roof extensions should conform to the height of existing development in the area. Although the scheme would add a fifth floor to the host building, I do not consider this would be out-of-place in its setting. I note the height would be set below that of the adjacent gable of St Peter’s and St Paul’s Primary School. Furthermore, the extension would be set back from the main Dallington Street frontage. Accordingly, the extension would not be contrary to the Conservation Area Guidelines which seek, amongst other matters, to ensure that roof extensions visible from the street should not be harmful to the character and appearance of the building.”

- 10.9 It is acknowledged that the proposed development will measure 19.2 metres in height overall. However, in light of the Inspector’s comments and the fact that the highest part of the proposal relates to the lift overrun which is set back from the main frontage and will therefore not be visible from Dallington Street, it is not considered that the proposal will have a detrimental impact on the character and appearance of the Conservation Area. Furthermore, revisions to the design of the scheme ensures that the roof extensions are now clean and simple barrel roof forms with glazed facades and the profile of the roof is no longer determined by plant enclosures, which are located to the rear.

- 10.10 The Council’s Urban Design Guide (UDG, paragraph 2.3.3) states that:

“the scale of a frontage can be further reduced by articulating the top floor as a recessive element and employing materials such as glass and steel with a lightweight appearance”.

- 10.11 The proposed fifth floor element will be recessed back by 5.5 metres from the front building line and given the dense nature of the street is unlikely to be visible from the Dallington Street. Furthermore, as the site is located behind St Peters and St Pauls school, the proposal will only

be afford limited views from Compton Street. The proposal also involves the introduction of brass mesh cladding to the front of the property and would be visible from Dallington Street. The mesh cladding to the front of the property is a modern approach which would add interest to the building and tie in with other modern materials in the local context.

- 10.12 As such, it is considered that the proposed extensions would be subordinate to and integrate with the application property. Whilst some views of the extensions would be afforded between the properties on Compton Street, these would be limited. Therefore, the proposed rear extensions are not considered to result in harm to the conservation area and be in accordance with adopted guidance and policies CS9 of the Core Strategy and DM2.3 of the Development Management Policies.
- 10.13 The site is located within an archaeology priority area and due to the scale of the development it is unlikely that substantial foundations/excavations would be required.

Accessibility

- 10.14 Positive steps have been taken with this proposal and reference has been made to the Council's Inclusive Design SPD with two lifts for the commercial units and powered gates to the courtyard and disabled toilets on every floor (providing 6 in total).

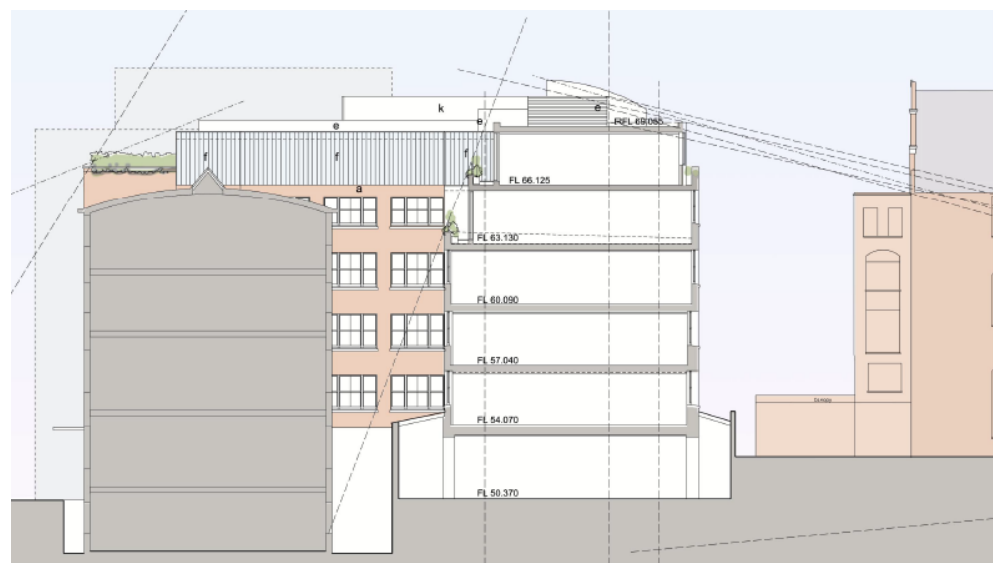
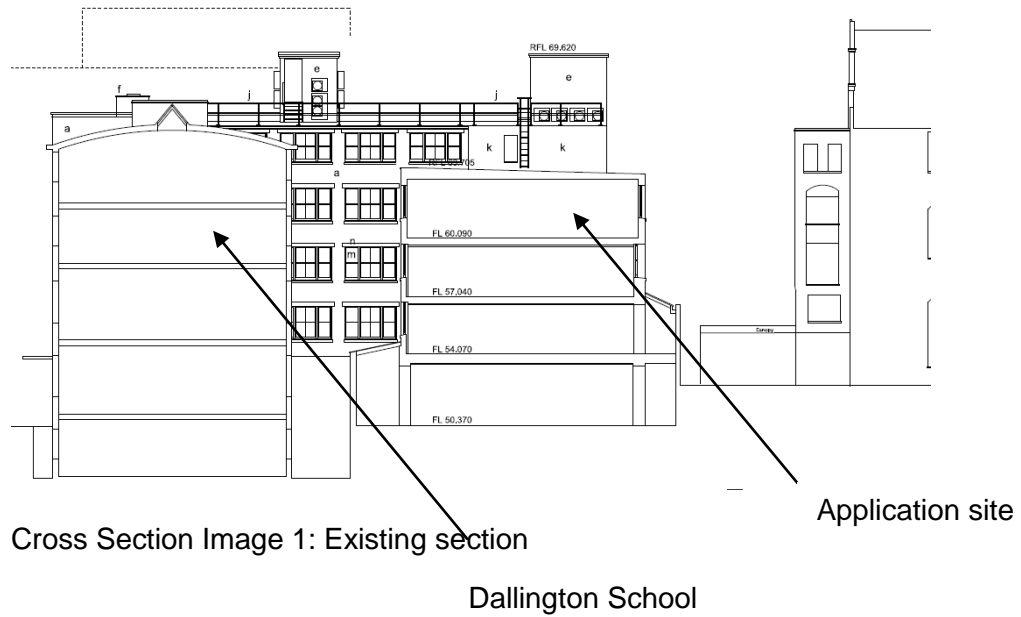
Landscaping and Trees

- 10.15 Full details of the landscaping on the ground floor level and fourth and fifth floors have not been submitted. However, the plans detail an area of hardstanding at ground floor level to create an internal courtyard. Each of the new commercial units will be provided with roof terraces featuring some soft landscaping which will allow for amenity space. Subject to a landscaping condition requiring details to be submitted to and approved by the Local Planning Authority, the proposal is considered to be acceptable
- 10.16 No trees are affected by this proposal.

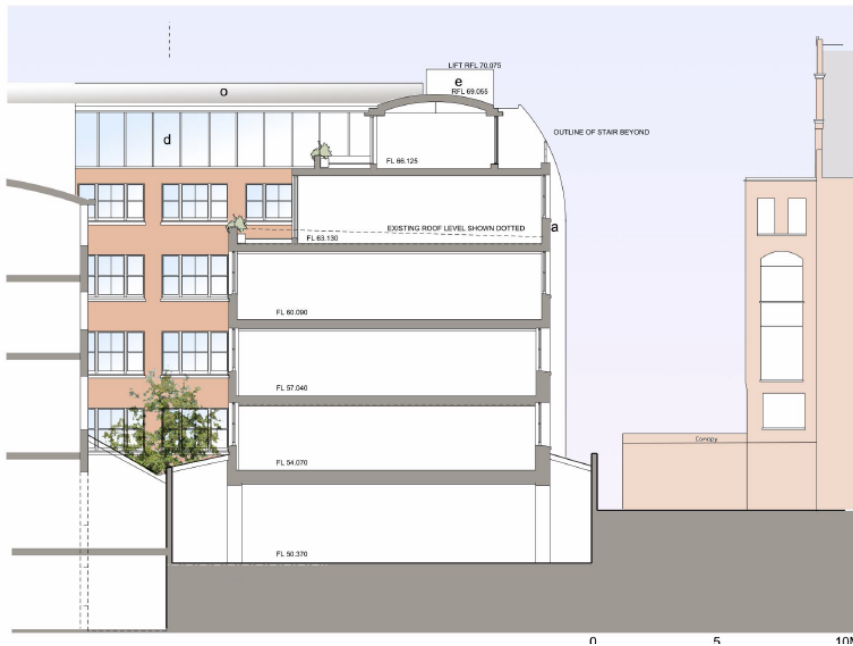
Neighbouring Amenity

- 10.17 The proposal would introduce fourth floor extension and a fifth floor level that would include a number of windows and roof terraces.
- 10.18 It is noted that the immediate buildings due north and south east of the site are schools whilst the remaining properties which could be impacted by the site are used for residential purposes. A daylight/sunlight report attached with this application found that with regards to a daylight analysis, all the windows belonging to neighbouring properties including Dallington School and Enclave Court would pass the VSC test.
- 10.19 In the previously dismissed appeal scheme, 18 of the 35 windows surveyed failed the VSC test. In his report the Inspector noted that this "show[s] both that daylight to a significant number of windows in the rear elevation would be reduced by the development and, furthermore, that windows in that elevation already suffer from existing low VSC ratings." As all windows now pass the VSC test, this gives an indication of the scope of the changes made to the scheme since the previous refusal and the significant reduction in impact on neighbouring amenity. With this in mind, it would be difficult to substantiate a further objection on loss of daylight to surrounding residential and educational occupiers.
- 10.20 A comparison drawing between the existing, previously refused (and dismissed on appeal) and proposed sections demonstrating the relationship between the application site and

Dallington School is set out below and demonstrates the increased distance at the fourth and fifth floor levels between the two buildings in comparison to the previously refused (and dismissed) scheme.



Cross Section Image 2: Previously refused (and dismissed on appeal) section



Cross Section Image 3: Proposed section

- 10.21 With regards to sunlight only 2 windows would fail the Annual Probable Sunlight Hours (APSH) test. These windows are located at St Peter's and St Paul's School, however the classrooms these windows serve are dual aspect. Whilst it is acknowledged that Dallington Street is densely populated in terms of its building layout, it is not considered that the proposal will contribute to increased loss of light and overshadowing to the existing street. It is noted that the proposed windows on the fourth and fifth floor extensions will be finished with white opalescent fretted glazing. Given the results of the daylight/sunlight report, it is therefore ascertained that the proposed development would not result in unacceptable levels of loss of light or overshadowing to the neighbouring occupiers surveyed in the report including Dallington School, Enclave Court and 32 Dallington Street to warrant refusal of the application.
- 10.22 It is acknowledged that the properties to the east of the site, most notably the residential units at Enclave Court, many of these properties have windows and terraces looking towards the site. The proposed commercial units have been designed with no windows on the flank elevation facing Enclave Court rather facing towards Dallington Street or the playground of St Peter's and St Paul's RC School. There is potential for overlooking from the north facing windows on the fourth floor extension to St Peters and St Paul's School playground. However, it is proposed that interstitial blinds will be installed on this elevation which allows for horizontal vision but would prevent downward vision into the playground. As such it is not considered that the proposal would give rise to unduly harmful overlooking.
- 10.23 The proposed roof terraces for units K and M on the fourth and fifth floors will face Dallington Street, but does have a boundary with Enclave Court. A condition is proposed to provide a privacy screen at this location at fourth and fifth floors. With regards to Unit L, two small windows will be placed on the flank elevation facing 9A Dallington. However, these windows are located to the rear of the building beyond the existing third floor building line of this neighbouring property and will therefore not result in any direct overlooking. In addition the amenity space to this office will be at the front of the property facing Dallington Street and is therefore not considered to give rise to any overlooking or loss of privacy to the occupiers of the neighbouring residential property apart from a small stretch on the boundary which would have a privacy screen (details reserved by proposed condition). Given the orientation of the property it is not considered that the proposals will result in any loss of light to the occupiers of this neighbouring property. It is noted that the Daylight/Sunlight report confirms that all

Enclave Court properties' windows would pass the relevant BRE guidance which is adopted by the Council in this respect.

- 10.24 Whilst the proposed extensions will be visible from the neighbouring properties, and may restrict views looking north-east across the site from Enclave Court towards Compton Street, this does not mean it is unacceptable and as demonstrated above is not considered to have a detrimental impact on the amenities of neighbouring occupiers.
- 10.25 The proposed extensions whilst visible from neighbouring properties, comply with BRE light regulations, would be sufficiently far away not to be considered overbearing, and would not create a detrimental enclosure that a refusal could be sustained. In addition, the proposed balconies do not directly overlook neighbouring balconies and with the installation of privacy screens would ensure amnity space would remain private.

Highways and Transportation

- 10.26 The site has a PTAL of 6a, which is 'Excellent', with Farringdon Railway Station and Barbican Tube Stations and a number of major bus routes in close proximity to the site.
- 10.27 Sixteen cycle parking spaces are provided to the rear of the site for the occupiers of the commercial units. In addition 6 visitor cycle parking spaces are provided adjacent to the front entrance from Dallington Street and would meet the requirements of DM8.4/Appendix 6 of the Development Management Policies.
- 10.28 A condition is recommended restricting the occupiers from applying for business permit in accordance with the Councils Car Free policy.

Noise and Vibration

- 10.29 It is noted that concern has been raised regarding potential disturbance to neighbours from the proposed increase in occupancy levels at the site as well as the impact of officer workers using the terraces. Whilst the occupancy of the site would be increased, the area is of mixed character and by virtue of the nature of B1 office it should be able to co-exist alongside residential and educational buildings in this mixed use area. The Council's Noise Officer raised has recommended conditions regarding the mechanical equipment so that it is not considered that the proposal will create a noise nuisance to the occupiers of the neighbouring properties. In addition, conditions have been placed on the proposed roof terraces associated with the commercial units to ensure they are not used outside the hours of 9:00am-6:00pm Monday to Friday in order to minimise potential noise and disturbance resulting from the use on neighbouring occupiers.

Refuse

- 10.30 It is proposed that individual refuse containers will be located on every floor adjacent to the lifts for the use of the commercial properties. Refuse and recycling collection will remain as existing. This will comply with Islington's Refuse and Recycling Storage Requirements.

Other Matters

- 10.31 Concerns have also been raised regarding noise and disturbance from the building works and disruption from construction vehicles. However, this can be overcome through a Construction Management Plan condition.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The amendments to this scheme have overcome the objections raised to the previous scheme that was dismissed at appeal. The reduction in the physical built form has resulted in no loss of light/sunlight to the occupiers of the adjoining properties. In addition, the proposed extensions have been sympathetically designed and would not have a detrimental impact on the character and appearance of the property or wider locality.
- 11.2 The proposed extensions are considered to be acceptable with regards to the land use, design, neighbour amenity, archaeology, highways and transportation, noise levels, access and refuse.
- 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 conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	<p>Commencement</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list</p> <p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans: DAL.12.1000, DAL.12.3002 K, DAL.12.3003 J, DAL.12.3004, DAL.12.3005, DAL.12.4000 A, DAL.12.4001 F, DAL.12.4020 A, DAL.12.4021B E, DAL.12.4040 A, DAL.12.4041 F, DAL.12.4061 D, Design and Access Statement with Heritage Notes, Daylight and Sunlight Report, Noise Assessment, Planning Statement.</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>
3	<p>Materials</p> <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> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window/door treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) sample of bronze feature screen g) curtain walling h) grey steel gates and screen i) any other materials to be used. j) louvred screen <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>
4	<p>Parking</p> <p>CONDITION: All future occupiers of the commercial units hereby approved shall not be eligible to obtain an on street business parking permit except :</p>

	<p>(1) In the case of disabled persons;</p> <p>(2) In the case of an occupier who is an existing holder of a business 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 development.</p>
5	BREEAM and Code for Sustainable Homes
	<p>CONDITION: BREEAM AND CODE OF SUSTAINABLE HOMES (COMPLIANCE): The development shall achieve a BREEAM Office (2008) / BREEAM New Construction rating (2011)] of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.interest of addressing climate change and to secure sustainable development.</p>
6	Refuse/Recycling Provided (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
7	Cycle Parking Provision (Compliance)
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be covered and secure, shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
8	Windows (Details)
	<p>CONDITION: Details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The details shall include materials, profile, reveal depth and detailing. Double glazed units with unsympathetic/inappropriate proportions and UPVC windows will not be considered acceptable.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
9	Landscaping (Details)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <p>a) an updated Access Statement detailing routes through the landscape and the facilities it provides;</p> <p>b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</p> <p>c) existing and proposed underground services and their relationship to both hard</p>

	<p>and soft landscaping;</p> <p>d) proposed trees: their location, species and size;</p> <p>e) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>i) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such.</p> <p>REASON: In the interest of securing sustainable development.</p>
10	<p>Noise</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq, Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90, Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>Reason: To protect the amenities of neighbouring occupiers</p>
11	<p>Noise</p> <p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 11. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>Reason: To protect the amenities of neighbouring occupiers</p>
12	<p>Rooftop Enclosures</p> <p>CONDITION: No development shall be carried out until details of the rooftop enclosures/screening and the lift overrun are submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved plans and permanently maintained thereafter.</p> <p>Reason: To ensure the proposal does not have a detrimental impact on the street scene.</p>
13	<p>Code of Construction:</p> <p>CONDITION: No development (including demolition works) shall take place on site</p>

	<p>unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ol style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
14	<p>Privacy Screens</p> <p>CONDITION: Details shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works being carried out, of privacy screens at a height of 1.7 metres from finished floor level to be erected at the eastern boundary of the terraces to Units K and M at fourth and fifth floor and Enclave Court.</p> <p>The privacy screens shall be fully implemented prior to first occupation of the flat.</p> <p>REASON: In order to protect neighbouring amenity.</p>
15	<p>Hours of Operations (Compliance)</p> <p>CONDITION: The roof terraces hereby approved shall not operate outside the hours of: 9:00am to 6:00pm Monday to Friday.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

List of Informatives:

1	<p>Positive Statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</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>
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	The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	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> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Highways
	<ul style="list-style-type: none"> - 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 streetworks@islington.gov.uk. <p>All agreements relating to the above need to be in place prior to workscommencing.</p> <ul style="list-style-type: none"> - 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 streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. - Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. -Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.

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 highways.maintenance@islington.gov.uk

Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

- Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.

- 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.

- 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.

- Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.

- Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.

- Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.

- All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting.

NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer.

Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk

- Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.

- Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980

- Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.

- Regarding entrance levels, developers must take into account minimum kerb height of 100mm is required for the public highway. 15mm kerb height is required for crossover

	<p>entrances.</p> <ul style="list-style-type: none">- Overhang licenses are required for projections over the public highway. No projection should be below 2.4m in height in accordance with Section 178, Highways Act 1980.- Compliance with Section 179, Highways Act 1980. "Control of construction of cellars etc under street".- Compliance with Section 177 Highways Act 1980. "Restriction on construction of buildings over highways".
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APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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 2.2 London and the wider metropolitan area
Policy 2.3 Growth areas and co-ordination corridors
Policy 2.5 Sub-regions
Policy 2.9 Inner London
Policy 2.10 Central Activities Zone – strategic priorities
Policy 2.11 Central Activities Zone – strategic functions
Policy 2.12 Central Activities Zone – predominantly local activities
Policy 2.13 Opportunity areas and intensification areas
Policy 2.14 Areas for regeneration
Policy 2.15 Town centres
Policy 2.17 Strategic industrial locations
Policy 2.18 Green infrastructure: the network of open and green spaces

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.18 Construction, excavation and demolition waste
Policy 5.19 Hazardous waste
Policy 5.20 Aggregates
Policy 5.21 Contaminated land
Policy 5.22 Hazardous substances and installations

6 London's transport

Policy 6.1 Strategic approach
Policy 6.2 Providing public transport capacity and safeguarding land for transport
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.4 Enhancing London's transport connectivity
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.12 Road network capacity

3 London's people

- Policy 3.1 Ensuring equal life chances for all
- Policy 3.2 Improving health and addressing health inequalities

4 London's economy

- Policy 4.1 Developing London's economy
- Policy 4.2 Offices
- Policy 4.3 Mixed use development and offices

- Policy 6.13 Parking
- Policy 6.14 Freight
- Policy 6.15 Strategic rail freight interchanges

7 London's living places and spaces

- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall and large buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.9 Heritage-led regeneration
- Policy 7.11 London View Management Framework
- Policy 7.12 Implementing the London View Management Framework
- Policy 7.15 Reducing noise and enhancing soundscapes use
- Policy 7.28 Restoration of the Blue Ribbon Network
- Policy 7.29 The River Thames
- Policy 7.30 London's canals and other rivers and waterspaces

8 Implementation, monitoring and review

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

B) Islington Core Strategy 2011

retain / delete as necessary

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)

Policy CS13 (Employment Spaces)

Infrastructure and Implementation

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

C) Development Management Policies June 2013

add or delete as necessary

Employment

Design and Heritage

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

Frontages

- DM4.6** Local shopping Areas
- DM4.7** Dispersed shops
- DM4.8** Shopfronts
- DM4.9** Markets and specialist shopping areas
- DM4.10** Public houses
- DM4.11** Hotels and visitor accommodation
- DM4.12** Social and strategic infrastructure and cultural facilities

D) Finsbury Local Plan June 2013

add or delete as necessary

- BC8** Achieving a balanced mix of uses
- BC9** Tall Buildings and contextual considerations for building heights
- BC10** Implementation

DM5.1 New business floorspace

Transport

- DM8.1** Movement hierarchy
- DM8.2** Managing transport impacts
- DM8.3** Public transport
- DM8.4** Walking and cycling
- DM8.5** Vehicle parking
- DM8.6** Delivery and servicing for new developments

Infrastructure

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

5. 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:

- Building Structure to be Retained
- Hats and Feathers Conservation Area
- Central Activities Zone (CAZ)
- Bunhill and Clerkenwell Core Strategy Key Area
- Employment Priority Area – Finsbury Local Plan Policy BC8
- Mayors Protected Vista – Alexandra Palace viewing deck to St Pauls Cathedral

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design

London Plan

- Accessible London: Achieving and Inclusive Environment

- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Sustainable Design & Construction
- Planning for Equality and Diversity in London

Appeal Decision

Site visit made on 1 December 2014

by Peter Rose BA MRTPI DMS MCM1

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 December 2014

Appeal Ref: APP/V5570/A/14/2226349

9 Dallington Street, London EC1V 0BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Harmsworth Pooled Property Unit Trust against the decision of the Council of the London Borough of Islington.
 - The application Ref P2014/1604/FUL, dated 16 April 2014, was refused by notice dated 23 July 2014.
 - The development proposed is extension to existing fourth floor and the creation of a new fifth floor at roof level to provide an increase in office floorspace (Use Class B1a) and three residential flats (Use Class C3) together with associated external alterations, amenity space, landscaping and plant.
-

Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Harmsworth Pooled Property Unit Trust against the Council of the London Borough of Islington. This application is the subject of a separate Decision.

Procedural Matters

3. The Council's decision notice refers to the height of the proposed scheme in relation to the Council's Conservation Area Design Guidelines. The reference is made in the context of an objection due to the alleged effect of the development upon daylight and I shall consider the relevance of the Conservation Area to the Council's objection on that basis.
4. A Unilateral Undertaking dated 11 November 2014 (the Undertaking) has been submitted by the appellant as part of the appeal, and the Council has been afforded the opportunity to comment.

Main Issue

5. The main issue is whether the development, by reason of its height and proximity to the boundary, would be detrimental to the amenity of users of the neighbouring Dallington School with regard to loss of daylight.

Reasons

6. The appeal site comprises a 5-storey mid-terrace building with flat roof. The building has a glazed commercial frontage and associated facilities on the

- ground floor, and offices above. The site forms part of a densely developed urban setting with buildings extending to five storeys and above. Dallington Street comprises buildings of various styles and forms and with a range of uses. The site lies in close proximity to a number of other buildings, including Dallington School to the south, St Peter's and St Paul's Primary School to the north, and a residential development at Enclave Court to the east.
7. The site forms part of the Hat and Feathers Conservation Area. The Council's Conservation Area Design Guidelines A Supplement to the UDP Revised Version January 2002 (the Conservation Area Guidelines) refer to the Conservation Area in conjunction with two further such Areas. It advises that the fabric of the area derives from incremental development dating from Norman times, and that the character depends on its great variety of uses.
 8. The proposed scheme would extend the height of the host building at fourth and fifth floors in close proximity to rear windows of Dallington School and would include other works. The application is accompanied by a detailed technical assessment of the implications for daylight and sunlight, and with regard not just to Dallington School, but also in relation to other adjacent buildings. The assessment is based upon recognised national guidance provided by the Building Research Establishment (BRE). This is set out in the BRE report 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice', 2011, and draws upon British Standard 8206 Part 2.
 9. In relation to Dallington School, the appellant's assessment shows that, in terms of daylight, of the 35 windows tested at the rear of the school, 18 would fall short of the recommended standard in relation to Vertical Sky Component (VSC). An alternative test of the Average Daylight Factor (ADF) was then applied, however, to the four main teaching areas of the school. The submitted evidence shows that all four rooms passed the recommended threshold for ADF and that the impact would be of a scale which would not be materially noticeable. Due to the orientation of the school, only one window was tested in relation to sunlight and this passed. I further note that the Council does not challenge the findings of the submitted assessment, and I have little reason to question its adequacy.
 10. Whilst VSC looks at the amount of daylight available at a particular window, ADF takes into account the interior dimensions and surface reflectance of a room, as well as the amount of sky visible from the room. At my site inspection, I was able to view the appeal site from each floor of Dallington School. I saw that the main floors of the school are large, dual aspect areas with windows on both sides. I recognise the relevance of the ADF evidence in that context, given the essentially dual aspect arrangement of the floors.
 11. I also noted at my visit the existing use of artificial light within the school and am mindful of the contribution that generally makes to the internal use of buildings, including schools. I also have little evidence before me to suggest that it would be unusual for schools to be served by a combination of natural and artificial light. The building's south-facing windows to the front which draw significant light would also remain unaffected by the scheme. The appellant has also identified the possibility of painting the rear facing wall of the host building white to possibly assist reflected light levels into the rear windows.
 12. Nevertheless, I cannot disregard the significance of the VSC findings. These show both that daylight to a significant number of windows in the rear

elevation would be reduced by the development and, furthermore, that windows in that elevation already suffer from existing low VSC ratings. This was also evident at my visit when I observed the lighting conditions on all floors.

13. There is also a particular issue with the basement. The basement comprises administrative offices fronting Dallington Street and a teaching area to the rear. I saw that the teaching area in the basement does not enjoy dual aspect. Even though the basement is already constrained in its exposure reflecting its significantly enclosed setting, daylight to this teaching area from the rear would be impacted by the scheme.
14. Whilst the main floors are dual aspect, these comprise expansive areas running from front to back. Notwithstanding furniture and other informal arrangements, I accept they are not structurally divided. Even so, should the development proceed and the rear then become dependent upon daylight from the front as implied by the ADF evidence, I acknowledge this could represent a significant constraint upon the future operation of the school.
15. Daylight is a finite resource of particular importance to the school and for the future welfare of its children. Notwithstanding the evidence of the ADF assessment and the conclusions drawn, the school forms part of a tightly constrained setting in which daylight to the rear is already restricted and which would be further reduced by the proposed scheme. I also note that the BRE guidance advises that it should be interpreted flexibly, and as one of a number of factors relevant to site layout design. In the context of the overall impact of the scheme upon windows to the rear and the existing levels of daylight being received I find, on balance, that the scheme would be harmful to the environment of the school.
16. I therefore conclude that the proposed development would, by reason of its height and proximity to the boundary, unduly harm the amenity of users of Dallington School with regard to loss of daylight. Accordingly, the proposed development would be contrary to Policy DM2.1 of Islington's Local Plan: Development Management Policies June 2013. This seeks, amongst other matters, to ensure that development respects and responds positively to existing buildings, provides a good level of amenity, including consideration of daylight, and does not unduly prejudice the satisfactory operation of adjoining land. A core principle of the National Planning Policy Framework (the Framework) is also to seek a good standard of amenity for existing and future occupants of land and buildings and the proposal as it relates to the school would be inconsistent with that aim.

Unilateral Undertaking

17. The submitted Undertaking makes commitments in relation to various matters, including affordable housing. Nevertheless, I cannot be satisfied from the limited information before me that these specific commitments are necessary to make the proposal acceptable in planning terms, are directly related to the scheme, and are fairly and reasonably related in scale and kind to the development. Even so, the commitments made are not matters directly relevant to mitigating the harm identified in the main issue. Accordingly, I have not had regard to the detailed content of Undertaking in my decision.

Other Matters

The character and appearance of the Hat and Feathers Conservation Area

18. Whilst the Council's decision notice does not state the development would be harmful to the character or appearance of the Conservation Area and raises no objection to the design itself, concern has been raised by third parties regarding the height of the scheme relative to both adjacent buildings and to the wider Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon me to give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. There is a clear presumption in this duty that preservation is desirable, and the finding of any harm to the character or appearance of a heritage asset would be a consideration to which I must attach considerable importance and weight.
19. The Council's Conservation Area Guidelines advise that new buildings and roof extensions should conform to the height of existing development in the area. Although the scheme would add a fifth floor to the host building, I do not consider this would be out-of-place in its setting. I note the height would be set below that of the adjacent gable of St Peter's and St Paul's Primary School. Furthermore, the extension would be set back from the main Dallington Street frontage. There would only be limited exposure from public views, and the views would be of a heavily glazed design which would not appear dominant or obtrusive. I am also satisfied that appropriate consideration has been given to detailed design of the roofscape and associated implications for the skyline.
20. I therefore conclude that the proposed development would not fail to preserve or enhance the character or appearance of the Hat and Feathers Conservation Area. Accordingly, the extension would not be contrary to the Conservation Area Guidelines which seek, amongst other matters, to ensure that roof extensions visible from the street should not be harmful to the character and appearance of the building. I find the guidelines broadly consistent with the Framework which recognises that heritage assets such as Conservation Areas are an irreplaceable resource and requires them to be conserved in a manner appropriate to their significance. The Framework also places great importance upon high quality design.

Enclave Court

21. At my site inspection, I was able to view the appeal site both from the rear courtyard of Enclave Court and from within an adjacent dwelling.
22. The Council does not identify any harm to the occupiers of Enclave Court in its decision notice, and the minutes of the Council's meeting state that it considered the issue of overlooking had been dealt with by the applicant. I also note that the submitted daylight and sunlight assessment concludes that no windows within Enclave Court would fail the relevant daylight or sunlight tests, and that there would be no adverse effect upon gardens or amenity spaces, as defined by the BRE, in terms of overshadowing.
23. I acknowledge that the outlook from Enclave Court would change, but I do not consider that the scale, proximity or form of the development would be visually intrusive to the living conditions of those residents. There is a possibility of overlooking from the proposed terraces, but I am satisfied that, in principle, such concerns could be mitigated by appropriate boundary treatment. There would also be no formal windows within the main east facing elevation of the

proposed extensions, although further details would still be required of the proposed glazing system, opal glass and other external finishes to be used.

24. Accordingly, I do not find that the scheme would be harmful to the living conditions of occupiers of Enclave Court with regard to light or visual impact, and that the scheme would not conflict with the expectations of the Framework to provide a good standard of amenity.

Other considerations

25. I have considered all other matters raised, including concerns regarding density and over-development, traffic and highway implications, provision for persons with disabilities, the need for future office and residential floorspace, and general issues of disruption. The Council raises no objections on these grounds and I have little reason to conclude otherwise.
26. I recognise the scheme would provide additional office space, and the opportunity for associated reconfiguration of the existing building. In this context, the Framework states that the government is committed to securing economic growth in order to create jobs and prosperity. A core principle is for planning to proactively drive and support sustainable economic development and the Framework encourages support for existing business sectors.
27. I also acknowledge the scheme would provide additional residential accommodation for the benefit of the local housing stock.
28. I have noted the various references to pre-application discussions between the main parties.
29. I have had regard to all references made to other sites, planning decisions and appeals. Nonetheless, the circumstances of each site and of each development will be different, and my decision is based upon the specific planning merits of the proposal before me.
30. I have noted the relationship between the scheme and the adjacent St Peter's and St Paul's Primary School. The Council raises no objection on that basis and I have little reason to disagree.
31. I have also had regard to the Mayor of London's Revised Early Minor Alterations to the London Plan published on 11 October 2013 and to the Draft Further Alterations to the London Plan January 2014.

Summary of other matters

32. None of the other matters raised are of such significance, either individually or collectively, that they would outweigh the factors that have led to my conclusions on the main issue.

Conclusion

33. For the above reasons, I conclude the appeal should be dismissed.

Peter Rose

INSPECTOR

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE B		
Date:	29 th June 2015	NON-EXEMPT

Application number	P2015/1289/FUL
Application type	Full Planning (Council's Own)
Ward	St Peter's Ward
Listed Building	No
Conservation Area	None. Adjacent to East Canonbury Conservation Area
Licensing Implications Proposal	None
Site Address	Car Park Adjacent to 24 Morton Road London N1 3BA
Proposal	The creation of 3 new houses for social rent (1x1-bed, 1x2-bed, 1x3-bed) with associated landscaping on an existing disused car park site.

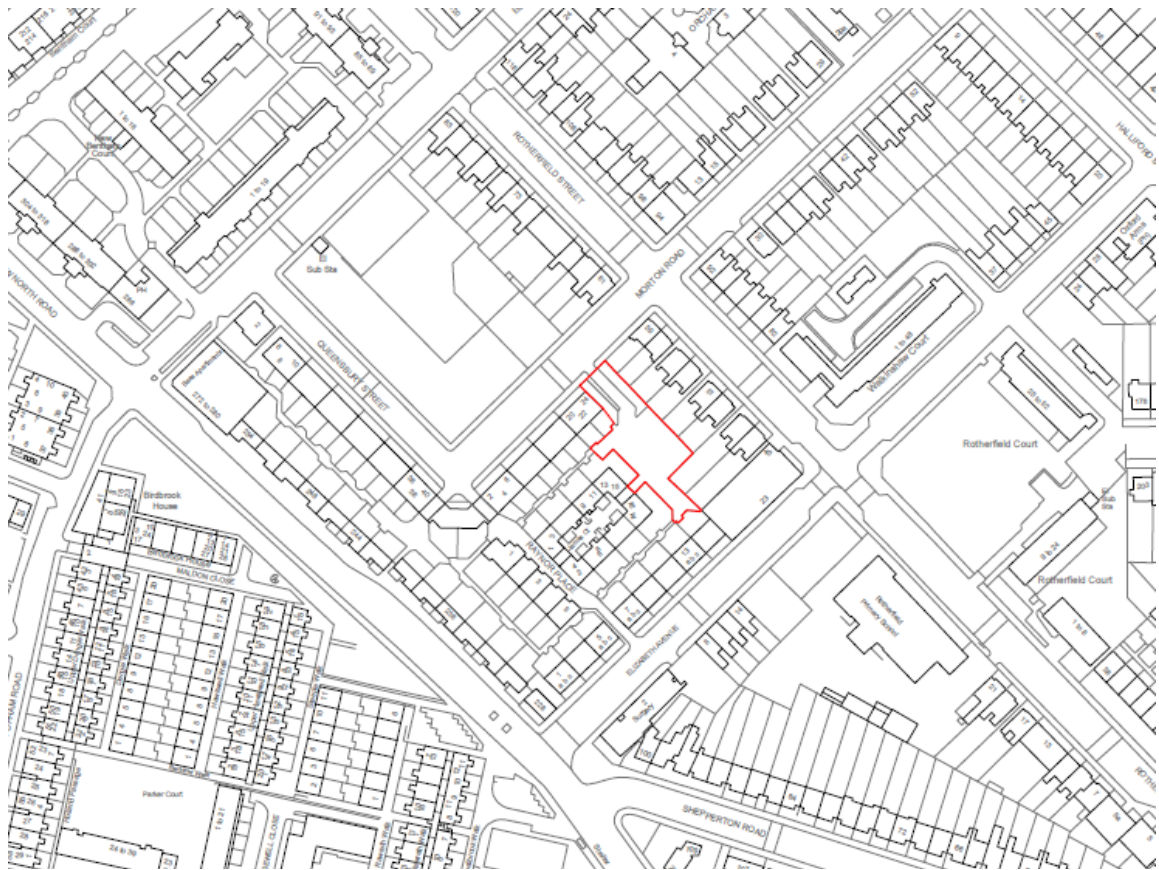
Case Officer	Stefan Sanctuary
Applicant	Islington Council
Agent	Richard Partington Architects

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
2. conditional upon the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET

Image 1: Birdseye View of the site



Image 2: Entrance to subject site from Morton Road



Image 3: Looking south within application site



Image 4: Looking north within application site



4 SUMMARY

- 4.1 The application seeks permission for the creation of 3 new houses for social rent (1x1-bed, 1x2-bed, 1x3-bed) with associated landscaping on an existing disused car park site.
- 4.2 The main considerations are the impact of the development on the character and appearance of the area as well as the residential amenity of the neighbouring occupiers and the quality of residential accommodation provided for future residents. The loss of existing car parking spaces as well as the impact of movement across the site will also need to be considered.
- 4.3 The subsequent sections of the report consider the design and appearance of the proposal and how it responds to the existing context. The report also assesses the impact on neighbours and concludes that the development would not have a significant impact on the adjoining neighbouring properties' amenity in terms of loss of light, overlooking or sense of enclosure. Moreover, the internal layouts of the proposed houses meet modern standards and all three houses would be provided with outdoor amenity space in accordance with Council objectives and planning policies.
- 4.4 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance with the Council's policies.
- 4.5 Finally, the residential units will be solely used for social housing secured by Directors' Agreement. The proposal is thus considered to be acceptable and broadly in accordance with Development Plan policies.

5 SITE AND SURROUNDING

- 5.1 The application site comprises a car parking area, which is accessed via a vehicular entrance adjacent to 24 Morton Road. The site is located on the south-eastern side of Morton Road and is bordered by the rear gardens of a row of semi-detached Victorian properties along its north-eastern boundary. The site is also bordered by more contemporary brick-built buildings along its remaining boundaries and an area of open space, known as Morton Road Park, is situated to the north-west of the site.
- 5.2 The East Canonbury Conservation Area, which is characterised by well-preserved semi-detached and terraced 19th century residential properties, runs along the eastern boundary of the site. The site is located within St Peter's Ward and the area is residential in character. The surroundings are characterised by a mixture of Victorian and more contemporary houses and apartment buildings.
- 5.3 There is currently a pedestrian route between the car park and the neighbouring residential properties of James Court as well as two alleyways

which provide connection from the site to the rear gardens of adjacent residential properties along Morton Road and Elizabeth Avenue.

6 PROPOSAL (in Detail)

- 6.1 The application involves the erection of three new houses with associated landscaping and access arrangements. A new 3-bed house is proposed adjacent to 24 Morton Road, forming an end-of-terrace to the existing row of townhouses along Morton Road. A new footpath running alongside the proposed end-of-terrace house leads to the rear of the site, where two further houses are proposed: a two-storey 1-bed house and a three-storey 2-bed house.
- 6.2 All three houses are well-proportioned with generous provision of private outdoor garden space. While none of the existing trees on site will be lost as a result of the development, a new tree is proposed in the rear garden of the new 3-bed house. The proposal also includes the provision of refuse / recycling facilities as well as sufficient space for sheltered and secure cycle storage provision. The existing pedestrian route through the site and connection to the rear gardens of neighbouring properties would be lost as a result of the development.

7 RELEVANT HISTORY

Planning Applications

- 7.1 There is no planning application history relevant to the development or the site.

Enforcement

- 7.2 None

Pre- Application Advice

- 7.3 The applicants sought pre-application advice on this proposal. The proposal has been informed by the advice provided at pre-application stage.

8 CONSULTATION

Public Consultation

- 8.1 A total of 152 letters were sent to occupants of adjoining and nearby properties on Morton Road, Rotherfield Street, James Court, Elizabeth Avenue, Haverstock Street, Raynor Place and Walkinshaw Court on the 17th April 2015. A site notice was also displayed. The public consultation of the application therefore expired on 8th May 2015 however it is the Council's

practice to continue to consider representations made up until the date of a decision.

8.2 A total of 2 letters of objection and 1 in support were received in response to the initial consultation. The following issues were raised (and the paragraph numbers responding to the issues in brackets).

- (i) the proposal would result in a loss of daylight / sunlight to neighbouring residential properties [*paragraph 10.13*];
- (ii) the proposal would result in a loss of privacy to adjoining occupiers [*paragraph 10.14*];
- (iii) the development would result in a loss of car parking [*paragraph 10.24*];
- (iv) well-used access points and permeability would be lost as a result of the development [*paragraph 10.8*];
- (v) the proposal would have a detrimental impact on nature and wildlife in the local area [*paragraph 10.29*];

Internal consultees

8.3 **Access Officer:** The following comments were made:

- there is no indication of where provision will be made for the installation of a through the floor lift to link the ground and first floor (this has now been provided);
- there should be a 1500mm diameter turning circle in the living room (this is now shown on plan);
- there should be a 750mm wide clear route from door to window (this is now shown on plan);
- ground floor WC and first floor bathroom doors should be outward opening (this has been amended accordingly).

8.4 **Design & Conservation:** No objections have been raised to the proposal.

8.5 **Tree Preservation Officer:** No objections were raised by the tree preservation officer, subject to appropriate conditions.

8.6 The **Sustainability Officer** raised no objection.

8.7 **Transport Planning** raised no objection.

8.8 **Highways** raised no objection.

8.9 **Refuse and Recycling** provided support for the proposal and the refuse / recycling strategy.

8.10 The **Energy Officer** raised no objection.

External consultees

8.11 **Thames Water** were consulted and raised no objection subject to relevant conditions on waste and water infrastructure.

8.12 The **Crime Prevention Design Officer** was consulted and raised no objection.

8.13 The **Angel Association** were consulted but raised no objection.

9 REVELANT 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 along with the associated NPPG are material considerations and have 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 2015, Islington Core Strategy 2011, Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

9.3 The relevant SPGs and/or SPDs 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 impacts;
- Quality of resulting accommodation and dwelling mix;
- Transport and highways;
- Accessibility;
- Landscaping;
- Section 106.

Land use

- 10.2 The site is within a residential area with a mixture of Victorian terraces and semi-detached properties, more contemporary brick-built houses and apartment buildings from the 1980s characterising the immediate vicinity. The car parking area on which the new houses are proposed was previously used in conjunction with the surrounding residential properties, though it is now vacant. The loss of this car parking area is not considered to be contrary to planning policy, in particular Development Management Policy DM8.5, which seeks for all new developments to be car free.
- 10.3 The principle of the proposal would comply with Policies 3.3 (Increasing housing supply) 3.4 (Optimising housing potential) of the London Plan 2015, Policy CS12 (Meeting the housing challenge) of Islington's Core Strategy 2011 and Development Management Policy DM3.1 (Mix of housing sizes). The principle of the proposal is considered acceptable subject to complying with the remaining issues dealt with in this report.

Design and Appearance

- 10.4 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 of 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. Furthermore, developments are required to improve movement through the area and repair fragmented urban form.
- 10.5 The site is situated within a predominately residential area with Victorian semi-detached properties, more contemporary brick-built terraced houses and 1980's apartment buildings defining the urban character. Though not within a Conservation Area per se, the East Canonbury Conservation Area runs alongside the application site and provides an important development context. Another important context is provided by the three storey townhouses running along the south side of Morton Road.
- 10.6 The application proposes a 3-storey brick-built house on Morton Road which would form an end-of-terrace to the existing row of townhouses. The terrace is itself three storeys in height and is characterised by yellow brickwork, two-storey splayed bay windows and a pitched roof. The proposed end-of-terrace picks up on some of the existing features in the terrace, providing a brick-built pitched-roof building. The two-storey projecting element in a darker brick on the Morton Road elevation introduces an elegant and contextual feature to the development. It is also proposed to construct the ground floor in distinctive brickwork including glazed and darker brick and to include an element of decorative brickwork on the upper floors.



View of House 1

- 10.7 A pedestrian entrance is proposed which provides access via a route along the side of this new house towards the back of the site. The path leads to an area of refuse and cycle storage and two separate entrances to a pair of two semi-detached houses. The first of the two houses proposed is a three storey brick-built property with a pitched roof and large window openings on its three external facades. The darker brickwork proposed at ground floor level is complemented by a lighter yellow brick on the upper floors, although the precise detail of the brick would be reserved by condition. The other house is two storeys with a pitched roof, well-proportioned fenestration and constructed in a darker brick to match the adjoining building's ground floor.



View of Houses 2 & 3

- 10.8 There is an existing pedestrian route from Morton Road, which leads through the car park and into James Court on the south-west side of the site. The proposed development would result in this route being lost, which would be contrary to policy objective of improving movement through areas (DM2.1). While it is not clear how many residents of James Court use this pedestrian route, it is clear that they would still have the benefit of two existing access points, one from Elizabeth Avenue and the other from Morton Road. While one of the neighbouring residents has objected to the proposal on the grounds of the route being lost, another resident from James Court has written in support of the application. In any case, it is considered that the downsides of having this access point removed are considerably outweighed by the benefits that the development delivers, in particular the provision of large well-designed affordable housing.
- 10.9 The success of this development will be dependent on the quality of materials proposed. Details of materials would be required by condition in the event that planning permission is granted. The proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character), 7.6 (Architecture) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 as well as 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 air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.11 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.12 The loss of daylight can be assessed by calculating the Vertical Sky Component (VSC) which measures the daylight at the external face of the building. Access to daylight is considered to be acceptable when windows receive at least 27% of their VSC value or retain at least 80% of their former value following the implementation of a development. Daylight is also measured by the no sky-line or daylight distribution contour which shows the extent of light penetration into a room at working plane level, 850mm above

floor level. If a substantial part of the room falls behind the no sky-line contour, the distribution of light within the room may be considered to be poor.

- 10.13 In terms of sunlight, a window may be adversely affected by a new development if a point at the centre of the window receives in the year less than 25% of the annual probable sunlight hours including at least 5% of annual probable sunlight hours during the winter months and less than 0.8 times its former sunlight hours during either period. It should be noted that BRE guidance advises that sunlight is only an issue to a neighbouring property where the new development is located within 90 degrees of due south.
- 10.14 All the surrounding properties have been tested to ascertain the potential loss of daylight and sunlight as a result of the proposed development. The assessment included all of the closest neighbours along Rotherfield Road and James Court. The results demonstrate that no windows serving habitable rooms would be noticeably affected by the development in terms of loss of daylight or sunlight and that all windows would comply with the BRE guidelines. Similarly, given building heights, layout and distances between buildings the proposal is not considered to result in an unacceptable increased sense of enclosure to existing residents.
- 10.15 In terms of privacy, consideration should be given to the potential for overlooking between windows within the proposed development and the neighbouring properties along Morton Road, Rotherfield Road and James Court. In the majority of cases, the 18 metre distance between existing and proposed windows stipulated by planning policy would be maintained and as a result there would be no unacceptable loss in privacy. Where windows are proposed that are within 18 metres of neighbouring properties, the windows are either at an oblique angle or obscured glazing has been proposed. These privacy measures would be secured by way of condition in the event that planning permission is granted.
- 10.16 Overall, the proposal is not considered to result in any significant impacts on residential amenity in terms of loss of daylight, sunlight, privacy or an increased sense of enclosure. The proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies Plan 2013.

Quality of resulting accommodation and dwelling mix

- 10.17 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2015) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.
- 10.18 Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the

borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes and favours the provision of larger family-sized social rented units.

- 10.19 The proposed development consists of one 1-bed dwelling, one 2-bed dwelling and a 3-bed dwelling. While the dwelling mix is not precisely in line with stipulated policy which sets a higher target of 3- and 4-bed social housing, the mix proposed is considered to be an appropriate mix of smaller and larger housing types. Moreover, the dwelling mix has been based on current demand for housing, which shows that the most sought-after housing type are one bed dwellings, rather than long-term Council aspirations.
- 10.20 The supporting text of policy DM3.1 within Development Management Policies states that '(t)here may be proposals for affordable housing schemes that are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations deviation from the required policy housing size mix may be acceptable. Under these circumstances no objection is raised to the proposed dwelling mix.
- 10.21 The proposed units are well laid out and would form attractive and high quality internal living environments with large garden areas provided to all of the dwellings. All of the units would have good access to sunlight/daylight and would result in spacious internal layouts. The unit sizes range from 71.7sqm to 123.4 which comfortably exceeds the internal space standards set within Islington's Development Management Policies. The dwellings also have generous storage areas and dedicated refuse stores. Sufficient space exists on site for all of the units to have space for cycle parking.
- 10.22 The proposal would comply with policy DM3.5 of the Development Management Policies. Given the generous sizes of the units, including dual aspect design and inclusively-designed layouts, the proposal would provide a satisfactory living environment for future occupiers of the units and would therefore comply with Development Management Policy DM3.4 (Housing Standards).

Highways and Transportation

- 10.23 The development would be car free, as required by Core Strategy Policy CS10 and as per proposed condition 8 of recommendation B, which restricts future occupiers of residential units from obtaining a residents permit.
- 10.24 The development would also involve removing all of the existing car parking spaces currently on the application site. However, it has been confirmed by the applicant that all of the existing residents with allocated spaces in the car parking area have been re-provided spaces at alternative locations within the vicinity of the site.
- 10.25 New residential units are required to provide 1 cycle space per bedroom. As per policy DM8.4 of the Development Management Policies, the proposal

provides cycle parking in accordance with the minimum standards set out in Appendix 6. A condition would be attached to planning permission requesting further details prior to the commencement of the development, to ensure that the cycle parking provided would be safe, convenient and secure.

Accessibility

- 10.26 Proposals for residential development need to respond to London Plan Policy 3.8 and 7.2 which require for all new housing to be built to 'The Lifetime Homes' standard and to achieve the highest standards of accessible and inclusive design. Islington's Core Strategy Policy CS12 requires for all housing to comply with 'flexible homes' standards as set out within the Accessible Housing SPD.
- 10.27 The proposal has been amended since it was originally submitted and now includes a 1500mm diameter turning circle in the living rooms and bathrooms, 750mm clear route from the door to the window in the bedroom and outward opening bathroom doors. The widths of proposed corridors and doors comply with our minimum standards and would ensure ease of movement within the dwellings.
- 10.28 The application proposes level access to the proposed new units and all of the three new dwellings would meet both Islington's Flexible Homes standard and the national Lifetime Homes standards. The proposal is in accordance with policy and meets inclusive design standards, in accordance with Core Strategy Policy CS12.

Landscaping

- 10.29 Given that the site currently contains no trees and is predominately hard landscaping, the inclusion of garden area and landscaping is a considerable benefit. The existing trees which border the site would be suitably cut-back in line with measures identified by the Council's tree officers. The tree protection measures would be secured by condition in order to suitably protect them during the construction process. A new tree is proposed as part of the landscaping in the rear garden of House 1. Further details on landscaping would be required by condition in the event of planning permission being granted in order to ensure good quality outdoor amenity for future residents.
- 10.30 As such, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and Woodlands) of the London Plan 2015 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Section 106

- 10.31 The proposal is a minor application for three residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy).

- 10.32 Any permission would be subject to a Directors' Agreement to ensure that the housing remains in social ownership (subject to Council's nomination rights) and is not disposed of on the private market (Appendix 1). The development is also subject to a contribution of £1,500 per new house towards off-setting carbon emissions, which would be secured by Directors' Agreement.

Other matters

- 10.33 The proposal is a minor application for two residential dwellings, which is below the affordable housing threshold of ten units (policies 3.13 of the London Plan and CS12G of Islington's Core Strategy). However, the proposal is subject to a Directors' Agreement to ensure that the housing remains in social ownership and is not disposed of on the private market.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks permission for the creation of 3 new houses for social rent (1x1-bed, 1x2-bed, 1x3-bed) with associated landscaping on an existing disused car park site. The new dwellings would be created on car parking spaces previously associated with neighbouring residential properties and thus the principle of residential development on this land is considered acceptable.
- 11.2 While the proposal would result in the loss of an existing pedestrian route to the neighbouring James Court, it is considered that the proposed development has been well-designed and would result in an improvement in the character and appearance of the surrounding area.
- 11.3 The impact on neighbours has been assessed and it is not considered that the development would have an unacceptable impact on the adjoining neighbouring properties amenity in terms of loss of light, overlooking or overbearing effect. Moreover, the internal layout of the proposed flats meets modern standards and the outdoor amenity space in accordance with Council objectives and planning policies.
- 11.4 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance to the Council's policies.
- 11.5 The new residential units would be solely used for social housing secured by Directors' Agreement. The application is thus considered to be acceptable and in accordance with relevant Development Plan policies.

Conclusion

11.2 It is recommended that planning permission be granted subject to conditions and Directors' agreement, the details of which are set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Director level agreement between the Service Director of the Council’s Housing and Adult Services department and relevant officers in the local planning authority 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. Securing the Provision of three residential units for social housing
2. Contribution of £4,500 towards carbon off-setting

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (Compliance)</p> <p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved Plans List: (Compliance)</p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Numbers: 2244_PL_001; 2244_PL_002; 2244_PL_003; 2244_PL_101A; 2244_PL_102; 2244_PL_301; 2244_PL_302; 2244_PL_303; 2244_PL_304; 2244_PL_305; 2244_PL_401A; 2244_PL_402; 2244_PL_501; 2244_PL_601A; 2244_PL_602; Design & Access Statement by Richard Partington Architects dated March 2015; Daylight and Sunlight Report by Jonathan Nash dated March 2015; D&S Addendum Report dated 15th May 2015; Code for Sustainable Homes Pre-Assessment (November 2014); Planning Statement dated 11th May 2015; Arboricultural Impact Assessment dated 5th March 2015 by Edward Cleverdon; Tree Protection Plan; Tree Survey Plan.</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	<p>Materials and Samples</p>

	<p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. These shall include:</p> <p>a) Samples of all facing brickwork types, including mortar and pointing; b) Window and door treatment (including sections and reveals); c) details and sample of roofing materials; d) any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
	Boundary Treatment
4	<p>CONDITION: Detailed drawings at scale 1:20 or similar in respect of side and rear boundary walls shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	Cycle Parking Provision (Compliance)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The storage shall be covered, secure, provide for no less than 6 cycle spaces and include arrangements for cyclists with mobility impairments.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
6	Accessible Homes Standards (Compliance)
	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Inclusive Design' 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>
7.	<p>Refuse / Recycling</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 2244_PL_003 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
8.	<p>Car free development</p> <p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>
9.	<p>Removal of Permitted Development Rights (Compliance)</p> <p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
10.	<p>Noise Control Measures</p> <p>A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p style="padding-left: 40px;">Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq,8\text{ hour}}$ and 45 dB $L_{max\text{ (fast)}}$ Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16\text{ hour}}$ Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16\text{ hour}}$</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such</p>

	<p>thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To secure an appropriate internal residential environment for future residents.</p>
11.	<p>Landscaping</p> <p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) soft plantings: including grass and turf areas, trees, shrub and herbaceous areas; b) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; c) hard landscaping; and d) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>REASON: In the interests of residential amenity and ecological value.</p>
12.	<p>Construction Controls</p> <p>CONDITION: During the demolition and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:</p> <ul style="list-style-type: none"> 1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site. 2 The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday- Fridays, 08.00-13.00 Saturdays and at no time during Sundays or public holidays. 3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition. <p>REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>

13.	Code for Sustainable Homes (Compliance)
	<p>CONDITION: All the residential units hereby approved 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>
14	Arboricultural Method Statement (Details)
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the appropriate working methods (the arboricultural method statement, AMS) in accordance with British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>

List of Informatives:

1	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. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Community Infrastructure Levy (CIL)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement</p>

	<p>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/</p>
3	<p>Directors Agreement</p>
	<p>Please note that this application is subject to a Service Level Agreement between directors to ensure that the residential units remain as social housing.</p>
4	<p>Other legislation</p>
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act").</p>
5	<p>Superstructure</p>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>

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 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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

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

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.15 Coordination of housing development and investment

5 London's response to climate change

Policy 5.3 Sustainable design and construction

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 7.6 Architecture

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

Health and open space

DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Transport

DM8.5 Vehicle parking

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

London Plan

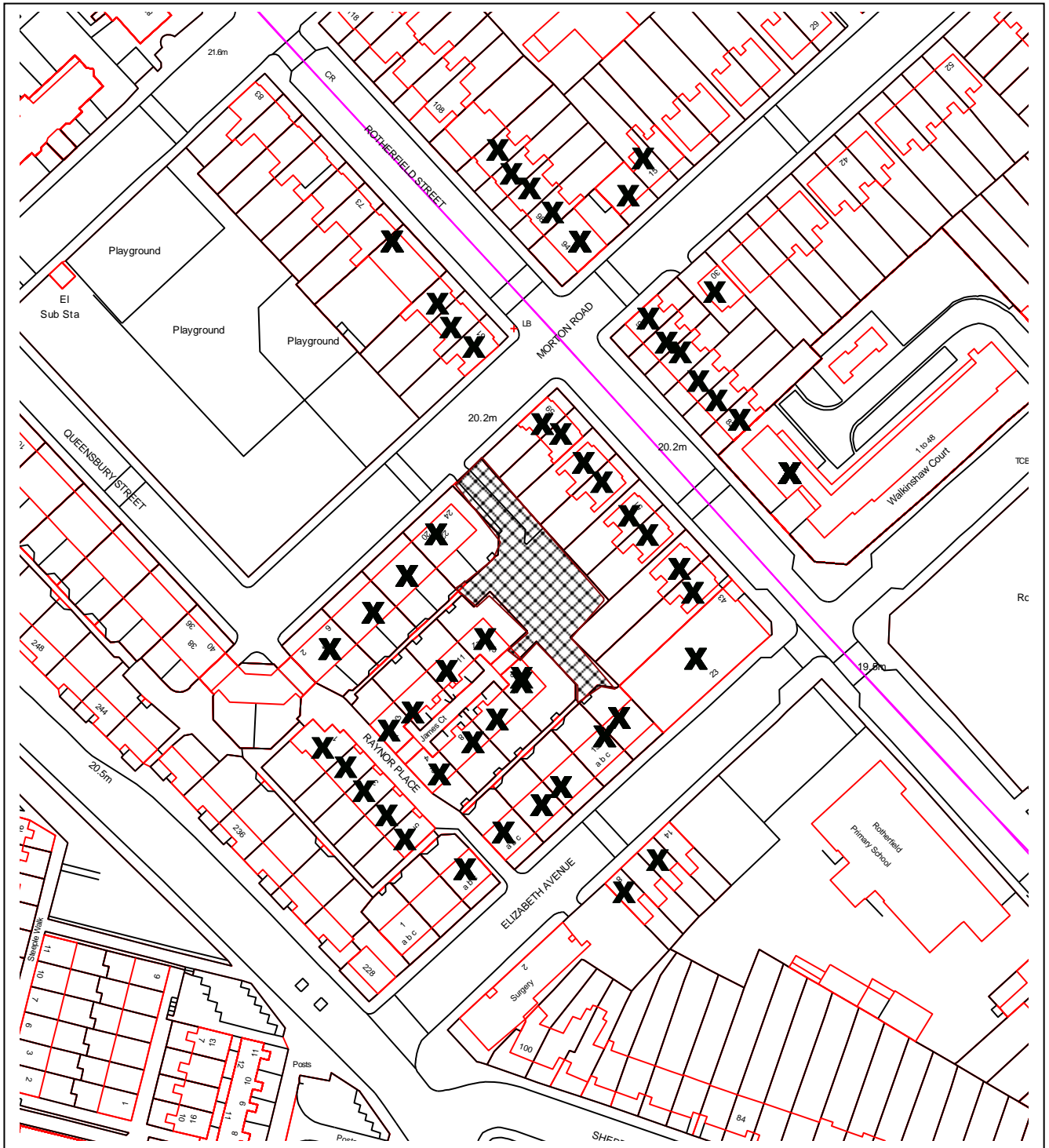
Accessible London: Achieving and Inclusive Environment

Housing

Sustainable Design & Construction

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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- B COMMITTEE		AGENDA ITEM NO:
Date:	29 th June 2015	Non exempt

Application number	P2015/0102/FUL
Application type	FULL planning application
Ward	Highbury East
Listed building	Sited within Grade II listed Highbury Fields (open space)
Conservation area	Highbury Fields
Development Plan Context	Adjacent to Metropolitan Open Space, Adjacent to Grade II listed Space, Designated Public Open Space, adjoining Site of Importance for Nature Conservation.
Licensing Implications	none
Site Address	Highbury Fields Playground, Highbury Crescent, Islington N5 1RR
Proposal	Replace existing playground structure (and of its serviceable life) with upgraded equipment

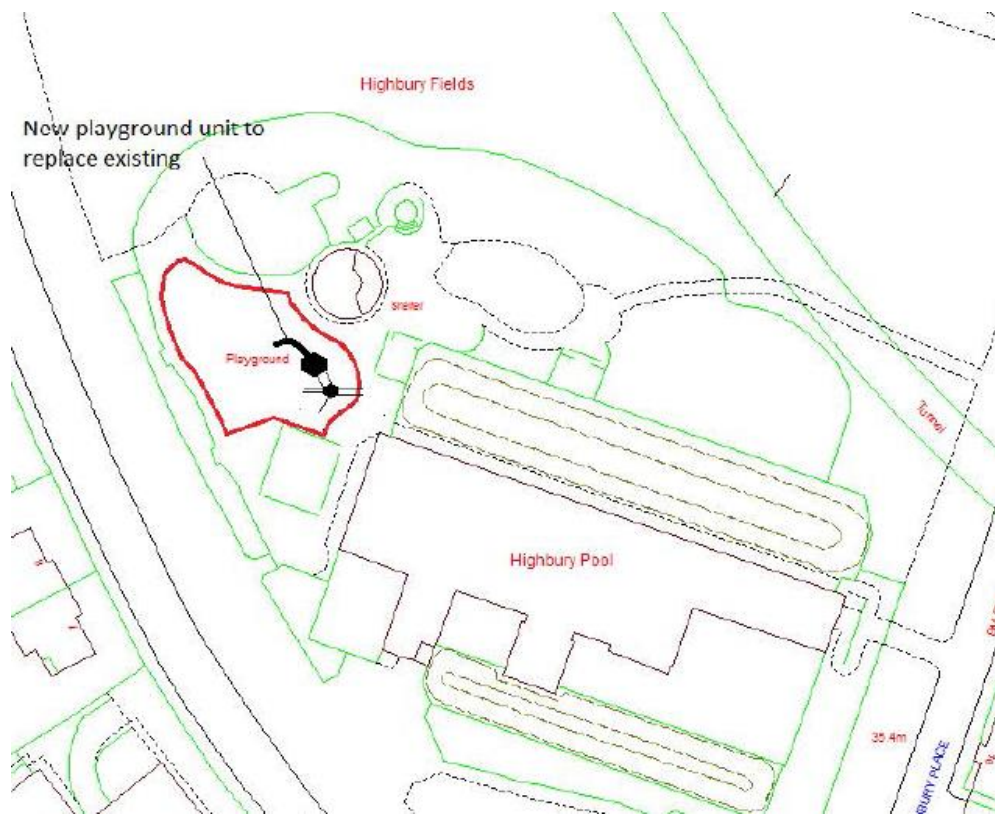
Case Officer	Ben Phillips
Applicant	Mr John Reynolds, Green Space LBI
Agent	none

1. RECOMMENDATION

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

subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1. Photo from Highbury Crescent



IMAGE 2: PHOTO FROM Highbury Crescent

4. SUMMARY

- 4.1 It is considered that the proposed replacement play structure is entirely appropriate to its location and will not harm the setting of the grade II listed Highbury Fields (and nearby listed properties on Highbury Crescent), open space, adjoining Metropolitan Open Land and adjoining Site for Importance for Nature Conservation, and preserves the character and appearance of the Conservation Area.

5. SITE AND SURROUNDING

- 5.1 The application relates to Highbury Fields Playground, located within the southern section of open space, Highbury Fields conservation area and set on the western side of Highbury Pool building close to the highway. The playground is adjacent to grade II listed Highbury Fields and a metropolitan open space. It is also adjoining a site of importance for nature conservation.
- 5.2 The playground is screened to the north by trees.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal is for a replacement play structure sited within the playground.
- 6.2 The existing structure, which is a large climbing frame type structure with slides and platforms, has reached the end of its useful life and the new

structure will be in the same position and the same approximate size. Other existing play equipment will remain in situ.

- 6.3 The proposed structure, like the existing, will be constructed of timber uprights with timber and steel cross pieces and linked with ropes in places. It will reach a total height of approx. 6.5m. The structure is described as the 'centrepiece' of the playground.

7. RELEVANT HISTORY:

- 7.1 **840608** Installation of play equipment. **Granted 22/06/1984**

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 25 adjoining and nearby properties on the 20th of February. A site notice and press advert were displayed on 26th of February 2015. The public consultation of the application therefore expired on 16th of March, 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 no responses had been received from the public with regard to the application.

Internal Consultees

- 8.3 Design and Conservation Officer: no objection
- 8.4 Tree Officer: No comments
- 8.5 Parks/Green Space: No comments

External Consultees

- 8.6 Sport England – No comments

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:
- Highbury Fields Conservation Area
 - Adjoining Metropolitan Open Space
 - Public Open Space
 - Adjoining Grade II listed space
 - Adjoining Site of Importance for Conservation

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, Conservation and Heritage considerations
- Impact upon Green Space

Land use

- 10.2 Notwithstanding the designation outline in section 8.4, the land use – replacing an existing play equipment within an exiting playground is acceptable in principle.

Design, Conservation and Heritage considerations

- 10.3 The Highbury Fields Conservation Area appraisal states that the area derives its special character and appearance from the consistently high architectural and historic quality of its buildings, combined with a spacious scale of development. Planning permission will not be granted to change, expand or intensify uses which would harm the character of the conservation area.

- 10.4. In addition, Policy DM2.3 of Islington's Development Management Policies state that new development within Islington's conservation areas and their setting are required to be of a high quality contextual design so they conserve or enhance a conservation areas significance. New developments within the setting of a listed building are required to be of a good quality contextual design.
- 10.5 The proposed replacement play structure is similar in scale and form to the existing structure and is sited within the playground space away from the boundaries. The climbing frame structure proposed is similar to the existing play structure, is sited in the same position, and the materials proposed, timber, timber uprights with timber and steel cross pieces and linked with ropes in places, is the same as the existing structure. There is only one such structure in the playground, and it is sited relatively centrally.
- 10.6 Given the scale of the equipment it is not considered to have a detrimental impact upon the openness of the open space, or setting of the adjoining metropolitan open land and local site of importance for nature conservation.
- 10.7 It is considered that the structure is appropriate to this siting and will not have an impact upon the character and appearance of the wider conservation area and grade II Listed Open Space.
- 10.8 Policy DM6.3 states that *development proposals within the immediate vicinity of public open space must not impact upon the amenity, ecological value and functionality of the space.*
- 10.9 The structure is modest in scale, sited within the existing playground and will not affect any trees (or their root protection areas). The trees along the northern side of the playground screen it from the open space to the north. It is not therefore considered that the development will harm the amenity of ecological value of the space.

Other Matters

- 10.10 Given the nature of the replacement structure and its siting within the established playground, it is not considered that the development will lead to any additional noise impact upon neighbouring residential properties.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 It is considered that the proposed replacement structure is appropriate development in the playground location and will preserve the setting of the Highbury Fields Conservation Area and Grade II listed Highbury Fields open space, and the adjoining Metropolitan Open Space and site of importance for nature conservation, in accordance with Policy DM2.3 and DM6.3.

- 11.2 The proposal is also considered to have no detrimental impact upon the amenities of any neighbours, or upon the amenity and ecological value of the public open space.

Conclusion

- 11.3 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

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

List of Conditions:

1	Commencement
	<p>3 YEAR CONSENT PERIOD: 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	Drawing Numbers
	<p>The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Highbury Play Structure (Centrepiece design proposal) , Site Location Plan</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>

List of Informatives:

1	
	<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>

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 2.18 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

7 London's living places and spaces

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.8 Heritage assets and archaeology

Policy 7.17 Metropolitan Open Land

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.20 Geological conservation

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Strategic Policies

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

Policy CS15 (Open Space and Green Infrastructure)

Policy CS16 (Play Space)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Health and open space

DM6.2 New and improved public open space

DM6.3 Protecting open space

DM6.4 Sport and recreation

DM6.5 Landscaping, trees and biodiversity

Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013,

Metropolitan Open Space, Grade II listed Space, Designated Public Open Space, adjoining Site of Importance for Nature Conservation

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

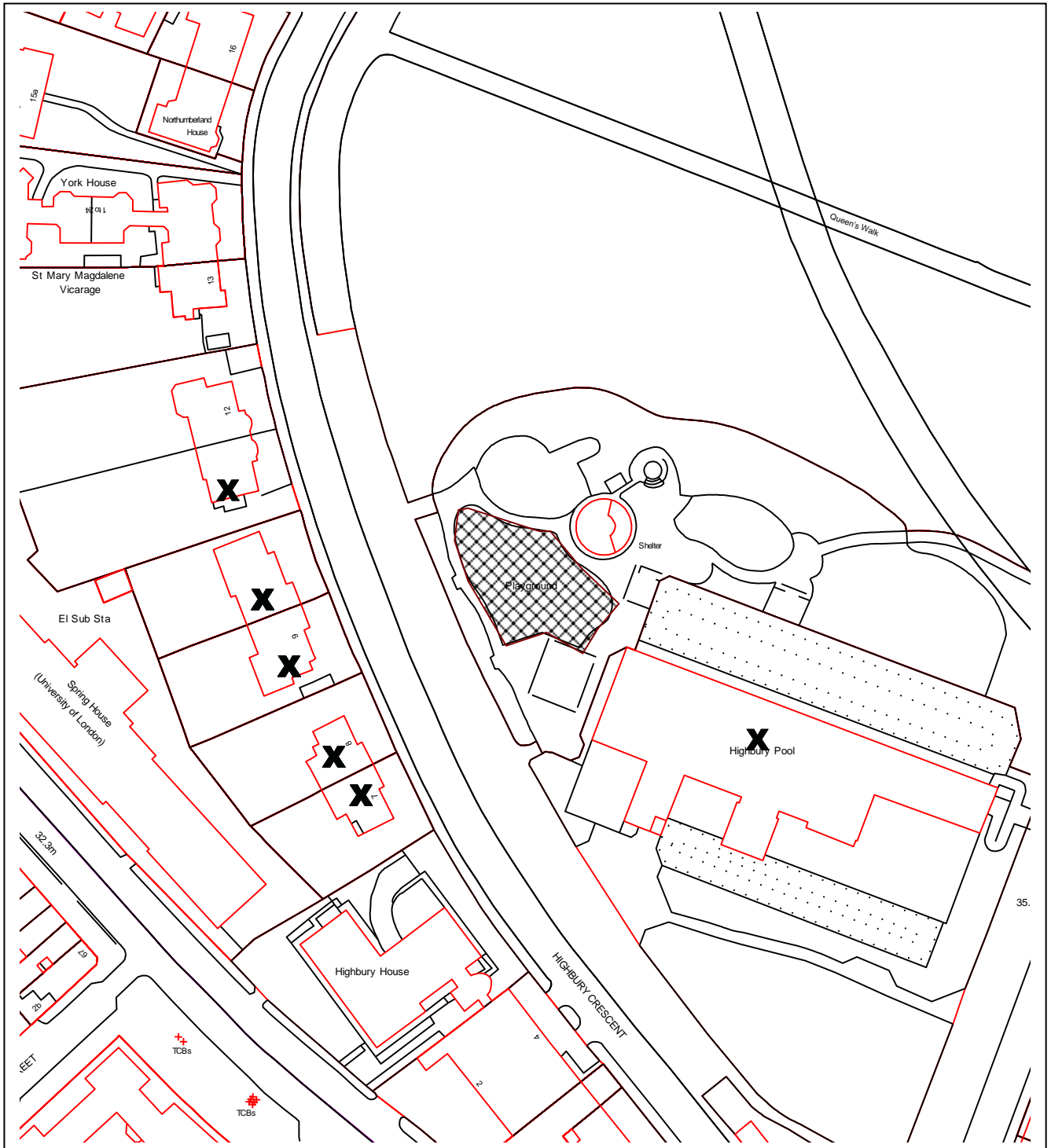
Islington Local Plan

- Conservation Area Design Guidelines

London Plan

- Providing for Children and Young Peoples Play and Informal Recreation

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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- B COMMITTEE	AGENDA ITEM NO:
Date: 29 th June 2015	Non-exempt

Application number	P2015/0386/FUL
Application type	FULL Planning Application
Ward	Highbury East
Listed building	Unlisted, but sited adjacent to Grade II listed Highbury Fields (open space)
Conservation area	Highbury Fields
Development Plan Context	Adjoining Metropolitan Open Space, adjoining Grade II listed Open Space, adjoining Site of Importance for Nature Conservation. Sited within designated open space.
Licensing Implications	none
Site Address	Highbury Pool, Highbury Crescent, Islington N5 1RR
Proposal	Single storey extension with pitched roof. Flat roof draught lobby box to the front. Double height extension sitting above the existing gym, spa and plant areas on Eastern side elevation.

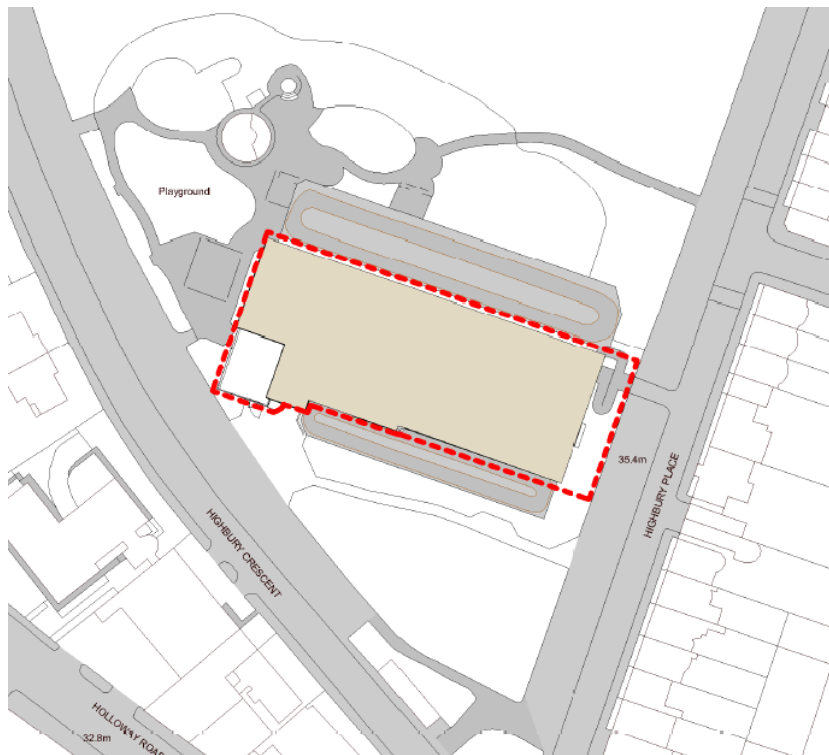
Case Officer	Ben Phillips
Applicant	GLL - Mrs Lucy Murray-Robertson
Agent	Arkon Associates Ltd - Mr Ian Connew

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:
 subject to the conditions set out in Appendix 1;

1.1

2. SITE PLAN (site outlined in black)



3. PHOTOGRAPHS



Image 1: View of Eastern side elevation



Image 2: View of front (south) elevation

4. SUMMARY

- 4.1 It is considered that the proposed scheme, as amended, provides a good quality design that preserves the setting of the adjoining grade II listed Highbury Fields Open Space (and nearby listed properties on Highbury Crescent) and adjoining site of importance for nature conservation and preserves the character and appearance of the Conservation Area, whilst providing improved access and facilities to the sports centre.
- 4.2 The extensions to the existing building will not harm the ecology or amenity value of the metropolitan open space and will not have a detrimental impact upon the amenities of neighbouring properties.

5. SITE AND SURROUNDING

- 5.1 The application relates to Highbury Pool, located within a designated open space and the Highbury Fields Conservation Area. It is sited adjacent to the grade II listed Highbury Fields open space and nearby nos 10 & 11 Highbury Place and 7 & 8 Highbury Crescent which sit opposite the site to the south west and east respectively. The whole of Highbury Fields, including the leisure centre, is designated as public open space and the land to the north of the leisure centre is designated as a metropolitan open space and a site of importance for nature conservation.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal is for an extension to the leisure centre. There are two separate extensions, one single storey addition on the western side of the building,

infilling the existing staff car park and providing a new entrance and reception area. On the western side of the building a first floor extension is proposed providing 2 new studios.

- 6.2 Minor alterations to the roof plant works are also proposed to facilitate the first floor extension.

7. RELEVANT HISTORY:

- 7.1 **820020** Redevelopment of the Highbury Fields swimming pool site to provide new swimming pool paddling pool sunbathing terrace and landscaped surrounding. Granted 26/05/1982
- 7.2 **951181** Construction of a single storey gymnasium extension. Granted 16/10/1995
- 7.3 **P022168** Erection of extension to provide gymnasium and changing room at ground floor level and, at a mezzanine level, an aerobics studio. Granted 27/05/2003
- 7.4 **P052649** Erection of extension to existing gym, to provide new gym with associated offices, two new aerobic studios, a health suite and associated changing rooms and a rest area. Granted 23/02/2006

PRE-APPLICATION ADVICE:

- 7.5 Q2014/4097/MIN (03/03/2015) Extensions to the existing pool building/sports centre. Extension acceptable in principle, subject to improvements to the eastern side elevation and detailed landscaping information being submitted.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 109 adjoining and nearby properties on the 25th of February and then, following the submission of amended drawings, on the 12th of May 2015. A site notice and press advert were displayed on 14th of May 2015. The public consultation of the application therefore expired on 28th of 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 11 objections 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):
- Poor design (para 10.5-10.18)
 - We require details of the proposed landscaping plan (10.22)

- The submitted D&A statement and submission as a whole is inadequate (10.27)
- The existing internal layout is not acceptable (10.27)
- The proposal is very prominent and ignores the context of the conservation area (10.5-10.18)
- The new windows on the eastern side will overlook my property (10.24)
- Is the signage necessary (10.28)
- How will the loss of the front car park affect the running of the centre? (10.17)

Internal Consultees

- 8.3 Design and Conservation Officer : *The proposed new lobby extension will only infill a gap within the pool site and is in keeping with the existing style and materials of the building. No objection.*

The proposed extension above the existing gym is considered unacceptable in principle due to its siting on the most prominent corner of the building. We do not support any additional height as this will impact on the views across Highbury Fields and the appreciation of the open space as well as the setting of the numerous listed buildings that surround Highbury Fields.

- 8.4 Following amended plans: *The amended eastern elevation is an improvement. However I do retain concerns regarding the height of the building at this point.*
- 8.5 Tree Preservation / Landscape Officer: *No objection, subject to condition relating to further details of protection of existing trees during the construction process.*

External Consultees

- 8.6 None

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:
- Highbury Fields Conservation Area
 - Public Open Space
 - Adjacent to Metropolitan Open Space
 - Adjacent to Grade II listed space
 - Adjacent to site for importance of nature conservation

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, conservation and heritage considerations
- Landscaping and Trees
- Neighbouring Amenity

Land Use

- 10.2 The supporting text of Policy DM6.4 states that indoor and outdoor sport and recreation facilities within Islington are important assets for public health and enjoyment, and for engendering a sense of community.
- 10.3 Core Strategy policy CS17 states that existing sports facilities should be safeguarded and improved in quality, accessibility and capacity (where possible) so that the maximum use of all existing facilities can be made.
- 10.4 The proposed development is an extension to an existing building and does not introduce a new use. It does however intensify the existing use and improve the existing sport facility in accordance with the above policy. In

principal therefore it is considered that the development in land use terms is acceptable. The enlargement of the building and its impact on the designated open space is considered below.

Design, Heritage and Conservation Issues

- 10.5 The Highbury Fields Conservation Area appraisal states that the area derives its special character and appearance from the consistently high architectural and historic quality of its buildings, combined with a spacious scale of development. Planning permission will not be granted to change, expand or intensify uses which would harm the character of the conservation area.
- 10.6. In addition, Policy DM2.3 of Islington's Development Management Policies state that new development within Islington's conservation areas and their setting are required to be of a high quality contextual design so they conserve or enhance a conservation areas significance. New developments within the setting of a listed building are required to be of a good quality contextual design.
- 10.7 Given the isolated siting of the building within the southern end of the park and not within the established historic pattern of development around Highbury Fields, it is viewed in the context of the open park setting and is highly prominent. The existing building is single storey (with internal mezzanine) and is surrounded by extensive landscaping and mature trees. It is obscured in a number of views by the landscaping and its visual impact upon the surroundings is limited. This is in part due to its simple design and single storey nature.

First floor extension

- 10.8 The proposed first floor extension is sited in a visible position position next to Highbury Place and the adjacent walkway. This is the most prominent side of the building.
- 10.9 Policy DM6.3 states that *development proposals within the immediate vicinity of public open space must not impact upon the amenity, ecological value and functionality of the space.*
- 10.10 Whilst the fact that this part of the development does not extend the footprint of the building, and therefore reduce the surrounding open space is clearly supported, given the prominence of this elevation, the visual impact of the massing of the side elevation is considered to be of key importance.
- 10.11 The original submission proposed a combination of obscure glazing panels, white through colour recessed render panels and an offset brick panel, in addition to a white rendered panel for signage, in order to break up the massing of this side elevation.
- 10.12 It was considered that this proposal did not reduce the visual impact of the eastern side elevation sufficiently, and was not of sufficient design quality.

- 10.13 The elevation retains the simple pitched roof but has been amended to introduce a number of full height slot windows (and some dummy recessed openings) which introduces a rhythm and vertical emphasis that successfully breaks up the massing and echoes the grade II listed properties opposite on Highbury Place. In addition, the rendered panel for signage is replaced with stainless steel pinned off lettering (although this will be the subject of a separate advertisement consent application).
- 10.14 The Design and Conservation Officer has stated that the amended design is an improvement to the original submission, but do retain concerns about the scale and massing of this elevation.
- 10.15 On balance however, it is considered that amended design successfully reduces the visual impact of the additional massing and, in addition to the improved landscaping on this elevation, (to be agreed via a condition) will not harm the character of the Conservation Area, nor visually harm the designated open space or setting of the adjoining metropolitan open space.

Single storey extension

- 10.16 With regards to the single storey extension to the front (south) of the building, extending into the existing staff car park, is considered to be in keeping with the existing building and will have a limited impact upon the surroundings. The extension will sit within the fenced off existing car park which is not part of the open space to the north of the building.
- 10.17 The loss of car park spaces will comply generally with policy with regards to car free development (the staff will not be provided with additional parking spaces through any extended hard standing).
- 10.18 It is therefore considered that the proposed extensions will not harm the setting of the grade II listed Highbury Fields or the adjacent grade II listed properties.

Landscaping and Trees

- 10.19 The existing building is surrounded by trees and vegetation which help to obscure the building from view and reduce its visual impact.
- 10.20 A detailed arboricultural report has been submitted and set out methods for safeguarding the future of existing trees and setting out a landscape proposal for additional planting on the eastern side elevation. No trees (with a diameter of over 75mm) will be removed as part of the proposals.
- 10.21 The Tree Officer has no objection to the proposal, subject to further detail being submitted regarding protection of the retained trees and the appropriate working methods. Conditions to this effect are recommended.
- 10.22 In addition, new landscaping is shown on the eastern elevation. Further details of this scheme is also required by condition to ensure that it is appropriate to this location.

10.23 It is not therefore considered that the proposal will have a detrimental impact upon the amenity and ecological value of the public open space.

Neighbouring Amenity

10.24 The Highbury Pool building is sited some 30m from the front elevation of the properties on the eastern side of Highbury Place. As such, the impact of the additional massing on the eastern side of the building, both in terms of outlook and overbearance, will be limited and not sufficient to warrant a recommendation of refusal. Neither does it result in a loss of daylight/sunlight to these properties, given the separation distance of over the 18m face to face minimum .

10.25 The proposal does include new first floor fenestration (full height slot windows), however given the distance (policy DM2.1 states that 18m is an appropriate distance between habitable room windows and furthermore states that overlooking across a public highway does not constitute an unacceptable loss of privacy) and the use of the building it is not considered that these windows will have an unacceptable overlooking impact.

10.26 It is also not considered that the limited intensification of the site will have a detrimental impact in terms of noise, given the separation distances. In terms of light pollution, the windows are clear, however given the closing time for the leisure centre of 10pm, it is not considered that this would have a detrimental impact upon neighbouring amenity.

Other Matters

10.27 Notwithstanding the above, 14 letters of objection have been received, the relevant issues pertaining to which have been addressed above. It is considered that the submitted documents and drawings are sufficient for full consideration and determination of this proposal. The internal arrangements of the existing building is not a material planning consideration.

10.28 As stated above, advertisement consent will be required for the signage outlined on the eastern elevation, however as annotated, the signage will be good quality stainless steel pinned off lettering. In terms of whether it is necessary, should the design and impact on public safety be considered acceptable then this would not be a material planning consideration.

11. SUMMARY AND CONCLUSION

Summary

11.1 It is considered that the proposed development, on balance, will not have detrimental impact upon the character and appearance of the existing building and will preserve the setting of the Highbury Fields Conservation Area and Grade II listed Highbury Fields Metropolitan Open Space in accordance with Policy DM2.3 and DM6.3.

- 11.2 The proposal is also considered to have no detrimental impact upon the amenities of any neighbours, or upon the amenity and ecological value of the public open space.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION

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>P001A, P002A, P100A, P101A, P102A, P103, P104A, P105A, P106A, P107A, P108B, P109, P110B, P120, FS231. Design & Access Statement revision A (Arkon Associates), Aboricultural Report (Andrew Day 5th Feb).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>The facing materials of the extension hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
4	Landscaping
	<p>A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c) existing and proposed underground services and their relationship to both hard and soft landscaping; d) proposed trees: their location, species and size;

	<p>e) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>i) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such.</p>
5	<p>Tree protection</p>
	<p>Notwithstanding the arboricultural detail provided , no site clearance, preparatory work or development shall take place until the following further detail for the protection of the retained trees and the appropriate working methods in accordance with BS 5837:2012 -Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Specific issues to be dealt within the arboricultural method statement (AMS):</p> <p>a. The methods of ground protection should the existing hard surfaces be removed.</p> <p>b. Methods for delineating the RPA on site so ambiguity to its extent can be clearly seen on site</p> <p>c. Methods of removal of current surfacing within the within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees</p> <p>d. Tree protection during construction indicated on a tree protection plan (TPP), including the method of identifying where construction and construction activities are prohibited and the position of material storage, welfare units and any associated construction activities.</p> <p>e. The pavement is not to be obstructed during demolition or construction and</p>

	<p>the RPA of retained trees not to be used for storage, welfare units or the mixing of materials.</p> <p>f. The method of protection for the retained trees</p> <p>REASON: To ensure that the development does not prejudice the life, health and stability of trees to be retained on and adjacent to the site, in accordance with policy 7.21 of the London Plan 2011, policy CS15 of Islington's Core Strategy 2011 and policy DM6.5 of Islington's Development Management Policies 2013.</p>
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List of Informatives:

1	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
2	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
3	<p>Positive Statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p>

A pre-application advice service is also offered and encouraged. Although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.

This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.

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

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

4 London's economy

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

7 London's living places and spaces

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.17 Metropolitan Open Land

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.20 Geological conservation

Policy 7.21 Trees and woodlands

B) Islington Core Strategy 2011

Strategic Policies

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

Policy CS15 (Open Space and Green Infrastructure)

Policy CS16 (Play Space)
Policy CS17 (Sports and recreation provision)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Health and open space

DM6.2 New and improved public open space

DM6.3 Protecting open space

DM6.4 Sport and recreation

DM6.5 Landscaping, trees and biodiversity

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:

- Highbury Fields Conservation Area
Adjacent to Metropolitan Open Space
Public Open Space
Adjacent to Grade II listed space
Adjacent to site for importance of nature conservation
-

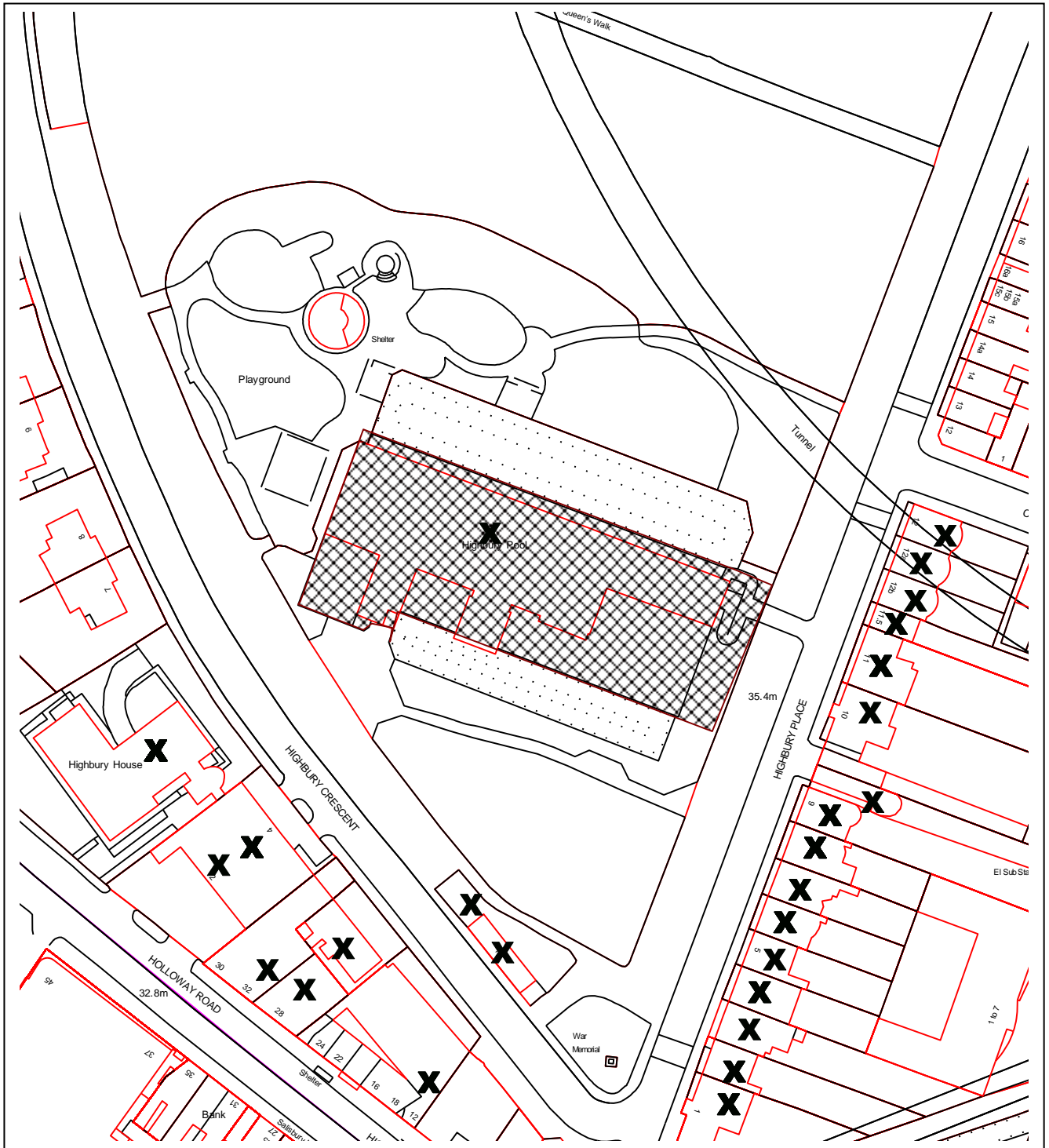
7. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Conservation Area Design Guidelines

Islington SE GIS Print Template



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

PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE		
Date:	29 th June 2015	Non exempt

Application number	P2014/4555/FUL
Application type	Full Planning Application
Ward	Tufnell Park
Listed building	Not listed
Conservation area	Not in a conservation area
Development Plan Context	N/A
Licensing Implications	None
Site Address	Land adjacent to St George's and All Saints Church Hall, Crayford Road, London N7 0ND
Proposal	Erection of a four storey building to provide three residential units comprising 2no. two bedroom flats and 1no. three bedroom maisonette, together with private open space to the rear.

Case Officer	Ashley Niman
Applicant	LEL Crayford Road Limited
Agent	Savills (UK) Ltd

1.0 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

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

2. SITE PLAN (site outlined in black)



3. PHOTOGRAPHS OF SITE/STREET



Image 1: the existing site, centre, viewed from the entrance with Carleton Road



Image 2: the proposal viewed from the entrance with Carleton Road (photo montage)

4.0 SUMMARY

- 4.1 The proposed development will replace a vacant site (although for several years used as car parking) with a four storey residential building and set back roof extension, of contemporary but contextual design.
- 4.2 The development will provide for three residential units: 2 x 2 bedroom maisonettes and 1 x 1 three bedroom maisonette, together with private outdoor space to the rear.
- 4.3 The proposal will not materially harm the amenity of adjacent occupiers, and substantially relates to the surrounding context in terms of design.
- 4.4 The development is recommended for approval subject to conditions and the unilateral agreement.

5.0 SITE AND SURROUNDING

- 5.1 The site comprises an irregular space of approximately 100sqm. Historically the majority of the site has always remained open, with part of it built over by the outbuildings of the original adjacent Mission Hall. This was demolished in the 1950s and remained vacant until its replacement in the 1960s. In recent years the site has been used for the parking of vehicles and had accumulated a variety of debris before clearance by the applicants following their recent acquisition of the site.
- 5.2 The surrounding area, with the exception of the adjacent Church Hall and the Church and associated buildings opposite, is entirely residential in land use terms and appearance. The site is not in a conservation area nor are any adjacent buildings statutory listed although the site is within 50m of the Tufnell Park Conservation Area.
- 5.3. The majority of the surrounding area is still characterised and dominated by the three storey late Victorian villas and terraces of Tufnell Park. There are post war developments which break up the townscape, in particular the adjacent 1970s Bakersfield Estate, and the inter war Tufnell Park Estate.

6.0 PROPOSAL (in Detail)

- 6.1 The erection of a four storey building (three principal floors and one set back part clerestory/part top floor) to provide three residential units comprising two x two-bedroom flats and one x three-bedroom maisonette, together with private open space to the rear.

Revision 1:

The scheme has been amended since, in order to reduce the height of the top floor, to set it back further and break up the visual dominance.

7.0 RELEVANT HISTORY:

There is no relevant planning history for the subject site itself.

PLANNING APPLICATIONS:

7.1 There are no planning applications relevant to the site. There is a pre application discussion continuing in regard to the larger site across the road, at St Georges and All Saints Church. Relevant advice was supplied under Q2014/2661/MJR in January 2015 for the *'Demolition of the existing church and vicarage and erection of a new church, vicarage, community space and 26 self-contained flats (one for dedicated church worker and a vicarage) around a central courtyard garden'*.

7.2 ENFORCEMENT:

There is no enforcement history on the site itself but the adjacent ash tree, to the rear of the site, was subject to previous action and this is covered under the Trees and Landscaping section. However the Tree Officer considered that the damage done to the tree meant it did not merit or justify a formal TPO listing.

7.3 PRE-APPLICATION ADVICE:

Pre application advice (reference Q2014/2675) was issued to the agents on the 15th October 2015. This document provided the framework and relevant advice on which to base the current application.

8.0 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of adjoining and nearby properties at Crayford Road, Bakers Field and Carleton Road. A site notice and a press advert were displayed on 18th November 2014. The public consultation of the application therefore expired on 11th December 2014.

8.2 A total of 19 objections had been received from the public with regard to the application. The issues raised in the objections can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- The proposal is too tall (10.5)
- The height is inappropriate (10.5)
- The development is too large and out of context (10.5)
- A lack of car parking spaces (10.28)
- Concern over road safety and traffic increase (10.28)
- A lack of green space (10.23)
- Small size of rear gardens (10.23)
- Loss of privacy to the nursery (10.20)
- Impact on trees (10.13 – 10.18)
- Noise from construction work (10.21)
- Cumulative impact of developments (10.3)
- No affordable housing (10.31)

Following amendments, in particular, alterations to the elevations and set back of the top floor, the scheme was further reconsulted on 10th February 2015. Four further objections were received. The objections are:

- Lack of parking (10.28)
- Scale and height (10.15)
- Lack of affordable housing (10.31)
- Harmful to the adjacent conservation area (10.6)
- Lack of gardens (10.23)
- Health and safety concerns (10.21)

External Consultees

8.3 None

Internal Consultees

8.4 Design and Conservation Officer: no objection to the amended scheme.

Access Officer: supportive of the amended proposed scheme.

Highways and Transport Officer: requirement for bicycle provision, and car free condition.

Tree Preservation/Landscape Officer: accepts the present arboricultural situation subject to conditions.

9.0 RELEVANT POLICIES

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

National Guidance

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

The National Planning Practice Guidance 2014 is a material consideration in the assessment of 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 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

9.3 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:

None

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10.0 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle (Land Use).
- Design.
- Landscaping and trees.
- Impact on neighbour amenity.
- Quality of the resultant accommodation.
- Access.
- Highways and Transport.
- Energy and Sustainability
- Affordable Housing/ Small Sites.

Land Use

10.2 The site is currently an area of hard standing, and can be described as a cleared brownfield site. In land use terms, it can be described as sui generis. It has been used recently as car parking for the adjacent Church Hall and prior to this provided outbuilding for the original Mission Hall on the site. National and local policies support the efficient and effective use of brownfield sites and that their potential is optimised.

10.3 The proposed use is appropriate in what is, with the exception of the church buildings adjacent and opposite, entirely residential in both land use and appearance. The site itself is conducive for residential use in terms of its environmental context including the existing noise and pollution levels. The London Plan density framework would allow for between 200 and 700 habitable rooms per hectare within this location, and the actual figure of 645 falls comfortably within these parameters. There have been concerns expressed over cumulative development. Each site is considered on its own planning merits but the S106 and CIL will contribute towards infrastructure.

Design Considerations

10.4 The mass, form and front building line of the proposal has been developed as a contextual scheme, being primarily informed by the late Victorian terrace of Crayford Road and adjacent streets, which commence after the entrance into Bakersfield.

- 10.5 The height of the proposal reflects the building heights of the most representative properties in Crayford Road, that is, the late Victorian terrace to the south, with the maximum height of the proposal is in line with the ridge height of 101 Crayford Road. The three principal floors rise sheer from the street, and the third floor is set back in an asymmetrical form at clerestory level (0.4 metre setback) and top floor (one metre set back). Whilst there are individual lower buildings, such as the adjacent Church Hall, the wider area is characterised by the three storey (plus basement) late Victorian terraces and semi-detached properties of Crayford Road, Tabley Road and St Georges Avenue.
- 10.6 Where the original Victorian townscape has been lost or diminished, post war developments such as Bakersfield (up to ten storeys) and the Tufnell Park Estate (up to six storeys) are on quite a different scale. This proposal seeks to recover the traditional height and scale of development, and it is of an appropriate scale and form when set against the wider architectural context.
- 10.7 In terms of the elevations, this has been simplified through pre-application advice, and the fenestration has been made more rational. The three lower floors are treated in a relatively ordered and regular manner, with a clean parapet finish. The stepped back clerestory and top floor are more asymmetrical and reflect the asymmetry of the Victorian villas on Carleton Road. The superstructure will consist of a timber frame, with a mix of brickwork and cladding to the outer walls. The top floor will be clad in metal. Samples of all facing materials will be required by condition prior to construction.
- 10.8 The property line will be set back from the back of pavement by 0.8 metres. As well as providing a boundary line, the low wall will accommodate refuse storage for the three units.
- 10.9 The amended scheme is not considered to be materially harmful to the appearance and character of the street or the wider townscape. It would not be contrary to policy DM2.1 of the Development Management policies 2013 or policy CS9 of the Core Strategy 2011.

Accessibility

- 10.10 The scheme has been developed in accordance with Building Regulations Part M compliance and with Islington Flexible Homes and the Islington Inclusive Design SPD. The approaches to the scheme will be level or gently sloping, and all thresholds will be flush.
- 10.11 The internal arrangements have been developed in discussions with the Access Officer. All corridors and door openings provide for wheelchair access. Space has been identified for future through floor lifts for the individual units. The ground floor units have wc facilities.
- 10.12 The proposal is considered to be in accordance with policy 7.2 of the London Plan 2015, policy DM2.2 of the Development Management policies 2013, policy CS12H of the Islington Core Strategy 2011 and the Inclusive Design SPD 2014.

Landscaping and Trees

- 10.13 The site itself has no trees or meaningful landscaping. There are several trees in the adjacent property and street that may be affected by any development; their canopies over sail the site and roots will have grown into the site. A mature ash tree is growing beyond the rear boundary and a cherry tree is on the public footpath of Crayford Road.
- 10.14 The cherry tree provides a sense of scale, textural diversity and colour to the immediate locality. As well as this visual amenity it also contributes to the important environmental improvements that street trees provide in mitigating ambient noise levels, improving air quality and providing screening.
- 10.15 The ash tree, which is outside the area of ownership, was protected by a tree preservation order (TPO) following enquiries into its protected status. The tree was heavily and inappropriately pruned without consent which has reduced its amenity value to the extent that it was decided not to confirm the TPO.
- 10.16 Sufficient detail has been submitted to indicate that the proposal should not result in the immediate loss of trees or landscaping but the proximity of the proposed building, its associated excavations and the scale of the development will have a detrimental impact on the adjacent trees. The proximity of the cherry tree to the development means there will be an ongoing maintenance impact to Highways as the tree will have to be managed differently, it will need to be pruned back from the front elevation to reduce nuisance.
- 10.17 The current health and status of the trees means they have limited constraint on the development and the level of information supplied is sufficient to determine that tree retention should be feasible through the construction phase. Longer term protection would require an arboricultural method statement to monitor impact and this will be secured by condition.
- 10.18 The proposal is considered to be in accordance with policy 7.2 of the London Plan 2015, policy DM2.2 of the Development Management policies 2013, policy CS12H of the Islington Core Strategy 2011 and the Inclusive Design SPD 2014.

Neighbouring Amenity

- 10.19 A Daylight and Sunlight study has been prepared by Right of Light Consulting. The analysis showed that all main habitable neighbouring windows passed the diffuse daylight and direct sunlight tests. Furthermore the study shows that the development would satisfy the BRE overshadowing to gardens and open space requirements. The analysis covered properties at 84/86 Crayford Road, 1 and 101 Bakers Field, 70 Crayford Road, St Georges Hall, Church and Vicarage.
- 10.20 There will be no direct overlooking of any habitable room window of adjacent residential property. There will also be no direct overlooking of the adjacent nursery which lies immediately to the north west, adjacent to the subject site.
- 10.21 Other matters including noise and dust from construction, and the impact on services and utilities are not material planning considerations and are covered under other

legislation. A Construction Method Statement is recommended to be secured by condition. The proposal is considered to be compliant with policy CS9 of the Core Strategy 2011 and Development Management policy 2013, DM2.1

Quality of Resulting Residential Accommodation

- 10.22 The development proposes three residential units: two x two-bedroom and one x three-bedroom. The scheme provides gross internal areas of 74 (63) sqm, 82 (63) sqm and 119 (89) sqm respectively (Islington DM policy requirement sqms), therefore all comfortably complying with policy. All three residential units have good levels of storage and all will have good levels of light, outlook and aspect, and all are dual aspect.
- 10.23 Externally, the Council's DM policies require private outdoor space of 20sqm for the two lower maisonettes, and 10sqm for the upper maisonette. The actual figures provide are 21sqm and 22sqm for the lower units and 12.7sqm for the upper unit.
- 10.24 The work would not be contrary to policies DM3.4 and DM3.5 of the Development Management policies 2013 or policy CS12 of the Core Strategy 2011.

Energy Efficiency and Sustainability

- 10.25 The Islington Core Strategy promotes environmentally sustainable design and this is reinforced through the Development Management policies, particularly relevant being DM7.1, sustainable design and construction. The proposal intensifies the use of the site in an appropriate scale and mix of land uses. It will be naturally lit with cross ventilation. It would be constructed to exceed current Building Regulations and a condition will secure that it is built to achieve Code for Sustainable Homes level 4. (A development sustainability appraisal has been prepared by OG Energy Ltd, concluding that the proposal achieves a point's total of 68.63 and giving it a Code Level 4).
- 10.26 A brown-green roof is proposed to the top of the clerestory element of the top floor. This will benefit both occupiers of the development and adjacent residents, as well as assisting in controlling water runoff, urban drainage and biodiversity. The details and maintenance of the green roof would be secured by condition. At ground level, use is made of permeable hard landscaping.

Highways and Transportation

- 10.27 The site lies within reasonable walking distance of train and underground stations (Tufnell Park Station 12 minutes and Holloway Road Station 15 minutes) and regular bus routes along Holloway Road and Tufnell Park Road. The site has a PTAL (Public Transport Accessibility Level) rating of 2 which is 'poor'.
- 10.28 The development will be Car-free and this will be secured through a planning condition.

- 10.29 Secure and enclosed cycle parking provision, which is located to the rear ground floor, is provided in accordance with the requirements of the London Plan, that is, one bicycle stand per bedroom with a total of seven stands. The cycling and recycling storage is located behind the boundary front wall.
- 10.30 The proposal is in accordance with policies 6.7 and 6.9 of the London Plan 2011, policies DM8.4 and DM8.5 of the Development Management policies 2013 and policy CS10H of the Islington Core Strategy 2011.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.31 The applicant has agreed to the Small Sites policy contribution in regard to both the commuted payment for affordable housing provision (£150,000) and for the carbon offset contribution (£3000) and the unilateral agreement has been signed to confirm the applicant's commitment to make this contribution.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed residential land use for this site is appropriate.
- 11.2 The proposed development is of an acceptable form, height and scale, and is contextual with adjacent buildings and streetscape.
- 11.3 The proposal will have no material harm on the amenity of adjacent occupiers
- 11.4 As such the proposal is considered to be acceptable and in line with adopted national and local planning policies.

12.0 Conclusion

It is recommended that planning permission be granted subject to 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 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:

- A contribution of £150,000 towards affordable housing.
- A contribution of £3000 towards carbon off-set.

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	3 YEAR CONSENT PERIOD: 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
	DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: M655_004.PL1, M655_005.PL1, M655_038.PL1, M655_020.PL3.1, M655_021.PL3.1, M655_022.PL3.1, M655_023.PL3.1,

	<p>M655_024.PL3.1, M655_030.PL2, M655_031.PL2, M655_032.PL2, M655_033.PL2, M655_034.PL2, M655_035.PL2, M655_036.PL2, Energy Statement (OG Energy Ltd, 21 October 2014), Arboricultural Impact Assessment (Landmark Trees, 26 August 2014), Root Excavation Report (Arberaeration, 25 June 2014), Daylight and Sunlight Study (Rights of Light Consulting, 3 November 2014), Contamination Report (Leap Environmental Ltd, 30 July 2014).</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>
<p>3</p>	<p>Materials</p> <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> <ul style="list-style-type: none"> a) Samples of all facing brickwork types, including mortar and pointing, and panels. b) Window and door treatment (including sections and reveals); c) Cladding material to the top floor d) Front boundary detail <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>
<p>4</p>	<p>Construction Management Plan</p> <p>CONDITION: A Construction Management Plan and Impact Assessment Plan shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to mitigate the impact of the development to nearby residents.</p>
<p>5</p>	<p>Tree protection</p> <p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p>

	<p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
6	<p>BREEAM</p> <p>CONDITION: The development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
7	<p>Construction Controls</p> <p>CONDITION: During the clearance and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:</p> <p>1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site.</p> <p>2 The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday-Fridays, 08.00- 13.00 Saturdays and at no time during Sundays or public holidays.</p> <p>3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.</p> <p>REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>
8	<p>Accessible Housing</p> <p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Inclusive Design in Islington' SPD 2014) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To ensure flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
9	<p>Car Free Housing</p> <p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>i) In the case of disabled persons;</p> <p>ii) In the case of units designated in this planning permission as "non car free"; or</p> <p>iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>
10	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no.</p>

	<p>M655_020.PL3.1 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
11	<p>Green/Brown Biodiversity Roofs (Compliance)</p> <p>CONDITION: The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plan M655_024.PL3.1 hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity</p>
12	<p>Bricks</p> <p>CONDITION: The facing bricks shall be full bricks and not brick slips.</p> <p>REASON: In the interest of visual amenity and quality of construction.</p>

List of Informatives:

1	<p>Positive Statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>Pre-application discussions were entered into and 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>
2	<p>CIL Informative (Granted)</p> <p>CIL 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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.</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 and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
	<p>Section 106 INFORMATIVE: (Section 106 Agreement) You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>

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

7 London's living places and spaces
Policy 7.4 Local character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Spatial Strategy Policy CS8 (Enhancing Character)	Islington's	Strategic Policies Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
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C) Development Management Policies June 2013

Design and Heritage	Housing
DM2.1 Design	DM3.4 Housing standards
DM2.2 Inclusive Design	DM3.5 Private outdoor space
	DM6.5 Landscaping, trees and biodiversity
DM7.4 Sustainable design standards	DM8.4 Walking and cycling
DM9.2 Planning Obligations	

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:

Islington Local Plan

None

London Plan

None

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Urban Design Guide
- Small Sites Contribution
- Accessible Housing in Islington

London Plan

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

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE B		
Date:	21 st May 2015	NON-EXEMPT

Application number	P2014/0472/FUL
Application type	Full planning application
Ward	Finsbury Park
Listed Building	Not Listed, however existing buildings are locally listed.
Conservation Area	No
Licensing Implications	None
Site Address	Land at rear of nos. 13 -17 Thane Villas, London N7 7PH
Proposal	Construction of 3 self-contained single storey dwellings to the rear of 13-17 Thane Villas (2 x 3 bed 4 person 1 x 3 bed 5 person) together with associated bin and cycle storage.

Case Officer	Ben Oates
Applicant	Hibbs Property Holdings Ltd & Kafes Ltd
Agent	Willingale Associates

1. RECOMMENDATION

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

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

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET



Image 1: Aerial view of SU



Image 2: Front of 17 Thane Villas – access to the proposed development through existing side gate adjacent to common boundary with No.19 Thane Villas

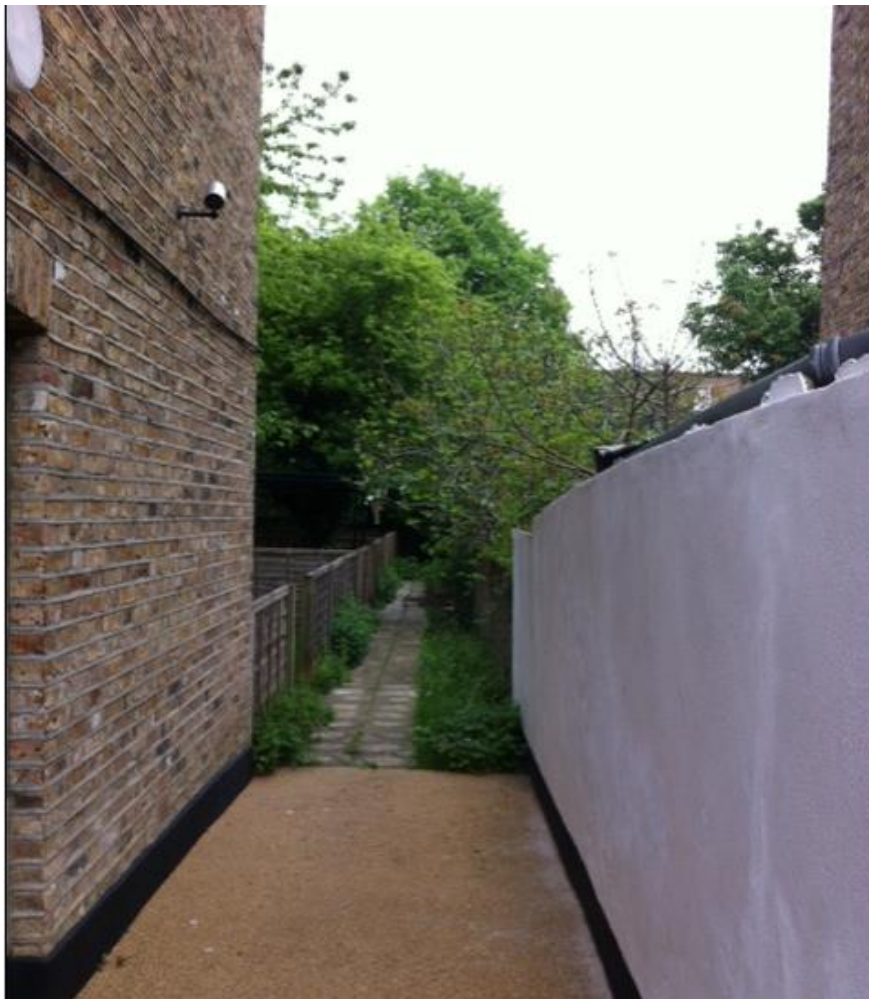


Image 3: Access lane to the site



Image 4: Existing site with protected trees along rear boundary



Image 5: Application site with boundary fence subdividing plot with rear garden of Nos.13-19 Thane Villas



Image 6: Existing rear elevation of No.13-17 Thane Villas



Image 7: 3D model of proposed development in the context of surrounding dwellings.

4 SUMMARY

- 4.1 The application seeks permission for the erection of 3 self-contained single storey dwellings to the rear of 13-17 Thane Villas (2 x 3bed 4 person and 1 x 3 bed 5 person) together with associated refuse stores, cycle storage and landscaping.
- 4.2 The principle of the development is considered acceptable with sufficient private garden space retained for both the existing and proposed developments. The area is residential in character and the site is not within a Conservation Area.
- 4.3 The single storey design, layout scale and massing of the proposed development is considered acceptable. Whilst the Design & Conservation Officer has raised some concerns regarding the impact on the setting of the locally listed buildings, given its low height and it's predominately green design (green roof and TPO trees in background), it is considered to result in a compact development that sits comfortably without detracting significantly from the locally listed building or character of the area.
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov 2012). The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM9 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. Each of the proposed units are 3 bedroom developments.
- 4.5 Private amenity space is provided in accordance with the Council's requirements. It is proposed that the new build dwellings would be constructed to meet the standards set by the Code for Sustainable Homes. It is also proposed that the development would incorporate green roofs.
- 4.6 The redevelopment of the site has no vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.
- 4.7 In summary, the proposal is considered to be acceptable and in accordance with the Development Plan policies.

5 SITE AND SURROUNDING

- 5.1 The application site is on the eastern side of Thane Villas to the rear of Nos.13-17 Thane Villas (Locally listed). The front property comprises a three storey Victorian semi-detached building currently subdivided into 14 flats.
- 5.2 The site is accessed from the front via a side gate between the common boundary with 19 Thane Villas with a pathway leading down to the site. The area to the rear of 13-17 Thane Villas is presently subdivided into a communal garden space for those properties including cycle storage with a 2 metre high fence separated remaining of the site. This green area is currently private open space with 5 TPO trees situated along the rear boundary which separate the site from the rear gardens Nos.21 to 33 Berriman Road.
- 5.3 In general the area is predominately residential with a mixture of flats and larger residential dwellings. Thane Villas also lies directly to the south east of Seven Sisters commercial road. The site is not within a Conservation Area however, Nos. 13-17 Thane Villas are locally listed building.

6 PROPOSAL (in Detail)

- 6.1 The proposed development seeks planning permission for the construction of 3 self-contained single storey dwellings to the rear of 13-17 Thane Villas (2 x 3bed 4 person 1 x 3 bed 5 person) together with associated bin and cycle storage and garden area.
- 6.2 The development would be situated to the rear of Nos.13-17 Thane Villas and would be accessed through an existing side gate situated along the boundary with No.19 Thane Villas. A laneway (1.5 metres wide between boundary of 17 and 19 Thane Villas) would extend approximately 25 metres in length to the subject development.
- 6.3 The proposed development would be a predominately single storey development with a unique split level finish resulting in curved “fin like” flank walls which rise to a maximum height of 3.5 metres. It would be set in 4 metres from the common boundary with No.19 Thane Villas and 14 metres back from the main rear wall of 13-17 Thane Villas.
- 6.4 Given the backland site, the development includes measures to protect the amenity of both properties with a retaining wall feature creating a vertical barrier between the rear wall of Nos.13-17 Thane Villas and the subject site. The properties would have a green roof and 2 roof lights providing additional daylight to the 3 units.
- 6.5 Each residential unit would provide 3 bedroom accommodations with access to sizeable garden to the rear. The units would include separate dining/kitchen and living space. One of the units would be fully meet the flexible homes standards. The subject properties would also provide additional cycle storage

and bin storage with a similar smaller in height designed storage to the main building.

- 6.6 Hedging along the side boundary with No.11 would be retained with the development also outside the crown spread of the TPO trees and further landscaping proposed to the rear of the existing residential units.

7. RELEVANT HISTORY

Planning Applications:

- 7.1 **861467** 13-15 Thane Villas – Erection of extension at second floor level. **Approved 13/4/88**
- 7.2 **900114** 13-15 Thane Villas – Continued use as hostel **Approved 01/08/94**
- 7.3 **P061628** 17, Thane Villas – Erection of a first floor side extension. Conversion of single dwelling to provide 4 self-contained flats (1 x 3 bed, 2 x 2 bed and 1 x 1 bed). **Approved 11/09/06**

Enforcement:

- 7.4 None

Pre-application:

- 7.5 **Q2013/3914/MIN rear of 13-17 Thane Villas** Construction of 2 x 3 bed houses and 4 x 2 bed houses with associated landscaping (Concluded that the number of units (6) is therefore in principle unacceptable. It may be possible to create 1-3 units on the site but this would be subject to a new assessment.)

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on the 21st March 2014 and following the receipt of amended plans (reducing the scheme by 1 unit) follow up consultation letters were sent on the 15th May 2014 providing residents with opportunity to comment on the proposed scheme. A Site Notice was also displayed to the front of 13-17 Thane Villas given member of the local community the opportunity to comment on the proposal.

Following concerns raised regarding the coverage and length of time since the second round of consultation of the application, a third round of consultation took place. Letters were sent to occupants of adjoining and nearby properties on the 26th May 2015 and a Site Notice was also displayed on 28th May 2015 at the front of 13-17 Thane Villas giving members of the local community the

opportunity to comment on the proposal. The final consultation period expired on 18th June 2015.

8.2 Five responses of objection were initially received with an additional 3 responses received since the third round of consultation. The issues raised included the following listed below:

- Undesirable infill development – too crowded and cramped, loss of green space that would compromise reduced air quality and loss of usable garden space (10.9)
- Houses appear to fall below habitable floorspace standards (10.13)
- Density of the development is excessive (10.9)
- Not in keeping with the character of the area (10.22)
- It does not compliment the adjacent Conservation Area (10.22)
- Development in back gardens is contrary to the Core Strategy for the Nag's Head and Upper Holloway Road Key Area (10.3)
- Single tenure developments is contrary to the Core Strategy (10.13)
- Proximity of the development to the boundary of No.19 Thane Villas (10.17)
- Impact on the trees (8.9)
- Blocking of sunlight, loss of privacy and increased noise impacts on neighbouring properties (10.17)
- Concerns regarding use of the green roof as a terrace area, that it will become unkempt and attract pests (10.23)
- Concerns for Fire Brigade and ambulance access (8.11, 10.25)
- Waste storage not adequate (8.10)
- Insufficient provision for dealing with ground and waste water (8.5)
- It would not add to local amenity of the occupants of Thane Villas (10.17)
- Car parking concerns (10.19)
- Issues for school places (10.24)
- Concerns of noise and dust during the construction phase (10.26)
- Increased opportunities for crime due to access arrangements (8.12)

Internal Consultees

8.3 **Design & Conservation:** The revised scheme with the reduced size and the number of dwellings would lessen the impact; however there remains a concern regarding the close proximity of the development to the locally listed building and its setting.

8.4 **Planning Policy:** Concerns raised regarding loss of private garden space. Amended plans reduced the development by 1 unit, increasing the garden

space by an additional 100m². Updated floorspace figures for the developed versus undeveloped sections elements of the site would be useful. It is still considered to be a significant amount of the private open space being developed.

DM6.3 part E restricts such development unless exceptional circumstances can be demonstrated and where the key factors of DM6.3 (E) have been addressed. It is still not clear how the key considerations of DM6.3 (E), DM6.5 or DM6.6 in relation to biodiversity and flood alleviation will be addressed. This should be covered within landscape plan.

- 8.5 **Sustainability Officer:** Flood alleviation/SuDS – The information presented is indicative only, but demonstrates that flood alleviation impact can be minimised through the design. This would need to be secured through a dischargeable conditions with details to be agreed, as the drainage layout proposed is only 'possible SuDS layout' Ecological connectivity – should be built into/demonstrated through the detailed landscape design. DESIGN: Code pre-assessment report submitted, achieving sustainability code level 4. The other design concerns are now broadly addressed
- 8.6 **Access Officer:** Initial scheme did not meet the accessible design standards. The revised information shows the omission of one unit with a fully flexible home now proposed and 2 accessible dwellings. Acceptable subject to condition.
- 8.7 **Transport Planning:** Cycle storage provided in accordance with transport policies. The scheme shall not be eligible for parking permits.
- 8.8 **Acoustic Officer:** No objections
- 8.9 **Tree Officer:** No objection subject to conditions protecting trees and landscaping plan.
- 8.10 **Refuse and Recycling:** No objection subject to a condition requiring further details for approval. The bin storage area is too far from the collection vehicle waiting point; therefore provisions to have these bins moved to a more convenient location on collection day is required.

External Consultees

- 8.11 **Fire Department:** Recommends that there should be fire brigade access to the perimeter of the building and sufficient hydrants and water mains in the vicinity. Sprinklers are recommended for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier.

- 8.12 **Police:** No objection surveillance from the existing rear elevation on Nos.13-17 Thane Villas reduces risk of crime.
- 8.13 **Environment Agency:** The main flood risk issue at this site is management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere. Surface water runoff rates and volumes from the site must be managed in accordance with the London Plan (July 2011) which sets higher standards than the NPPF for the control of surface water run-off.

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 The National Planning Practice Guidance 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 2015, Islington Core Strategy 2011, Development Management Policies 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Principle of the development,
 - Design, Character and appearance,
 - Standard of accommodation,
 - Accessibility,
 - Neighbouring amenity,
 - Highways and Transportation, and

- The securing of necessary contributions towards affordable housing.

Principle of the development

- 10.2 The application is a residential development within a predominately residential area. It would involve the erection of 3 self-contained single storey dwellings to the rear of 13 – 17 Thane Villas together with associated refuse and cycle storage and garden area. It would be accessed via a pathway along the southern boundary adjoining 19 Thane Villas and is designed to integrate with rear garden setting to minimise amenity impacts on the existing dwellings. Amended plans have been provided during the processing of the application which has reduced the size of the proposed development, omitted one unit and increased the level of open space by 100m².
- 10.3 The property is located within the Nag's Head and Upper Holloway Road Core Strategy Key Area; however it is not identified under the site allocations and the requirement under policy CS3 has no relevance to this application. The key policy consideration is DM6.3 of the development management policies which seeks to protect private open space. Concerns were raised by the Planning Policy team that the scheme would lead to a loss of private open space without justification; being a key consideration of this policy. The other key considerations for this policy are whether there would be a significant impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and flood alleviation. The amended proposal satisfactorily addresses these issues as discussed later in the report.
- 10.4 The policy states that the development should retain the open aspect of the site. The revised scheme has been set in from the boundaries thereby increasing the level of the green space surrounding the site. The scheme is single storey with a vegetated retaining wall directly in front of the development and a low, sloped green roof feature and with protected trees behind, which provides an open aspect with a significant amount of green space retained. This element has been described by the applicant as a 'Ha-Ha' style wall.
- 10.5 Historically the properties along this part of Thane Villas had large deep gardens that were proportionate to the scale of the buildings. Overtime, these large gardens have been eroded with similar backland developments occurring to the rear of 7, 9 and 21 Thane Villas, which has already broken consistency of this character. Whilst the nearby backland developments have been typically 2-3 stories in height, the proposed development would not add significant bulk to the rear of Thanes Villas given its emphasis on a green design and the single storey height. As several of the existing gardens along Thane Villas have already been reduced with development (with smaller garden plots sizes evident to the north and south), it would not significantly impact on the character and appearance of this part of Thane Villas.
- 10.6 The policy observations also make reference to the levels of development versus undeveloped areas. The proposed development, with updated figures, would measure 371 squares metres in area including hardstanding areas

except for the access path. The garden areas to the rear and side would be retained measuring approximately 389 square metres. Further garden area serving the properties at Nos.13-17 Thane Villas would also be retained at 250 square metres in area and would sufficiently cater for the outdoor amenity-space requirements of the existing properties, which contain a mix of 1 bedroom, 2 bedroom and 3 bedroom flats.

- 10.7 In total 639 square metres of garden and amenity space would be retained serving the existing dwellings and proposed rear development. In terms of proportions, this would represent less than 40% reduction in garden space which in theory could be allowed under permitted development if the development related to an outbuilding related to a domestic residential dwelling.
- 10.8 It is therefore considered that there would be sufficient open space retained following the proposed development. Furthermore, it is illustrated in the following sections of the report that the proposal would not result in significant impacts on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and/or flood alleviation effect.
- 10.9 Based on the additional information provided, the reduction of the scheme by one unit (to increase garden space), the low-scale and integrated design of the development and the existing backland units behind nearby properties along Thaness Villas, it is considered that, in this instance, the proposal is acceptable in principle and complies with policy DM6.3 of the Development Management Policies.

Design, Character and Appearance

- 10.10 The proposal has been designed to blend into the surrounding green garden setting by use of a vegetated retaining wall and curved green-roof that would camouflage the development when viewed from the existing building at the front of the property. The proposal would be set off a distance of 8m from the rear wall of the existing building (4m from the rear wall of the existing rear extension to part of no.'s 13-15) and the ground would gently slope up to a vegetated retaining wall to form a soft barrier between the proposed development and the existing building. The retaining wall would conceal the walkway entrance to the proposed units and the proposed building shape would continue with the slope of the ground to a maximum of 3.5m in height. Emphasis has been placed on allowing the backland development to blend into the green environs and the TPO trees to the rear, which would be retained. Although the proposal would be close to the existing building and increase the level of the development in the rear garden, it would not constitute as an intrusive or dominant form of development because of its innovative green design and low rise height. Furthermore, it would be approximately 10m away from the original rear wall of the locally listed buildings. It is therefore considered that the proposal would not cause unacceptable harm to the setting of the nearby locally listed building or harm the character and appearance of the property or surrounding properties.

- 10.11 The retained the TPO trees along the rear boundary of the site would assist to conceal the proposed development from the upper floors of the neighbouring properties to the rear (Berriman Road), which are 24m from the rear elevation of the proposal. The proposed development would also only be 1.5m higher than the retained rear boundary fence; the proposed development is set approximately 8.5m away from the rear boundary fence, and therefore it would not be overly intrusive when viewed from the neighbouring properties on Berriman Road to the rear. It would also not be visible from any public place and would not be highly visible from the street. As such, it is considered that the proposed development would not be harmful to the character of the area or harmful to the setting of the locally listed building when viewed from the neighbouring properties.
- 10.12 For the above reasons, it is considered that the application would respect the scale, form and character of the existing dwellings and the green character of the surrounding area. The design of the proposed development is acceptable and complies with Core Strategy policies CS and CS9, and Development Management policies DM2.1, DM2.3, & Islington's Urban Design Guidance 2006 because of its low rise curved form it would not appear dominant or incongruous from the surrounding properties.

Standard of accommodation

- 10.13 The proposed self-contained residential units have been revised during the processing of this application to be 1 fully compliance flexible home and 2 further units. Each of the units would contain 3 bedrooms with a generous garden to the rear. The 2 x 3 bedroom 4 person units would have internal floor space of 77 square metres which would meet the criteria and include sufficient storage space. The larger 1x3 bedroom 5 person unit would have 90 square metres floor space which complies also with the internal floor space standards. The proposal would not create a predominance of single tenure type housing in the area in accordance with s3.3.19 of the Core Strategy.
- 10.14 Despite its easterly orientation, which is restricted due to the orientation of the existing property, each unit would be dual aspect with a good internal layout. Each bedroom would meet the minimum floor space standards; while the living/kitchen and dining room combination would also meet the required 27 and 29 square metres for both types of units. The fully glazed living room would project onto the rear gardens and would give the perception of a larger living space given the size of garden to the rear of each unit.
- 10.15 It is considered that the proposal would provide a good internal living environments and space standards. Both double bedrooms would be a minimum of 12 metres and the open plan living space minimum 25 square metres. Overall, the general layout, room sizes and internal floor space (including private amenity space) would meet the recommended guidance set in DM3.4 & DM3.5 of the Development Management Plan and would provide satisfactory living condition for future occupiers of the dwelling.

Accessibility

- 10.16 The plans have been revised to seek to address the concerns by the Council's Inclusive Design Officer. One of the units would be fully compliant with flexible homes standards with the remaining schemes meeting accessible standards. The rooms would generally be of suitable size and lifetime homes compliant. As such, the proposal would generally conform to accessible standards set within the Supplementary Design Guide (Inclusive Design) and would be contrary to Policy DM 2.2 (Inclusive Design) of the Development Management Plan 2013.

Neighbouring Amenity:

- 10.17 The proposed development would be a single storey development and the revised layout with the omission of a 4th residential unit along the boundary with 19 Thane Villas reduces visual impact from this neighbouring dwelling. There would not be any direct overlooking due to the positioning of the windows and proposed retaining wall at the front of the proposed development. To the rear, the main living space projects onto a row of protected trees. Given the design and overall height of the development and its positioning, there would be no loss of amenity to the neighbouring properties. The proposal would not lead to a loss of light, overlooking or over dominance to the remaining adjoining properties.
- 10.18 The proposal would therefore not conflict with Policy DM2.1 of the Islington's Development Management Policies or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm on residential amenity.

Highways and Transportation:

- 10.19 The proposed units would not be eligible to apply for car parking permits in the area. The applicant has included cycle spaces for each unit to the side of the development in accordance with Development Management Policy DM8.4 (Walking and cycling). As such, it complies with the Council's transport policies.

Small sites (affordable housing) and carbon Off-setting contributions

- 10.20 The development would require a contribution towards affordable housing in the Borough, in line with policy CS12 of the Core Strategy and the Council's Supplementary Planning Document- 'Affordable housing- small sites' 2012.
- 10.21 However, a viability statement was submitted with the application with evidence within that the full contribution could not be afforded in this instance. However, this was assessed by an independent valuer who concluded that a full contribution of £150,000 would be required towards affordable housing. A Unilateral Agreement has been signed and agreed with a payment of £150,000 secured towards affordable housing. A further contribution of £4,500 has been secured towards carbon off-setting. Therefore, the proposal

complies with policy CS12G of the Islington Core Strategy 2011 and the Islington Affordable Housing Small Sites Contributions SPD.

Other issues

- 10.22 An objection received raised concerns that the proposal would not compliment the adjacent Conservation Area; however the property is not located near any Conservation Areas and therefore would not impact on their setting.
- 10.23 Concern was also raised that the proposed green roof would attract pests and could be used as a roof terrace. Given the nature of green roofs and that it would not be used a storage area for waste it is unlikely that pests would be attracted to the roof area any more than a normal single storey roof. Furthermore, the roof would not have any direct access from the proposed dwellings and it is considered unlikely to become a desired area for use as a roof terrace given its curved shape and the provision of generous rear gardens to each unit. A condition is recommended to remove Permitted Development rights, which will assist to control any unauthorised use of the proposed roof.
- 10.24 Concern was also raised in regards to the proposal causing issues for school places; however the proposal is liable to the Community Infrastructure Levy, which can be used to pay for improvements to community infrastructure including schools.
- 10.25 On access for the Fire Brigade and the specification of the fire safety equipment in principle, the applicant's agent advises that a dry riser inlet box is proposed, located in the front area of Nos.13-17 Thane Villas where it will be visible from the street and convenient for access from the fire tender. The inlet box would then have a dry riser to run horizontally beneath the ramped access to a location near to the bikes storage area from where the hoses can be run and the proposed accommodation will all be within the 45m range. Whilst this would be dealt with condition has been included requiring details of the proposed arrangements to ensure that fire brigade access is acceptable to protect residents and properties on and surrounding the application site.
- 10.26 Disturbance from construction of the proposed development is not a material planning consideration. However, a condition requiring the submission of a construction management statement for approval has been included, which amongst other things will assist to mitigate impacts on neighbouring properties. Furthermore, any noise or disturbance complaints received during construction of the proposal would be investigated by the Council's Environment Services team.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed development is acceptable in principle and would not result in unacceptable harm to the existing dwellings or their existing private open space. It would not lead to an adverse impact on neighbours' amenity or accessibility concerns and would not harm the character of the area. The proposed dwellings would have an acceptable standard of accommodation with sufficient cycle storage and a Unilateral Agreement has been signed and agreed with the local authority.

Conclusion

- 11.2 It is recommended that planning permission be granted subject to the unilateral undertaking and the conditions as set out in Appendix 1 – RECOMMENDATION A.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the completion of a section 106 agreement to secure

- a) A financial contribution of £150,000 towards the provision of off site affordable housing.
- b) A financial contribution of £4500 towards CO2 off setting.

List of Conditions:

Commencement (Compliance)	
1	<p>3 YEAR CONSENT PERIOD: 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>
Approved Plans List: (Compliance)	
2	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[Site Location Plan, N7_13-17TV_EX00K, N7_13-17TV_EX02K, N7_13-17TV_PP01M, N7_13-17TV_PP02M (Roof level plan and concept diagrams), N7_13-17TV_PP02M (Sections AA BB,CC), N7_13-17TV_PP04M, N7_13-17TV_PP05M, N7_13-17TV_PP06M, N7_13-17TV_PP07M, N7_13-17TV_PP08M, N7_13-17TV_PP09M, N7_13-17TV_PP11, N7_13-17TV_PP12M, 01.090-serie, Design, Access and Impact Statement for Residential Development of the site to the rear of Nos.13-17 Thane Villas, Thane Villas Code for Sustainable Home Pre-Assessment Rev A (04/08/2014), Sustainable Drainage Assessment:13-17 Thane Villas ref: 62782r1SuDs July 2014, Oxford Green Roofs: Green Roof and Landscaping Guidance Document August 2014, Oxford Green Roofs: Green Roof and Landscaping Guidance Document Addendum A October 2014, Bioverse Patented Permeable Paving Brochure, Arboricultural Report: Tree Survey Arboricultural Impact Assessment & Tree Protection Plan January 2014 (including Appendix B amended January 2015)</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>
Materials: (details)	
3	<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"> a) solid brickwork (including brick panels and mortar courses) b) timber cladding (brochure specifications)

	<p>c) window treatment (materials and specifications); d) roofing materials; e) any other materials to be used.</p> <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>
4	<p>Accessible Homes Standards - (Compliance):</p> <p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
5	<p>Sustainable Urban Drainage System (Details)</p> <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. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits. 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 run-off from the site post-development. The drainage system shall be installed /operational prior to the first occupation of the 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> <p>REASON: To ensure that sustainable management of water.</p>
6	<p>Green/Brown Biodiversity Roofs (Compliance)</p> <p>CONDITION: The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with details with Green Roof and Landscaping Guidance Document August 2014 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> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
7	<p>Construction Method Statement (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>The development shall be carried out strictly in accordance with the details so approved and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
8	<p>Tree Protection Plan (Details)</p> <p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
9	<p>Landscape Plan (Compliance)</p> <p>The landscaping details shall be carried out in accordance with the details submitted in plan No. N7_13-17TV_PP011 N7_13-17TV_PP012M and the accompanying Green Roof and Landscaping Guidance Documents.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with</p>

	<p>the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as so after.</p>
10	<p>Car Permits (Compliance)</p> <p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>REASON: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and policy DM8.5 of the Development Management Policies.</p>
11	<p>Refuse/Recycling Collection (Details)</p> <p>CONDITION: Details of a dedicated collection point, for refuse and recycling bins to be moved to on collection day, shall be submitted to and approved by the local planning authority prior to the first occupation of the development hereby approved. The details (as may be approved) shall be implemented prior to the first occupation of the development and the bins shall be presented for collection in accordance with the details on collection day and stored within the dedicated refuse store on any other day.</p> <p>REASON: To ensure that refuse and recycling bins are located in an appropriate location for collection without harm to the visual amenity of the area.</p>
12	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The bicycle storage area(s) hereby approved, which shall be covered, secure and provide for no less than [9] bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
13	<p>Removal Of Permitted Development Rights (Compliance)</p> <p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouse(s) hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may</p>

	have on residential amenity and the overall good design of the scheme.
14	BREEAM CONDITION: The development shall achieve a BREEAM [Office/Retail/Schools/Bespoke/multi-residential rating (2008)/BREEAM New Construction rating (2011)] of no less than 'Excellent'. REASON: In the interest of addressing climate change and to secure sustainable development.
15	Fire Brigade Access CONDITION: Details of Fire Brigade access, including locations of proposed inlet boxes and dry risers, shall be submitted to and approved by the local planning authority prior to the first occupation of the development hereby approved. The details (as may be approved) shall be implemented prior to the first occupation of the development. REASON: To ensure that suitable and convenient Fire Brigade access is provided to the dwellings for the safeguarding of properties, future occupants of the development and occupants of neighbouring properties.

List of Informatives:

	Positive statement
1.	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. A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant. This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.
	CIL Informative (Granted)
2.	CIL 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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.

	<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 and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
	Definitions
3.	<p>(Definition of 'Superstructure' and 'Practical Completion') A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
	Foundations
4.	<p>The foundations of the new buildings must comply with the National House Building Council's Guidance NHBC Standards 2007, part 4.</p>
	Construction hours
5.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations as well as Environment Health Regulations.</p> <p>Any construction works should take place within normal working day. The Pollution Control department lists the normal operating times below.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Delivery and operating times - the usual arrangements for noisy works are</p> <ul style="list-style-type: none"> ○ 8am –6pm Monday to Friday, ○ 8am – 1pm Saturdays; ○ no noisy work on Sundays or Public Holidays (unless by prior agreement in special circumstances) </div>
	Section 106 Agreement
6.	<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>
	Party Walls
7.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act"). Environmental Legislations and the Equality Act.</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 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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

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

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.15 Coordination of housing development and investment

5 London's response to climate change

Policy 5.3 Sustainable design and construction

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 7.6 Architecture

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

Health and open space

DM6.5 Landscaping, trees and biodiversity

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

London Plan

Accessible London: Achieving and

Inclusive Environment

Housing

Sustainable Design & Construction

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Islington SE GIS Print Template



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P2014/0472/FUL

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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B		
Date:	29th June 2015	NON EXEMPT

Application number	P2015/1163/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	Not Listed
Conservation Area	St Luke's Conservation Area
Development Plan Context	Bunhill and Clerkenwell Core Strategy Key Area Central Activities Zone Employment Priority Area (General) St. Lukes Conservation Area Local Cycle Route
Licensing Implications	N/A
Site Address	Macpherson House 69 - 85 Old Street London EC1V 9HX
Proposal	Change of use of part of ground and basement floors from Use Class A2 to Use Class D1 including alterations to external ground floor facades on Old Street, Central Street elevations and rear elevations.

Case Officer	Nathaniel Baker
Applicant	Teresa Santucci - New Build and Regeneration Team, London Borough of Islington.
Agent	Riette Oosthuizen - HTA Design LLP

1 RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;

2 SITE PLAN (SITE OUTLINED IN BLACK).



3 PHOTOS OF SITE/STREET



Image 1 - View along Old Street from east



Image 2 - View along Central Street and of rear

4 SUMMARY

- 4.1 The application proposes the change of use of a ground floor and basement print company (A2 use) to a Dentist and Youth Project Centre (both D1), and the replacement and insertion of shopfronts.
- 4.2 The dentist and Youth Project Centre would maintain the extent of employment floor space at the site and support the financial and business functions of the CAZ while introducing well designed social infrastructure.
- 4.3 The proposed shopfronts would introduce traditional proportions to the building, reinforce the horizontality and introduce a consistency to the ground floor elevation. Conditions are proposed to ensure that the hours of operation and use of the site would not lead to disturbance to neighbouring occupiers.
- 4.4 The proposed premises would be accessible and adequate servicing provision is proposed. Although there is no available space for on or off-site cycle parking provision the site is adequately served by sustainable modes of public transport with site users who arrive via bicycle able to use a publicly accessible cycle space to the west of the site.
- 4.5 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

5 SITE AND SURROUNDING

- 5.1 The site forms a corner building on the north west corner of the junction between Old Street and Central Street and consists of the ground floor corner area currently occupied by a print centre (A2 use), a ground floor bank at the western end and office space at first floor level and above. This part of Old Street is characterised by commercial and office uses while to the rear of the site is the Stafford Cripps Estate.

- 5.2 The building is four storeys in height, with a single storey rear projection and is typical of mid-century development, forming part of 4 similar buildings within this part of Old Street. The building has a market horizontal emphasis with projecting concrete lintels and cills, and liner brickwork and glazing. At ground floor level the building has cantilevered concrete canopies above the entrances onto Old Street. The bank frontage at the site has been altered multiple times to include a fascia sign, a projecting canopy and Automated Teller Machines. The existing print centre has a non-original façade onto Old Street with a glazed brick stall riser, a large fascia sign reducing the window opening heights and extensive window manifestations, while the Central Street elevation has higher level windows.
- 5.3 To the rear a single storey projection has a metal balustrade surround fixed directly to the brickwork, which provides little screening to the existing plant. Set between the buildings fronting Old Street and the Stafford Crips Estate is a service road and single storey garages blocks. The buildings have rear fire escapes and servicing doors onto this area. The application site includes three parking spaces within this rear area that serve as a servicing area and parking for the existing print centre.
- 5.4 The site is located within an Employment Growth Area (General), the Central Activities Zone and the St Luke's Conservation Area.

6 PROPOSAL (IN DETAIL)

- 6.1 The proposal is for the change of use of a ground floor and basement print company (A2 use) to a Dentist and Youth Project Centre (both D1), and external alterations.
- 6.2 The proposed external alterations consist of the replacement of the shopfront facing Old Street, the insertion of a glazed façade onto Central Street, the replacement of a metal balustrade surround at first floor level to the rear of the property with a brick parapet, the replacement of a door and insertion of windows and a louvered opening at ground floor level in the rear elevation and the provision of a access ramp to the rear elevation.
- 6.3 The plans also detail the replacement of the existing plant at first floor level but no plans have been submitted detailing the works.

Revision 1:

- 6.4 The plans were amended on 18th May 2015 to address the Inclusive Design Officer's comments.

7 RELEVANT HISTORY:

Planning Applications:

- 7.1 **P2014/4393/FUL** - Creation of roof terrace including the insertion of 1.1m high glass barrier around the outside of the terrace. Terrace to be used 9:00am to 6:00pm only - **Granted Conditional Permission** (17/12/2014).
- 7.2 **P031213** – Retention of three additional air conditioning condenser units at rear of premises at ground floor level - **Granted Conditional Permission** (01/09/2003).
- 7.3 **P012644** – Installation of new aluminium windows to first and second floors and installation of air conditioning equipment to the rear of the building - **Granted Conditional Permission** (07/02/2002).

Enforcement:

7.4 None.

Pre-application Advice

7.5 **Q2014/3274/MJR** – The proposal has been subject to ongoing pre-application discussions as part of a wider development at the Redbrick Estate.

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 51 adjoining and nearby properties at Old Street on the 7th April 2015. A site notice was displayed and a press advert published on 16th April 2015. The application was re-advertised on 21st May 2015. The public consultation on the application therefore expired on 11th June 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 no responses had been received from the public with regard to the application.

Internal Consultees

8.3 **Design and Conservation Officer** – No objection.

8.4 **Access and Inclusive Design Officer** – Concern initially raised regarding accessible W.Cs, entrances and ramps. Revised plans address concerns raised and are acceptable.

8.5 **Transport Planning Officer** – No objection. Contribution should be sought for provision of publicly accessible cycle parking located in the public realm within the vicinity of the site.

8.6 **Public Protection (Noise)** – No objection subject to conditions relating to noise emissions from proposed plant machinery and sound proofing.

8.7 **Refuse and Recycling** – No objection.

8.8 **Highways** – There are no proposed public cycle parking schemes within close proximity to the site and the provision of two parking stands would not be achievable along this part of Old Street and Central Street.

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 The National Planning Policy Guidance 2014 provides planning practise guidance for the implementation of the policies set out in the NPPF. The NPPG is a material consideration and has been taken into account as part of the assessment of these proposals.

9.3 On the 28th November 2014, a Ministerial Statement and revision to the Planning Practise Guidance (PPG) were published.

Development Plan

9.4 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Plan 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

9.5 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Area Action Plan 2013.

- Bunhill and Clerkenwell Core Strategy Key Area
- Central Activities Zone
- Employment Priority Area (General)
- St. Lukes Conservation Area
- Local Cycle Route

Supplementary Planning Guidance (SPG) / Document (SPD)

9.6 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;
- Accessibility;
- Neighbour Amenity;
- Highways and Transportation Implications;

Context

10.2 The application has been submitted by Islington's New Build and Regeneration Team as part of a wider project to develop affordable housing at the Redbrick Estate located to the east of the application site. As part of the development at the Redbrick Estate (application ref: P2015/0709/FUL) a dentist (Old Street Dental Practice) and Youth Project Centre (Spectrum) at 169-173 Old Street would be demolished. This application seeks to change the use of the existing building and relocate these two units to the application site to enable the wider regeneration scheme to progress.

Land Use

10.3 The site is located within an Employment Priority Area (General) where Core Strategy policy CS13 and Finsbury Local Plan policy BC8 safeguard existing

employment floor space and encourages new employment floorspace (particularly business floorspace) to locate in the CAZ where access to public transport is greatest.

- 10.4 The premises are currently in use as a print centre, which provides professional printing services and therefore constitutes an A2 use. The proposed change of use would introduce 122.7 square metres of dentist floorspace and 445.6 square metres of Youth Project Centre floorspace that would maintain the existing level of employment floorspace at the site. The site is highly accessible with multiple modes of sustainable transport. As such, there would be no loss in business floor space (as defined in the Finsbury Local Plan) and while the submission details a reduction in the number of employees at the site, the level of employment floor space would be maintained, in accordance with policy.
- 10.5 Policy BC8 of the Finsbury Local Plan states that the employment floorspace of a development should not be unfettered commercial floorspace (B1a) but where appropriate must also include retail or leisure uses at ground floor alongside a proportion of non-B1a or business-related floorspace (e.g light industrial, workshops, galleries and exhibition space).
- 10.6 The proposed Youth Project Centre would provide a flexible ground floor space with opportunities for gallery and exhibition use, while it is intended to rent out the basement recording studio commercially. The exhibition/gallery space and commercial use of the recording studio would complement the existing creative industries that are prevalent within the locality, while the dentist would provide a service to the local area.
- 10.7 Policy DM4.12 of the Development Management Policies 2014 sets out that new social infrastructure must be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes, provide accessible and inclusive buildings, provide design and space standard which meet the needs of the intended occupants, are sited to maximize shared use and complement existing uses and the character of the area, and avoid adverse impacts on the amenity of surrounding uses.
- 10.8 The proposed dentist and Youth Project Centre would replace existing services located at the Redbrick Estate on Old Street, 350 metres from their existing location to the east. As such, the proposed uses would continue to be convenient for the communities they serve and are located within a highly accessible area.
- 10.9 Both the dentist and Youth Project Centre have been designed in consultation with the existing occupiers of the units they would replace at the Redbrick Estate and meet the standards of the intended occupants. Furthermore, both units would provide an appropriate level of accessibility.
- 10.10 As previously set out, the Youth Project Centre would provide a flexible space and space available to hire which would encourage the shared use of space. Appropriate controls are detailed within the amenity section below to ensure that the proposal would not detrimentally impact upon the amenity of the surrounding uses.
- 10.11 The proposed dentist and Youth Project Centre would maintain the extent of employment floor space at the site and support the financial and business functions of the CAZ while introducing well designed social infrastructure.

Design

- 10.12 The proposal would replace the existing shopfront onto Old Street and replace brickwork and windows on the Central Street elevation with a pleated shopfront. The site is set on a prominent corner where Old Street and Central Street meet, resulting in both elevations being highly visible within the locality.
- 10.13 The proposed Old Street frontage would replace the existing disproportionate windows, incongruous glazed brick stall riser and excessive fascia sign, introducing traditionally proportioned windows with toplights, a brick stall riser that would better relate to the existing building and a consistency in appearance that would reinforce the horizontality of the building.
- 10.14 The four main windows in the Old Street elevation would serve rooms in the dentist where privacy is required and would therefore be partially obscured. However, to ensure that this façade remains active, it is proposed to apply a fritted film with a gradient that reduces the obscurity of the glazing as it rises up to the clear glazed toplights. Additionally, the entrance leading to an open reception area at the dentist and the entrance to the Youth Project Centre form the corner of the building and would provide an active frontage onto this prominent corner.
- 10.15 The proposed Youth Project Centre frontage onto Central Street would have a pleated footprint set back from the building line with angled tiled panels within the recesses. The pleated design would give the Youth Project Centre a presence onto both Old Street and Central Street with the lightweight window frames ensuring that it remained a secondary frontage. This, together with the use of a consistent material and colour palette would ensure that the two units would have a consistency. Furthermore, the use of angled tiled panels within the recesses would restrict opportunities for anti-social behaviour.
- 10.16 To the rear of the site an existing door would be replaced with a new metal door and aluminium cladding, and a row of high level windows and a louvered opening would also be inserted. These would be constructed in materials to match the proposed shopfront and would be in keeping with the property. Additionally an access ramp would be provided here with a simple lightweight black balustrade.
- 10.17 The existing metal balustrade surround that extends around a flat roof area at the rear of the property would be replaced with a brick parapet surround. The existing metal balustrade detracts from the horizontal emphasis of the building and appears as a low quality addition. The proposed parapet would have brick work to match the existing property, continuing the horizontality of the building and would screen views of the roof top plant machinery.
- 10.18 The plans state that the existing plant machinery on the single storey rear projection would be replaced with the new plant partially screened by the proposed brick parapet. The existing plant detracts from the appearance of the building and as such its replacement with better located plant machinery would be welcomed. As such, a condition is recommended requiring details of the plant machinery to be submitted and approved in writing by the Local Planning Authority.

Accessibility

- 10.19 The Islington Core Strategy (2011) policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard.

10.20 Both the dentist and the Youth Project Centre would have direct access from the corner of the building onto Old Street, with ramped accesses within the premises. Additionally, for out of hours use the rear entrance to the site also has a ramped access. Accessible W.Cs are provided within both units and across both floors in the Youth Project Centre. A Platform lift would provide access to the basement floor of the Youth Project Centre.

Neighbouring Amenity

10.21 The application building is in commercial use and located within a predominantly commercial area. However, to the rear of the site are residential buildings at the Stafford Cripps Estate and along Central Street.

10.22 The Planning Statement sets out that the dentist would operate between 0900 – 1900 hours Monday to Friday, 0900 – 1700 hours Saturdays and not at all on Sundays. The Dentist use is unlikely to result in disturbance and the hours of operation are considered to be acceptable.

10.23 It is proposed to operate the Youth Project Centre between the hours of 0800 – 2200 hours Monday to Sunday, with the centre managed by the Council, which is considered to be acceptable.

10.24 The Draft Management Plan details that outside of these hours of operation and when not in full use, elements of the centre, such as the recording studio and rehearsal room would be available for private hire in order to help fund the centre. The Draft Management Plan and Design and Access Statement set out that outside of normal hours the number of people entering and/or egressing the building would be restricted to a maximum of 20 with the main or rear doors being used. Furthermore, the rooms dedicated to music would be located within the basement and would be soundproofed. The centre and all bookings would be managed by Islington Council with potentially noisy bookings restricted to the soundproofed areas. Any complaints would be handled through the Council's complaints process and reviewed as part of onward decisions.

10.25 Notwithstanding this, the loading/unloading bay and side and rear entrances to the centre are located in close proximity to three residential blocks, Cotswold Court to the rear and Amias House and Anchor House to the east. While it is likely that the use of the soundproofed rooms would have little possibility of disturbance, the delivery and loading/unloading of equipment and movements of users in and out of the building on a 24 hour, 7 day a week basis would result in unacceptable disturbance to neighbouring residential occupiers.

10.26 However, it is considered that a limited later operation of the premises could be successfully managed. In line with Licensing Policy whereby applicants can apply for 12 Temporary Events Notices in a year, it is recommended that the hours of operation be extended to midnight for one day per calendar month. This would ensure that following the implementation of the proposal and a suitable period of operation, a fully informed decision could be made on the acceptability of any future application to extend the hours of operation.

10.27 With the exception of the hours of operation, as set out above the measures within the Draft Management Plan are considered to be appropriate.

- 10.28 The proposal details the replacement of the existing first floor mechanical plant. A condition is recommended ensuring any noise emissions from this are at an acceptable level.

Highways and Transportation

- 10.29 The site has a PTAL rating of 6a, which is 'Excellent' with Barbican and Old Street stations in close proximity, numerous bus routes in the area and a number of TfL cycle hire points close by on Goswell Road, Berry Street and Golden Lanes. The site is therefore highly accessible by public modes of transport.
- 10.30 With regard to cycle parking, the proposed use would require the provision of 1 cycle space per 3 members of staff (for staff and visitors), equating to a total of 4 cycle parking spaces. The only external space at the site is formed of a servicing area which is required to be kept free and the internal areas have been designed to maximise the useable area. As such, on-site provision of cycle parking is not possible in this case.
- 10.31 It is noted by the Highways Department that there are no proposed schemes for public cycle parking within the vicinity of the site and the provision of two cycle stands along this part of Old Street and Central Street would not be possible. As such, a contribution towards the provision of publicly accessible cycle parking is considered to be unreasonable in this case. Although there would be a shortfall in cycle parking provision at the site, the site is highly accessible and is adequately served by sustainable modes of public transport with site users who arrive via bicycle able to use a publicly accessible cycle space to the west of the site.
- 10.32 The submission details all delivery and servicing to be carried out from the existing off-street servicing bay to the rear of the site. With regard to refuse and recycling, the Dentist, which requires clinical waste removal, has an internal storage area available for refuse storage and would make its own special arrangements for servicing. The Youth Project Centre would have a daily bag collection from Old Street, which has been agreed by the Council's Refuse and Recycling Team.

National Planning Policy Framework and National Planning Policy Guidance

- 10.33 The scheme is considered to accord with the aims of the NPPF and NPPG, promoting sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF and NPPG require local planning authorities to require good design from new development to achieve good planning.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The application proposes the change of use of a ground floor and basement print company (A2 use) to a Dentist and Youth Project Centre (both D1), and the replacement and insertion of shopfronts.
- 11.2 The dentist and Youth Project Centre would maintain the extent of employment floor space at the site and support the financial and business functions of the CAZ while introducing well designed social infrastructure.
- 11.3 The proposed shopfronts would introduce traditional proportions to the building, reinforce the horizontality and introduce a consistency to the ground floor elevation.

Conditions are proposed to ensure that the hours of operation and use of the site would not lead to disturbance to neighbouring occupiers.

- 11.4 The proposed premises would be accessible and adequate servicing provision is proposed. Although there is no available space for on or off-site cycle parking provision the site is adequately served by sustainable modes of public transport with site users who arrive via bicycle able to use a publicly accessible cycle space to the west of the site.
- 11.5 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>3179-D-001 Rev P2, 3179-D-002 Rev P1, 3179-D-003 Rev P1, 3179-D-004 Rev P1, 3179-D-005 Rev P1, 3179-D-006 Rev P1, 3179-D-007 Rev P1, 3179-D-010 Rev P1, 3179-D-011 Rev P2, 3179-D-012 Rev P1, 3179-D-020 Rev P1, 3179-D-021 Rev P2, 3179-D-022 Rev P2, 3179-D-030 Rev P1, 3179-D-031 Rev P1, Draft Management Plan, Planning Statement (Ref: RED-SPECTRUM) and Design and Access Statement (March 2015).</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	Use of the building (Compliance)
	<p>CONDITION: The Dentist and Youth Project Centre hereby approved shall not be operated within any other use falling within the D1 use class unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that there is adequate provision of community space at the site</p>
4	Materials (Compliance)
	<p>CONDITION: Details and/or samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the development. The details and samples shall include but not be limited to the following:</p> <p>a) Facing Brickwork(s) b) Aluminium Cladding c) Glazing (including fritted obscure glazing) d) Raked ceramic tile e) any other materials to be used.</p> <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: To ensure that the resulting appearance and construction of the development is of a high standard.</p>

5	Hours of Use (Compliance)
	<p>CONDITION: Notwithstanding the hours of operation set out in the Draft Management Plan, the uses hereby approved shall only operate during the hours set out below:</p> <p>Dentist Use:</p> <ul style="list-style-type: none"> - 09:00 – 19:00 hours Monday to Friday; - 09:00 – 17:00 hours Saturdays; and - Not at all on Sundays. <p>Youth Project Centre use:</p> <ul style="list-style-type: none"> - 08:00 – 22:00 hours Monday to Sunday; and - 08:00 – 24:00 hours on one day per calendar month. <p>REASON: In the interests of protecting residential amenity.</p>
6	Management Plan (Compliance)
	<p>CONDITION: With the exception of the hours of operation, the Youth Project Centre shall be operated in accordance with the details of the Draft Management Plan hereby approved, unless otherwise agreed in writing.</p> <p>REASON: To ensure the sustainable management of the Youth Project Centre.</p>
7	Roof Plant (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
8	Soundproofing (Details)
	<p>CONDITION: Full particulars and details of a scheme for sound insulation and noise control measures for the proposed basement and ground floor Youth Project Centre use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the Youth Project Centre hereby approved. The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
9	Root Top Plant Machinery (Details)
	<p>CONDITION: Details and plans of the roof-top plant machinery shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the Authority may be satisfied that any roof-top plant does not have a harmful impact on the character and appearance of the building and</p>

	conservation area.
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List of Informatives:

1	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), if planning consent is granted for this application following an appeal, this development will be liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and Mayor of London Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London CIL Charging Schedule 2012.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the Planning Policy Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
2	<p>Working in a Positive and Proactive Way</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through 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>

APPENDIX 2: RELEVANT POLICIES

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

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.

Development Plan

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

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

2 London's places

Policy 2.10 Central Activities Zone – Strategic Priorities

Policy 2.11 Central Activities Zone – Strategic Functions

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.16 Protection and enhancement of social infrastructure

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 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

4 London's economy

Policy 4.1 Developing London's economy

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.3 Sustainable design and construction

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Policy CS10 (Sustainable Design)

Policy CS13 (Employment Spaces)

Policy CS8 (Enhancing Islington's Character)

Policy CS14 (Retail and Services)

Strategic Policies

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

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Energy and environmental standards

DM7.1 Sustainable design and construction statements

DM7.4 Sustainable design standards

Housing

DM3.7 Noise and vibration (residential uses)

Transport

DM8.2 Managing transport impacts

DM8.4 Walking and cycling

Shops, Culture and Services

DM4.8 Shopfronts

DM4.12 Social and strategic infrastructure and cultural facilities

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

C) Finsbury Local Plan 2013

BC8 Achieving a balanced mix of uses

Designations

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

- Bunhill and Clerkenwell Core Strategy Key Area
- Central Activities Zone
- Employment Priority Area (General)
- St. Lukes Conservation Area
- Local Cycle Route

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

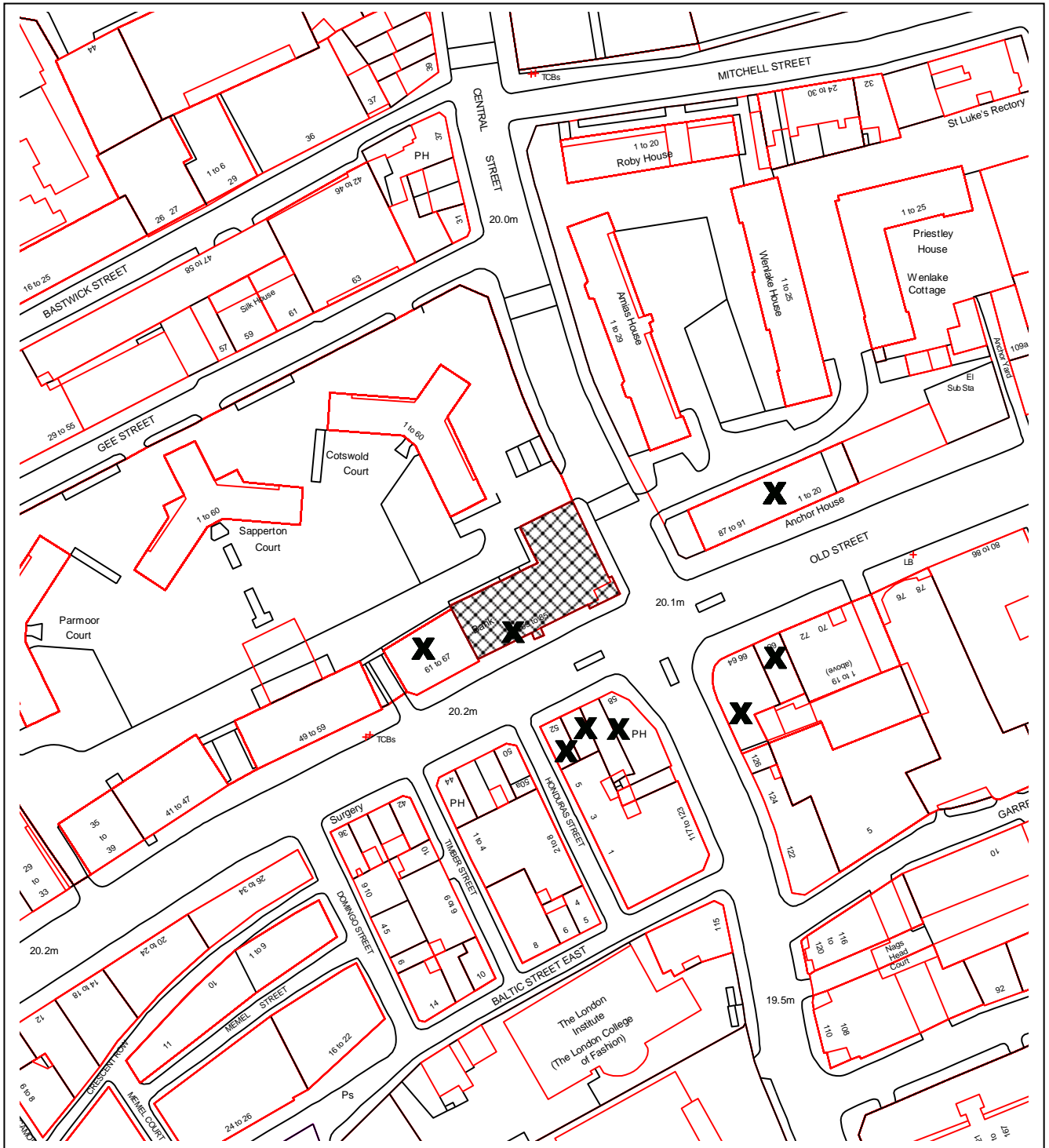
Islington Local Plan

- Environmental Design
- Urban Design Guide
- Shopfront Design Guide

London Plan

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

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PLANNING COMMITTEE REPORT

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

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:
Date:	29 th June 2015	NON-EXEMPT

Application number	P2015/0697/FUL
Application type	Full Planning
Ward	Mildmay
Listed building	No
Conservation area	Yes
Development Plan Context	Newington Green Conservation Area
Licensing Implications	None
Site Address	Newington Green Primary School, 105 Matthias Road, London N16 8NP
Proposal	Construction of a canopy to the western elevation of the school building of the nursery classrooms to provide a covered play space.

Case Officer	Krystyna Williams
Applicant	Islington Council – Mr Lee Griffiths
Agent	N/A

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Aerial photograph showing the western elevation of the main school building where the proposed canopy will be located.

4. Summary

- 4.1 Planning permission is sought for the construction of a canopy to the western elevation of the school building of the nursery classrooms to provide a covered play space. The canopy would afford protection to a covered play area and therefore provide better quality play space for young children.
- 4.2 The application is brought to committee because it is a Council-own development.
- 4.3 The proposed new structure will neither harm the appearance, character and setting of Newington Green Primary School nor the wider street scene, nor will it materially affect the amenity of adjacent residents.
- 4.4 It is recommended that planning permission be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The application site comprises a part two-storey, part one-storey main school building. The site is located to the east of Newington Green, with pedestrian access to the site from Matthias Road to the north and vehicular access via Matthias Road and Mildmay Road, via Auriga Mews.
- 5.2 The application site is not listed but part of the site is located within the Newington Green Conservation Area. The surrounding area is mixed in character and use.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for the construction of a canopy to the western elevation of the school building of the nursery classrooms to provide a covered play space.
- 6.2 The proposed canopy will be located above existing ground floor windows and doors and will measure 29.5m in length by 4m in depth at northern section and 5.2m at the southernmost section.
- 6.3 The siting of the canopy is not visible from the surrounding streetscene.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P2014/2448/FUL** - Siting of one storage container within the enclosed bin area of the school grounds to provide additional storage for the school. Approved at Planning Sub-Committee A on 03/12/2014.
- 7.2 **P2013/3174/FUL** - Change of use of school playground (D1 use class) to weekly Sunday market (A1 use class). Approved 29/11/2013.

- 7.3 **P2013/2368/FUL** – Refurbishment and alterations to main School building (Block A) including construction of entrance canopy, replacement windows and doors, insulation and re-cladding works to walls and roofing, and associated works. Approved 02/09/2013.
- 7.4 **P042110** - Approval of details pursuant to condition 4 (method statement) of planning permission ref. P040910 dated 13/07/2004. Approved: 09/09/2004.
- 7.5 **P040910** - Installation of boundary fencing and gates and creation of 6 car parking spaces and refurbishment/redesign of existing garden/play area. Approved: 13/07/2004.
- 7.6 **P031493** - Installation of new boundary fencing (4 metres high). Approved: 16/09/2003.
- 7.7 **901329** – Erection of boundary wall. Approved: 23/04/1991.
- 7.8 **880918** – Improvements to existing East Boundary and part of North Boundary to Matthias Road. Withdrawn: 08/09/1988.
- 7.9 **880685** – Installation of 4m welded mesh perimeter fencing. Approved: 12/09/1988.

ENFORCEMENT:

- 7.10 None

PRE-APPLICATION ADVICE:

- 7.11 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 132 adjoining and nearby properties at Matthias Road, Woodville Road, Mildmay Road, Newington Green, and Auriga Mews.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 18th May 2015 however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 No objections have been received from the public with regard to the application.

Internal Consultees

- 8.4 **Education:** No comment.
- 8.5 **Parks & Open Space / Tree Preservation:** No comment.

8.6 **Access and Inclusive Design:** No comment.
External Consultees

8.7 **GLAAS:** No Need to Consult GLAAS.

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, The 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, and Site Allocations 2013:

- Newington Green Conservation 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:

- Design and appearance and impacts on Newington Green School building and surrounding conservation area;
- Impact on amenity of neighbours.

Design and Appearance

- 10.2 The application site relates to Newington Green Primary School, an irregular shaped site with pedestrian access to the site from Matthias Road to the north and vehicular access via Matthias Road and Mildmay Road, via Auriga Mews.
- 10.3 The application seeks planning permission for the construction of a canopy to the western elevation of the school building of the nursery classrooms to provide a covered play space. The canopy would afford protection to a covered play area and therefore provide better quality play space for young children.
- 10.4 The proposed canopy would be located above the existing ground floor west facing windows and doors and will measure 29.5m in length by 4m in depth at northern section and 5.2m at the southernmost section.
- 10.5 The canopy will comprise a lightweight appearance of glass reinforced plastic (GRP) roof sheets. Glass reinforced plastic is a composite material made of plastic reinforced by fine fibres made of glass. The proposed panels will allow 90% light transmission whilst the UV filter blocks all UV radiation. Whilst allowing plenty of light through, the panels also cast plenty of shade and reflect the heat and glare of the sun.
- 10.6 The proposed works are considered minor and would not result in any harm to the host building, surrounding area or Newington Green Conservation Area in accordance with policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.

Neighbouring Amenity

- 10.7 The Council seeks to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise. The proposed canopy will be located above existing west facing windows and doors on the main school building. The canopy is located within the school site and does not have any impact on nearby residents.
- 10.8 There have been no objections to the proposed development. The proposal is considered not to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington Development Management Policies June 2013.

11.0 SUMMARY AND CONCLUSION

Summary

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

Conclusion

- 11.2 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan 1301 PL(2-)00 rev A; 1301 DL(2-)01 rev P02, External Canopy – Elevation_Rev.A; External Canopy – Site Plan_Rev.A.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted in part 9 of the application form. 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>

List of Informatives:

1	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. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. 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>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

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

A) The London Plan 2015 - Spatial Development Strategy for Greater London

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.18 Education facilities

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 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

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)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

Energy and Environmental Standards

DM7.4 Sustainable design standards

DM2.2 Inclusive Design
DM2.3 Heritage

5. Designations

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

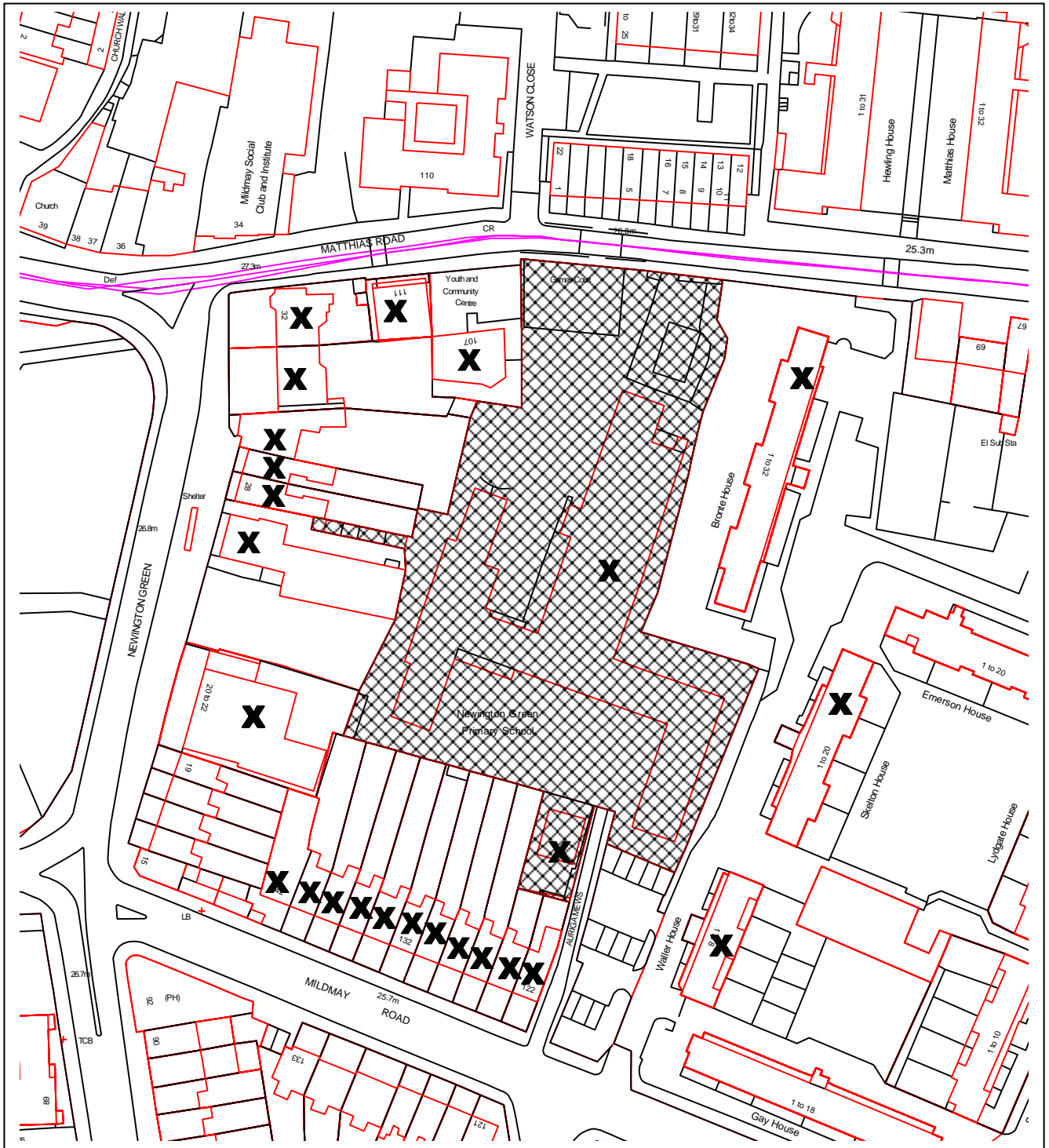
- **Newington Green Conservation Area**

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

The following SPGs and/or SPDs are relevant:

- | | |
|---|--|
| Islington Local Development Plan | London Plan |
| - Conservation Area Design Guidelines (2002) | - Sustainable Design & Construction |
| - Urban Design Guide (2006) | |

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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE B		
Date:	29 th June 2015	Non-Exempt

Application number	P2015/1251/FUL
Application type	Full Planning Application
Ward	Tollington
Listed building	unlisted
Conservation area	Not in a conservation area
Development Plan Context	iCycle Routes (local)
Licensing Implications	None
Site Address	St Mark's Primary School, 175 Sussex Way, London N19 4JF
Proposal	Demolition of the existing nursery building and construction of a single storey Early years Unit with associated works including canopies and a replacement boundary fence at St Mark's Primary School

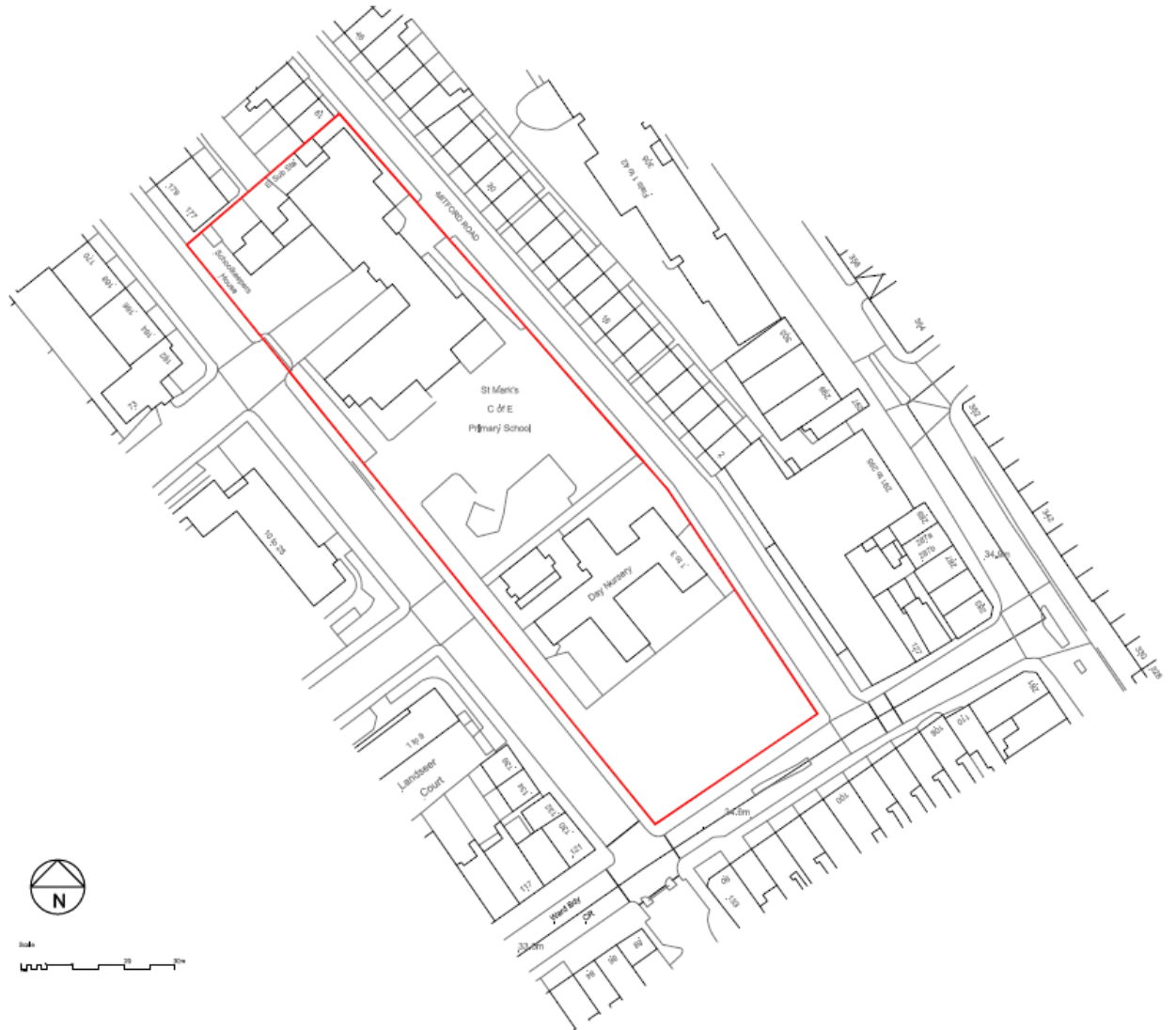
Case Officer	Clare Preece
Applicant	London Diocesan Board for Schools
Agent	Loxton and Associates

1. RECOMMENDATION

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

1. Subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

Application site



Image 1: Aerial photo



Image 2: View from Sussex Road



Image 3: View from Mitford Road



Image 4: View from Tollington Way



Image 5: View from Tollington Way

4. SUMMARY

- 4.1 The proposal is to replace the existing nursery school building with a new single storey Early years Unit with associated works including canopies and a new boundary fence at St Marks primary school
- 4.2 The proposed building with associated alterations would not detract from the character and appearance of the school and the surrounding area and would not detrimentally impact upon neighbour amenity.
- 4.3 The application is therefore recommended for approval.

5. SITE AND SURROUNDING

- 5.1 The application site is located between Mitford Road and Sussex Way and is part of St Marks Primary School.
- 5.2 The main pedestrian access is from Mitford Road but there is a subsidiary access from Sussex Way. The existing access gate in the north west corner of the site will be retained and an additional pedestrian gate is proposed further south along Mitford road, opposite the building entrance. This new gate will be only used by parents of the 2 year old children attending the school.
- 5.3 The site is not located within a Conservation Area, nor is the property statutorily listed.
- 5.4 The surrounding area is residential in character. Mitford Road consists of two storey dwelling directly opposite the school and a recently developed apartment block close to the junction with Tollington Way. Sussex Way is lined with four storey apartment blocks and two and three storey houses and maisonettes.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposed development involves the demolition of the existing day nursery and the replacement with a new purpose built Early Years Foundation stage unit. The proposed footprint of the building will be 330m² (existing foot print 404m²).
- 6.2 The facility will include:
- Three classrooms, one each for two year old children, nursery children and reception
 - A group room
 - Office space and storage
 - Pupil's cloak area
 - Storage
 - Toilets
 - Staff toilets
 - A kitchen

- Covered external teaching areas
- Play areas to the north and south

- 6.3 The building will be single storey in a 'T' shape with canopies on the northern and southern sides. The remainder of the area around the footprint will be used for playgrounds and all existing trees will be retained.
- 6.4 The proposed materials will include NORclad for the external wall cladding which is a European redwood, dark grey powder coated pressed metal for fascias, eaves and windows and firestone EPDM single ply membrane for the roof covering. Samples of these materials have been submitted for approval with the application.
- 6.5 The remainder of the school site and the all-weather pitch will remain unchanged.
- 6.6 The existing access gate in the north west corner of the site will be retained and an additional pedestrian gate is proposed further south along Mitford road, opposite the building entrance. This new gate will be only used by parents of the 2 year old children attending the school.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 P111366: refurbishment of existing playground, including creation of artificial grass pitch, replacement of boundary fences, installation of floodlights. Approved 13th October 2014.

ENFORCEMENT:

- 7.2 None

PRE-APPLICATION ADVICE:

- 7.3 No history

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on 23rd April 2015. The public consultation of the application therefore expired on 15th 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 three responses 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):

- No public consultation has taken place – breach of planning process (10.25)
- Elevations are disappointing (10.4-10.9)
- Flat roof should have been a biodiversity roof and the existing gardens could be extended with some imagination (10.15 – 10.21)
- The cross road adjacent could do with pedestrianisation – can S106 funding be used (10.26)
- Construction hours should be limited on the weekend to between 8am and 1pm on a Saturday and Sunday (10.27)

External Consultees

8.3 None

Internal Consultees

8.4 **Design and Conservation** – no objection in principle. Further information is required in relation to the polycarbonate roof. Samples submitted are satisfactory.

8.5 **Sustainability officer** – no objections in principle subject to a condition regarding a green roof and a landscape and drainage strategy.

8.6 **Tree Preservation / Landscape Officer** - no objection in principle subject to informative requiring an invitation to attend arboricultural supervision at key stages of development.

8.7 **Education officer** – no comments received

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. 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. 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

- **iCycle routes**

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:

- Principle (Land Use)
- Design
- Neighbouring amenity
- Sustainability
- Highways and transportation
- Other matters

Land-use

- 10.2 The Mitford Centre, the building to be replaced, was previously a nursery school. It will now be part of St Mark's Primary School and the new building will accommodate the youngest pupils attending the nursery and nine 2 year old children attending in the morning and nine in the afternoon. The land use will therefore remain the same as existing and the principle of the development is considered acceptable. The proposal will improve the general quality of the school and nursery building, providing better educational facilities. It will also allow for children from 2 – 11 to be educated in a mainstream setting.
- 10.3 The applicants agent has indicated that overall it is not expected that the number of children attending the school will be more than previously on the combined site. The new building will therefore not facilitate the intensification of the site and the building will be smaller in footprint than the existing.

Design

- 10.4 The building is considered to be acceptable in terms of size. The shape of the building will be a 'T' shape with canopies on the northern and southern sides. Its position will be located closer to the all weather pitch, however the footprint of the building will be reduced. The proposed building footprint will be 330sqm, rather than the existing 404sqm. The remainder of the existing area around the building will be laid out to playgrounds, with the existing trees retained. A landscaping plan has been submitted and discussed in the section below.
- 10.5 The building is modest in height with the maximum height being 4.5m with various shallow mono pitched roofs. The lowest eaves level will be located on the south side to respect the two storey residential properties in Mitford Street and the higher eaves line on the northern side reflects the apartment blocks to the north and east. The design will be contemporary and will include timber boarding, polycarbonate roofing to the canopies and powder coated steel fascias.
- 10.6 Samples have been submitted as part of the application. The majority of the materials were considered acceptable by the design officer but the proposed fascia material was queried and it was requested that the fascia and eaves should be powder coated pressed metal of colour Dark grey to match the windows. This has been confirmed by the architect as acceptable. The norclad material proposed for the wall cladding is a European redwood also known as Scots pine and is a real wood not a composite material. It holds its colour longer than similar products and will enrich overtime. Little or no maintenance is required.
- 10.7 Concern was also raised from the design officer in relation to the proposed polycarbonate canopy roof covering. A photograph has subsequently been submitted of a building recently completed with the same roof specification. The polycarbonate canopy is a lightweight structure which provides shelter for the children to play outside in all weathers but still allows light into the windows below.
- 10.8 Given the main canopies are largely internalised within the site, have a limited public view and are required to provide shading for the children, the proposed polycarbonate material is considered to be acceptable. As stated above they will be a lightweight material which will not increase the overall bulk of the building.
- 10.9 Accordingly, there would be no conflict with policies CS8 and CS9 of the Islington Core Strategy, policy DM2.1 of the Development Management Policies and guidance contained within the Islington Urban Design Guide.

Landscaping and Trees

- 10.10 The arboricultural report submitted with the application is sufficient to manage the arboricultural impacts from development and all the trees on site are to be protected and retained.

10.11 The report provides methodologies which will need to be adhered to and highlights the need for further root investigation and arboricultural supervision at key stages of development. A pre commencement meeting request with Council's tree officer will be added as an informative to the decision.

Neighbouring Amenity

- 10.12 The proposed new building will be reduced in footprint from 404m² to 330m² and will essentially be shifted between 3 and 5m towards the all weather football pitch. There is already an existing nursery building in place and it is not expected that the number of children attending the school will be more than previously on the combined site.
- 10.13 The nearest neighbouring properties will be in Mitford Street and as stated above, the building has been designed with the lowest eaves level on this elevation. It is not considered that there will be any adverse impacts upon the amenities of the surrounding residents.
- 10.14 In addition the existing access gate in the north west corner of the site will be retained and an additional pedestrian gate is proposed further south along Mitford road, opposite the building entrance. This new gate will be only used by parents of the 2 year old children attending the school.

Sustainability

- 10.15 Detailed plans and details have been submitted in response to Council's sustainability officer comments regarding the feasibility of a green roof and a landscaping scheme and drainage strategy for a sustainable urban drainage system. In conjunction with the contractors, MPH Building Systems who have been engaged to design and construct the building, the applicant's agent has submitted further information in relation to this requirement
- 10.16 The information submitted indicates that a green/brown roof has been considered but would not be feasible on the proposed building design. They have stated that the proposed structure has been designed to support all the standard live and dead loads, but has not been designed to support the saturated weight of a lining roof. The addition of a green or brown roof would have a profound effect on the design principles adopted in their current design. The weight of a lining roof would vary dramatically depending on the species of plant and the thickness of the filtration layers.
- 10.17 Additionally as the building is a nursery, there is limited financial means which must be expanded to the benefit of the education of children. The addition of a green/brown roof would add significantly to the capital cost of the building and importantly add to the annual maintenance costs of the building. The introduction of a green/brown roof would involve significant re-design of the standard system which would add significant delays to the works.
- 10.18 In relation to a landscape and sustainable drainage system, the applicant has stated that the site area of the school is required to be predominately play

space, so opportunities to provide soft landscaped areas is limited. There are however existing areas of soft landscaping which will be enhanced.

- 10.19 Landscape drawings have been submitted by a landscape architect showing a detailed landscaping scheme for the areas of planting around the building which will significantly increase the biodiversity on the site. This will include native planting strategy to strengthen the wider landscape character, contribute to local biodiversity and encourage wildlife penetration of the site, a wide variety of plant species is proposed ensuring a good habitat and wide range of food to suit all fauna including birds, bees, butterflies, bats a, bugs and insects, a pond, dead woodpile, bird boxes, maintaining sustainable gardening. In addition this scheme would promote a sustainable biodiverse landscape which will be accessible as an educational resource
- 10.20 In terms of a sustainable drainage system, the rainwater from the roof and paved surface areas around the existing building discharge into the combined public sewers via the existing on site drainage system. A plan has been submitted which shows the introduction of two soakaways designed to meet the recommendations/requirements set out in Part H of the Building regulations. The sustainable drainage system will result in 100% of the rainwater from the roof of the new building and the surrounding paved areas discharging into the soakaways rainwater will no longer discharge to the public sewer system.
- 10.21 On balance, the landscape and biodiversity choice of measures as outlined in paragraph 10.18 – 10.21 are considered sufficient in this instance given the scale and nature of the development and therefore complies with policy DM7.1 of the development management Policies 2013.

Highways and Transportation

- 10.22 The applicant states that the new building is not expected to increase the number of children accommodated on the site overall and the existing travel arrangements will continue to operate. As shown on the site plan, the existing access gate in the north west corner of the site will be retained and an additional pedestrian gate is proposed further south along Mitford road, opposite the building entrance, This new gate will be only used by parents of the 2 year old children attending the school.
- 10.23 The school has an existing travel plan which will continue to be reviewed and enhanced. No car parking spaces are available on site and this will remain the same. No objection has been raised by the School Travel Plan officer

Other Matters

- 10.24 In terms of issues raised by representations that have not been addressed in the report, these are addressed below
- 10.25 In relation to comments regarding consultation, the applicants are not obligated to consult prior to submitting a planning application. The Council are

required to consult all adjoining properties which has been carried out and therefore there is no breach of the statutory planning process.

10.26 In relation to the pedestrianisation of the cross road, this application does not require a S106 and therefore cannot be requested as part of this application.

10.27 The applicants will need to adhere to the construction code of practice. If this is breached it should be reported and investigated. A condition has been attached to ensure that the applicant adheres to the Council's

11. SUMMARY AND CONCLUSION

Summary

11.1 The proposal is considered to be acceptable in terms of design and appearance and will not impact upon the amenities of the neighbouring properties.

Conclusion

11.2 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>L1152/2.4/01;E10269-05 L1152/2.3/11; L1152/2.3/12; E10269-03G; E10269-04E; E10269-06C; E10269-07C; E10269-08C; E10269-09; Design and Access statement by Loxton Associates; Arboricultural Assessment by ACS consulting dated 23rd March 2015; Supporting statement prepared by Loxton and Associates datd 5th June 2015; Landcape plans 1/3;2/3;3/3 prepared by Randa Hughes dated 3rd June 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>
3	Materials
	<p>CONDITION: The following material samples submitted hereby approved shall be maintained as such thereafter:</p> <p>1 External Wall cladding – Timber boarding – Norclad Scandinavian Redwood;</p> <p>2 Fascais, eaves and windows - powder coated pressed metal of colour BS18B25 Dark Grey;</p> <p>3 roof covering – Firestone EPDM single ply membrane</p> <p>REASON: To ensure that the appearance of the building is acceptable</p>

List of Informatives:

1	Trees
	The tree officer expects to be invited to the pre-commencement meeting (6.2),

	see the results of the root assessment(3.8) and be copied into the site supervision reports (6.4) in line with the recommendations made in the approved Arboricultural Implications Assessment and Method Statement (ref aiams2/stmarks).
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	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> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>

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

3 London's people

Policy 3.18 Education facilities

5 London's response to climate change

Policy 5.3 Sustainable design and construction

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

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)

C) Development Management Policies June 2013

DM2.1 Design

DM2.2 Inclusive Design

DM7.1 Sustainable design and construction

4. Planning Advice Note/Planning Brief

None

5. 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:

- 1 cycle routes (local)

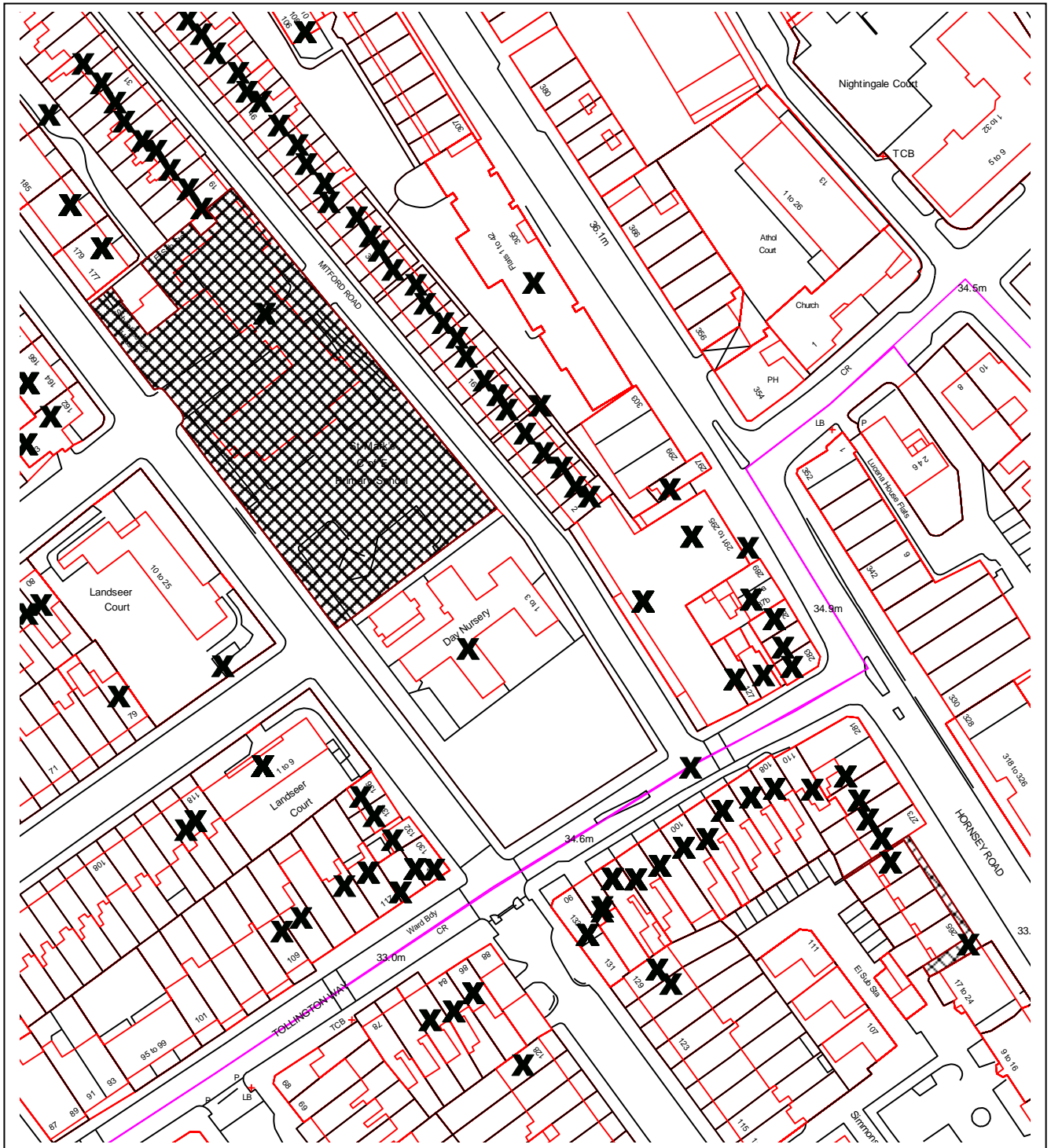
7. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Urban Design Guide

Islington SE GIS Print Template



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