



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, **17 December 2015 at 7.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
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Despatched : 9 December 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

Wards

Substitute Members

Councillor Klute (Chair)	- St Peter's;	Councillor Chowdhury	- Barnsbury;
Councillor Nicholls (Vice-Chair)	- Junction;	Councillor Diner	- Canonbury;
Councillor Convery	- Caledonian;	Councillor Fletcher	- St George's;
Councillor Donovan	- Clerkenwell;	Councillor Kay	- Mildmay;
Councillor Picknell	- St Mary's;	Councillor Khan	- Bunhill;
(subject to appointment at Planning Committee on the 10/12/15)		Councillor A Perry	- St Peter's;
		Councillor Poyser	- Hillrise;
		Councillor Spall	- Hillrise;
		Councillor Wayne	- 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.	Order of Business	
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4.	37 Arlington Square, N1 7DP	47 - 60
5.	627-635 Holloway Road, N19 5SS	61 - 78

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, 25 January 2016

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 - 24 November 2015

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 24 November 2015 at 7.30 pm.

Present: **Councillors:** Paul Convery, Alice Donovan, Martin Klute, Tim Nicholls and Angela Picknell.

Councillor Martin Klute in the Chair

153 **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.

154 **APOLOGIES FOR ABSENCE (Item A2)**

None.

155 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

Councillor Picknell substituted for Councillor Gantly.

156 **DECLARATIONS OF INTEREST (Item A4)**

None.

157 **MINUTES OF PREVIOUS MEETING (Item A5)**

That the minutes of the meeting held on the 8 October 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

158 **ORDER OF BUSINESS (Item A6)**

The order of business was as set out in the agenda.

159 **1-2A HERMES STREET AND 116-118 PENTONVILLE ROAD, N1 9JD (Item B1)**

Expansion of basement area for B1 office space, alterations to existing ground floor office (B1) floor space, demolition of two buildings within the site, conversion of second floor office floor space to residential (C3), erection of new two storey building and construction of single storey extensions at first, third and fourth floor level to accommodate an additional six (6) residential units with associated amenity, cycle parking, waste storage and photovoltaic panels. (P2014/4558/FUL)

The officer set out the following amendments to the report:-

- a) That Plan 1315-PL200-B be deleted from condition 2;
- b) Conditions 6 and 11 to read:- Prior to 'superstructure' works with the deletion of the word commencement;
- c) Condition 8 to read BREEAM (refurbishment) 2014 and not 2008.
- d) Condition 10 be amended to include obscure glazing and/or suitable louvre system with full details submitted to and approved in writing by the planning authority prior to superstructure works;
- e) Paragraph 10.46 of the report to read Flat 4 and not Flat 5.

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In the discussion the following points were made:-

- The concern regarding the number and use for the refuse storage bins indicated on the plan.
- It was noted that all of the windows on the west facing elevation for Hill House were included in the daylight sunlight report and found to be within BRE guidelines.
- The daylight in the basement was compliant for office use and it was noted that the darkest areas would be used for storage.
- It was noted that there was a condition that solid brickwork would be used.

Councillor Convery proposed a motion regarding the use of the refuse bins which was seconded by Councillor Klute and carried.

RESOLVED that planning permission be granted subject to the conditions detailed and to include amendments above, informatives, the inclusion of a condition to ensure that bins were used for refuse only and the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1980 securing the Heads of Terms as set out in the report.

160 **55 CARLETON ROAD, N7 0ET (Item B2)**

Erection of sedum clad office pod in rear garden. (P2015/2288/FUL)

The planning officer informed the Sub-Committee of the following amendment to informative 3:- Construction to replace the word development and the hours of construction would be until 6pm weekdays and not 5pm as stated.

In the discussion the following points were made:-

- The rear of the garden was at an elevated level to the ground level of the main buildings, which would further emphasise the scale of the proposed building.
- The site was in the Tufnell Park conservation area.
- The Sub-Committee were not opposed in principle to the addition of outbuildings in gardens.
- Concern was raised regarding the height and depth of the proposal, especially in relation to the claimed proposed use of the building as a 'home office'.

Councillor Convery proposed a motion to refuse the application which was seconded by Councillor Klute and carried.

RESOLVED that planning permission be refused for reasons of scale and massing, the final wording to be delegated to officers and agreed in consultation with the Chair.

161 **CHADWELL STREET CAR PARK, CHADWELL STREET EC1R 1XD (Item B3)**

Redevelopment of land to the south of Chadwell Street (vacant car park) to provide seven new houses together with associated access, amenity space and landscaping arrangements (FUL). Listed Building Consent for the removal of the front boundary treatment (onto Chadwell Street) comprising dwarf wall and brick pillars (LBC). (P2015/2406/FUL and P2015/2398/LBC)

In the discussion the following points were made:-

- The Sub-Committee noted the reason for refusal at the last meeting of Planning Sub-Committee B on the 8 October 2015 and were asked to review the second reason for refusal regarding gated development.
- The gates to the development were not used as a reason for refusal for a previous application and at appeal were not considered by the Inspector.

Planning Sub Committee B - 24 November 2015

- The site currently had gate access and officers considered that the provision of gates would not be contrary to planning policy.
- The Development Management policy stated that gated development was generally unacceptable, other than for backland developments where there was no possibility of creating a through route.
- The Chair considered that a refusal on the grounds of gated development would be against policy.
- The Sub-Committee were asked to agree the reasons for refusal for the listed building consent as detailed in the report.

RESOLVED that

- a) The reason for refusal for the full application be amended to be on a design basis only and to read as follows:- The proposed dwellings 2-6 to the rear part of the site, by reason of the complex plan-form, design siting and form would appear to be an incongruous addition to the townscape out of keeping with the character and appearance of the New River Head conservation area and having a harmful material impact upon the setting of the adjacent listed buildings. As such the proposal would be contrary to policies CW8 and CS9 of the Islington Core Strategy (2011), policies DM2.1 and DM2.3 of the Islington Development Management Policies (2013), the Conservation Area Design Guidelines (2002) and the Islington Urban Design Guide (2006).
- b) The listed building consent be refused for the following reason :- In the absence of any approved plans to redevelop the site, the removal of the listed dwarf wall and brick pillars will be harmful to the setting of the listed buildings. This is contrary to policies CS8 and CS9 of the Adopted Islington Core Strategy (2011) and policy DM2.3 of the Adopted Development Management Policies 2013.

162

FLAT B, 60 BEVERSBROOK ROAD, N19 4QH (Item B4)

Creation of a rear roof terrace on existing flat roof area at 2nd floor level through the installation of decking set in by 0.4m from side elevation and 2.8 metres from the rear elevation. Lowering of existing window sill and installation of access door and installation of a 1.6m high opaque glazed privacy screen and a 1.1m glazed screen. (P2015/2343/FUL)

In the discussion the following points were made:-

- Following a visit by the enforcement team, no further work to the terrace had been undertaken and the applicant had acted on all advice given by officers.
- Revisions had been made to the original application to reposition and reduce the height of the screen in response to concerns regarding the visual impact of the screen.
- It was considered that the privacy screen would prevent an unacceptable increase in overlooking to the neighbour.
- It was considered that planting could address the amplification of noise on the terrace.
- Weekend working was not considered appropriate when works were situated close to neighbouring bedrooms.

Councillor Klute proposed an amendment to condition 5 to require all timber decking to be removed outside the permitted screen area and proposed an additional condition to ensure no lighting on the terrace, which was seconded by Councillor Nicholls and carried.

Councillor Nicholls proposed an additional condition that there be planting up to a height of 1.6 m high on the side screen and an additional condition that work be construction work be limited to the hours of 9am - 5pm on weekdays only, which was seconded by Councillor Klute and carried.

RESOLVED that planning permission be granted subject to the conditions and informatives detailed in the report and the amendment/addition of the conditions detailed above, the final wording delegated to officers in consultation with the Chair.

163 **LAND AT SPA GREEN ESTATE, ST JOHN STREET, EC1R 4TT (Item B5)**

Alterations to existing multi use games area including resurfacing of games area, provision of new 3.57 metre fencing to outside of games area, alteration of the layout of games area, provision of new entrance into the games area and associated landscaping works (Council's Own application) (P2015/3194/FUL)

RESOLVED that planning permission be granted subject to the conditions, informative and a Director's Level Service Agreement securing the Heads of Terms as set out in the report.

164 **PLAYGROUND BETWEEN 92 AND 94 BRIDE STREET, N7 (Item B6)**

Refurbishment of pitch to include artificial turf pitch plus new entrance with ramp, cycle stands, associated fencing, lighting and renewal of safety surfaces to playground area. (P2015/3442/FUL)

RESOLVED that planning permission be granted subject to the conditions, informative and the completion of a Director's Service Level Agreement securing the Heads of Terms as set out in the report.

The meeting ended at 9.15 pm

CHAIR

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: 17 th December 2015	

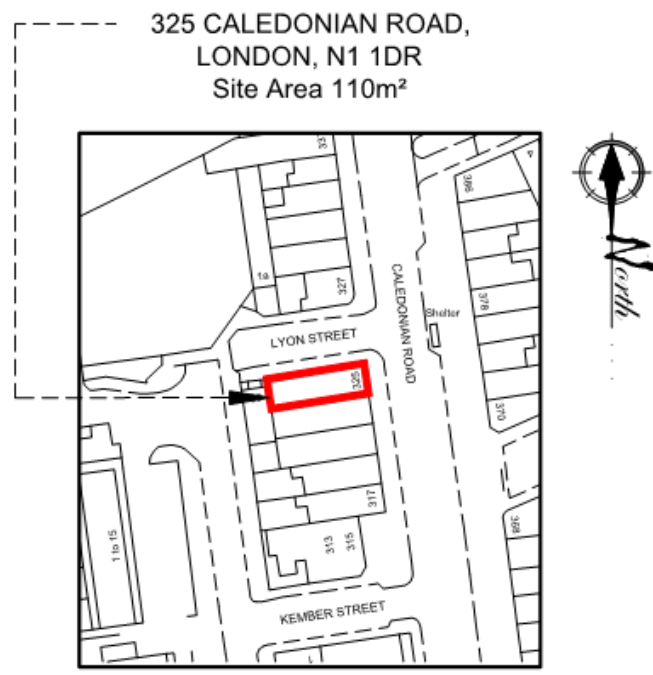
Application number	P2015/3360/FUL
Application type	Full Planning
Ward	Caledonian
Listed building	No
Conservation area	Barnsbury
Development Plan Context	Core Strategy Key Area Local Shopping Area Conservation Area Local views Within 100m SRN
Licensing Implications	Licensing Sub-Cttee D resolved to grant a license on 1 December 2015
Site Address	325 Caledonian Road London N1 1DR
Proposal	Change of use from a solicitors (A2) to a betting shop (Sui Generis)

Case Officer	Joe Aggar
Applicant	Power Leisure Bookmakers Ltd
Agent	Katie Turvey

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)



SITE LOCATION PLAN
SCALE 1:1250

3. PHOTOS OF SITE/STREET



Image 1: Aerial photograph showing the front of 325 Caledonian Road.



Image 2: View looking west at 325 Caledonian Road

4. Summary

- 4.1 The application seeks permission for the change of use from a solicitor's office (A2) to a betting shop (Sui Generis).
- 4.2 The principle of the development is considered acceptable and would not cause an over concentration of betting shops in the shopping area, an unacceptable disturbance to neighbouring occupiers amenity and would not harm the amenity, character and function of the area.
- 4.3 The proposal is considered not to prejudice the residential amenity of neighbouring properties insofar as loss of light, outlook, sense of enclosure and disturbance in line with policy DM2.1 of the Islington Development Management Policies June 2013.
- 4.4 In summary, the proposal is considered to be acceptable and is consistent with Development Plan policies. It is recommended that planning permission be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The site is located on the west of Caledonian Road on the junction with Lyon Street. No. 325 Caledonian Road is an end of terrace, three storey property with a projecting shopfront. The ground floor level is a commercial unit and previously was occupied by a solicitor's office (A2). The ground floor shop unit is currently vacant. The upper

floors are currently in residential use. The unit is located within a Local Shopping Frontage.

- 5.2 The surrounding area is characterised by three storey terraced buildings and the ground floor premises are predominantly shops. The existing building at the site is not statutorily listed, nor is it locally listed. The site is located within the Barnsbury Conservation Area.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks planning permission for the change of use from a solicitor's office (A2 Use Class) to a betting shop (Sui Generis). The existing and proposed gross internal area of the shop unit is 86sqm.
- 6.2 Separate applications have been submitted for the installation of a new shopfront and advertisements. There have been no amendments throughout the life of the application.
- 6.3 The application has been referred to the Planning Sub-committee due to the level of objections received.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 The following is the application history which is considered relevant:
- 7.2 325 Caledonian Road, planning application re: P2015/4280/FUL for the '*Installation of 2 No. satellite dishes to 2nd floor rear wall and installation of 2 No. air conditioning units to ground floor flat roof at rear of 325 Caledonian Road*' is pending decision.
- 7.3 325 Caledonian Road, planning application re: P2015/3487/ADV for the '*Installation of internally illuminated fascia sign and externally illuminated projecting sign. Full Planning application P2015/3368 also submitted.*' Is pending decision.
- 7.4 325 Caledonian Road, planning application re: P2015/3368/FUL for the '*Installation of a new shopfront including blocking up of existing side elevation windows and associated advertisements. Advertisement application P2015/3487 also submitted*' is pending decision.
- 7.5 325 Caledonian Road, planning application re: 940409 for the '*Installation of hand painted timber shopfront*' was GRANTED on the 28/06/1994.
- 7.6 325 Caledonian Road, planning application re: 841848 for the '*The change of use of the ground floor from general industry to a licensed betting office entailing the formation of a new shopfront (as amended by revised shop front proposal received 21.01.85)*' was GRANTED on the 08/03/1985.

ENFORCEMENT:

- 7.3 None

PRE-APPLICATION ADVICE:

7.4 None

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 54 adjoining and nearby properties at Lyon Street and Caledonian Road.

8.2 A site notice and press advert was also displayed. Consultation expired on the 24th September 2015. However it is the Council's practice to continue to consider representations made up until the date of a decision. Any further representations received will be reported to Committee.

8.3 At the time of writing this report 12 objections have 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).

- Will not support retail offer (10.6)
- Will create an overconcentration of betting shops (10.12-10.14)
- Encourage negative and anti-social behaviour (10.18)
- Type of business would harm the character and appearance of the Barnsbury Conservation Area (10.24)
- Close proximity to community uses (10.20-10.22)

Internal Consultees

8.4 **Planning Policy:** Within the LSA as a whole, there remains a predominant A1 function, hence overconcentration unlikely to materialise. However, within a more localised stretch of Cally Road from no. 289-291 to no. 325, there would be 3 betting shops within approx. 213m straight line distance (measured distance on GIS from outside 289-291 to outside 325, down middle of Cally Road).

8.5 **Licensing:** raised concern regarding crime and disorder being associated with betting shops and protection of children and other vulnerable persons from being harmed or exploited by gambling. Licensing Sub-Committee D resolved to grant a license on 1 December 2015.

External Consultees

8.7 **Police Officer:** No objection to use of premises as a betting shop.

8.8 **Health Strategist:** 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. 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 is designated within a Core Strategy Key Area, a Local Shopping Area, a Conservation Area under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

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.
- Overconcentration of uses.
- Design, appearance and impacts on the Conservation Area.
- Impact on the amenity of neighbouring residents.
- Other Matters.

Land Use

- 10.2 The Town and Country Planning (Use Classes) Order 1987 (as amended) ('the UCO') was amended in April 2015 to move betting shops and payday loan shops into the 'sui generis' use class. The commercial unit was previously occupied by a solicitor's office and evidence has been submitted indicating the premises have been vacant for a period over two years.
- 10.3 The unit is a vacant 86sqm, A2 unit within the Caledonian Road (Central) Local Shopping Area (LSA). The latest Local Shopping Area survey (July 2015) shows that A1 is the predominant use in the LSA. The vacancy rate of the LSA is 12.1% (including the vacant unit at no. 325), which is below the usual national average of 13-14%, and therefore is not particularly concerning. LSAs (as noted in DMP supporting text paragraph 4.34) play an important role in serving the needs of residents across the borough, providing a valuable service by meeting day-to-day needs of residents, workers and visitors.
- 10.4 Policy CS 14 of the Islington Core Strategy (2011), amongst other things, seeks to retain the primacy of the retail shops in the borough's town centres and shopping areas, and, through Development Management policies, will seek to limit the excessive loss of shops to other uses.
- 10.5 DMP policy DM4.6 requires proposals to retain an appropriate mix and balance of uses which maintains and enhances the retail and service function of the LSA. Betting shops are a Sui Generis use in planning terms (having recently been changed from

A2 use). It is acknowledged, the premises are already in non-retail use and the predominant offer in the LSA is retail led and would not result in any further loss of retail. The proposal is not, therefore, considered to affect the mix and balance of uses in the LSA.

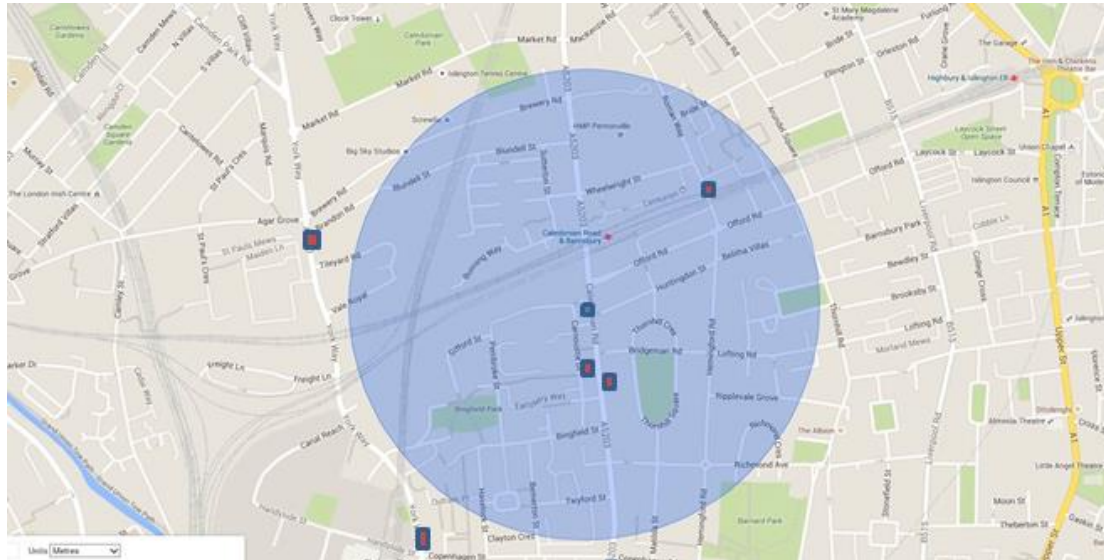
- 10.6 Retail uses are considered to be the best uses for maintaining and enhancing the retail and service function of LSAs. DMP policy DM4.6 Part B. Part B (i) requires two years marketing and vacancy evidence to demonstrate that there is no realistic prospect of continued A2 use (or other permitted use). The policy is not specific to A1 uses and applies across other retail and service uses, reflecting the desire to protect a range of uses often seen in LSAs. The applicant has provided marketing and vacancy evidence. Information from the particulars provided show that the previous tenant vacated on 25/12/2012; and that the current owner bought the unit in February 2013. There is some evidence of a marketing campaign. The unit has remained vacant for a period of two years and two months. This evidence submitted regarding the vacancy is generally consistent with Appendix 11 of the DM Policies DPD. This view is also held by the Planning Policy Officer. The National Planning Policy Framework (2012) (the Framework) requires that local authorities should look for solutions rather than problems (paragraph 187). Although proper retail uses are considered preferable in LSAs, the level of marketing and vacancy evidence provided ensures that in this instance, sufficient measures have been taken to find an occupant. It is noted that the unit benefits from PD rights to easily change to A1 use; hence marketing has to a degree tested demand for A1 at this location. Bringing the property back into active use would be more preferable than leaving it vacant.
- 10.7 DM4.6 Part B (ii) states that the proposal should not result in a harmful break in the continuity of retail frontages. Given the corner site, it is considered that the proposal will not cause a harmful break or be incongruous.
- 10.8 DM4.6 Part B(iiii) resists change of use where there will be individual or cumulative impacts on vitality, viability and the predominantly retail function of the LSA. The predominantly retail function of the LSA is retained, based on July 2015 survey information. Cumulative impacts related to overconcentration are discussed below.

Overconcentration

- 10.9 DMP policy DM4.3 Part A states that proposals for betting shops will be resisted where they:
- i) Would result in negative cumulative impacts due to an unacceptable concentration of such uses in one area; or
 - ii) Would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area.
- 10.10 The council's planning policy for the Cally (Cally Plan 2014) protects the use of the retail units to maintain this important local shopping area and prevents an over concentration of other commercial uses such as betting shops and hot food takeaways. Section 5.1 of the Cally Plan SPD (adopted January 2014) refers to the aim to prevent over-concentration of betting shops on Caledonian Road. Although the SPD does not provide specific guidance regarding the assessment of over-concentration, it does highlight that over-concentration of these uses are a recognised issue for Caledonian Road; assessment of over-concentration impacts is deferred to other planning policies, in this case DM4.3 of the Development Management Policies. This seeks to resist proposals for a variety of uses, including betting offices, where they would result in negative cumulative impacts due to an unacceptable

concentration of such uses in one area, or would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area. The supporting text of policy DM4.3 highlights that over-concentration will be assessed by looking at the existing similar uses within a 500m radius of the site, and determining whether any additional impact from a proposal is likely to create a negative cumulative impact.

- 10.11 DM4.6 of the Development Management Policies covers Islington's 40 designated Local Shopping Areas. Proposals in these locations will only be permitted where they ensure the retention of an appropriate mix and balance of uses which maintains and enhances the retail and service function of the area. Proposals must also ensure that there are no adverse effects on vitality and viability of the area, either individually or cumulatively.
- 10.12 The council is currently producing a Supplementary Planning Document (SPD) to offer further guidance on the operation of adopted policy DM4.3 with regard to betting shops. A discussion paper and questionnaire was consulted on in early 2014 to shape the development of the SPD; and a draft SPD was subsequently consulted on between July and September 2015, which included consulting all betting shops in the borough plus the head office address of all national chains present in the area. Responses to the SPD were on the whole supportive, although there were objections from the major betting shop chains and the main industry body. Although not yet adopted, the SPD is a useful guide which offers an interpretation on how these policies should be applied; however, only partial weight has been given due to the fact that it has not been adopted. Of particular relevance is the narrative in chapter 7 of the SPD; SPD Appendix 3, and the maps showing existing concentrations of betting shops. For avoidance of doubt, the specific guidance points (BS1-5) have not been applied.
- 10.13 Betting shops can give rise to concerns regarding negative clustering impacts. DM4.3 sets no specific threshold re: the number/percentage of units which constitutes over-concentration; rather it allows for case-specific consideration of issues, such as the impact on amenity, character and function of retail designations. The council's survey information from July 2015 shows that there are three betting shops within 500m radius of the site, two of which are within a lesser 250m radius.
- 10.14 Currently there are around 124 premises in the Local Shopping Area known as 'Caledonian Road (central)'. It has been identified that there are two betting shops at no. 289 and nos.310-312 Caledonian Road. The addition of a further betting shop within the LSA would represent approximately 3% of the total frontage. There is a further betting shop at no. 3 Roman Way which falls outside the Caledonian Road (central) LSA but is within 500m of the application site. Further north along Caledonian Road, there is a further betting shop at no. 480 Caledonian Road. These premises at no.480 fall outside the relevant LSA and are approximately 1km from the application site. It is officers view that if this application were approved that the level of betting shops within the LSA and wider area would not result in an excessive cluster of betting shops nor an overconcentration that would warrant refusal in this particular case. The diagram below shows the application site as proposed and other existing betting shops within a 500 meter radius of the site.



- Proposed betting shop
- Existing betting shops

Neighbouring Amenity

- 10.15 DMP policy DM4.3 Part A (ii) considers whether the proposed use would adversely affect local amenity and the character and function of the area. The policy objectives are to protect and enhance the amenity of residents and businesses; and avoid development which could negatively impact the character and function of specific areas, particularly through over-concentration of a particular use (and relevant similar uses), or the location of a particular use (and relevant similar uses) near to sensitive facilities or infrastructure. Because of the borough’s densely developed, mixed-use nature, uses which can affect amenity are often in close proximity to residential uses and other sensitive uses such as schools.
- 10.16 The supporting text of policy DM4.3 highlights that over-concentration will be assessed by looking at the existing similar uses within a 500m radius of the site, and determining whether any additional impact from a proposal is likely to create a negative cumulative impact.
- 10.17 With regard to amenity, DMP policy DM2.1 identifies potential impacts which should be assessed. DMP policy DM2.1 part A(x) requires proposals to provide a good level of amenity including consideration of disturbance, noise and hours of operation.
- 10.18 The Metropolitan Police were consulted as part of this application and no concerns were raised in terms of disturbance to neighbouring amenity, anti-social behaviour or safety. Environmental Health Officer has also provided views and raised no specific concerns in this regard.
- 10.19 The planning statement and a further letter from the agent dated 23/11/2015 provides a broad narrative on these issues, although specific detail is not given on how these impacts will be prevented/mitigated, e.g. measures to tackle anti-social behaviour, details of security and staffing arrangements. It is extremely difficult to predict the

nature of problems that may arise as a result of an approval. The Location and Concentration of Uses SPD will introduce some measures to mitigate issues, but as noted above, the specific guidance outlined in the draft SPD has not been applied as the SPD has not yet been adopted. The nature of these problems has been considered carefully as part of the application. Based on the representation from the Metropolitan Police as part of the assessment of this application, the Met police have raised no objections to the proposed change of use in this specific section of Caledonian Road nor raised any concerns regarding an overconcentration of betting shops in the immediate locality. It is also worth noting issues that may arise can be dealt with under other relevant legislation, including The Gambling Act 2005.

- 10.20 DMP policy DM4.3 Part B states that betting shops will be resisted where they are in close proximity to sensitive community facilities, which, in this context, is generally considered to be centres which provide support for vulnerable persons. Measures to prevent harmful impacts on vulnerable persons are a material consideration within the assessment of planning applications.
- 10.21 It is acknowledged there are nearby community facilities including the Tibetan Buddhist Centre, St Andrews Church and Montessori School and the Bemertons Children's Centre, the Jean Stokes Community Centre and the Bingfield primary care centre.
- 10.22 The only centre which is located on the same street is Tibetan Buddhist Centres which is approximately 180m away. The existing two betting shops in the LSA are in closer proximity to the community centres than the one proposed. There is no evidence of conflict between these and the council is unconvinced based on the particulars of this case that the approval of a betting shop would cause harm or disturbance to these neighbouring uses. The betting shop is conducive to the uses within the Local Shopping Area and there have been no undue concerns raised by the Metropolitan Police as to warrant refusal of the application in this instance.

Other Matters

- 10.23 It is important to remember that although the local authority licensing regime includes consideration of similar issues to planning, it is a distinct and separate regime.
- 10.24 Planning application P2015/3368/FUL has been submitted for alteration for the shopfront. This application will assess whether the development preserve or enhances the character and appearance of the conservation area.

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, and 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>14569-13; Planning Statement 325 Caledonian Road, Barnsbury.</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	Hours of Operation
	<p>CONDITION: The ground floor unit shall not operate outside the hours of:</p> <p>08:00 - 22:00 on any weekdays and Saturdays and between 08:00 - 21:00 on a Sunday or Bank Holiday.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity in accordance with policies: DM2.1 of the Development Management Plan.</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>
2	Signage
	<p>Please note that separate advertisement consent application may be required for the display of signage at the site.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, 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

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
DM2.2 Inclusive Design
DM2.3 Heritage

Shops, culture and services

DM4.3 Location and concentration of uses
DM4.6 Local Shopping Areas

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:

- Core Strategy Area
- Local Shopping Area
- Barnsbury Conservation Area

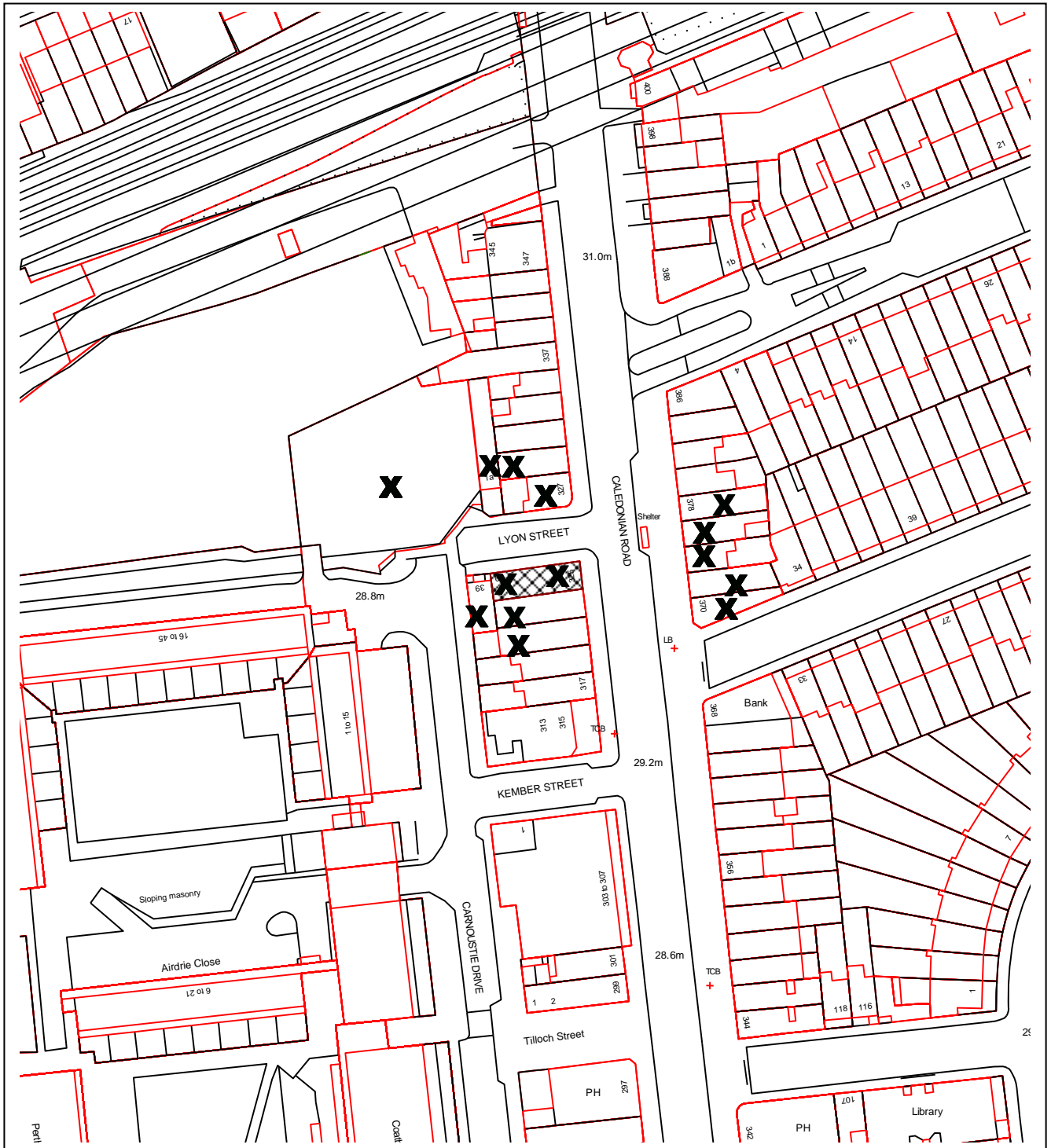
6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- | Islington Local Development Plan | London Plan |
|--|-------------------------------------|
| - Barnsbury Conservation Area Design Guidelines (2002) | - Sustainable Design & Construction |
| - Cally Plan (2014) | |
| - Location and concentration of uses (Draft) | |
| - Urban Design Guide (2006) | |

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Islington SE GIS Print Template



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P2015/3360/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	AGENDA ITEM NO:
Date: 17 th December 2015	

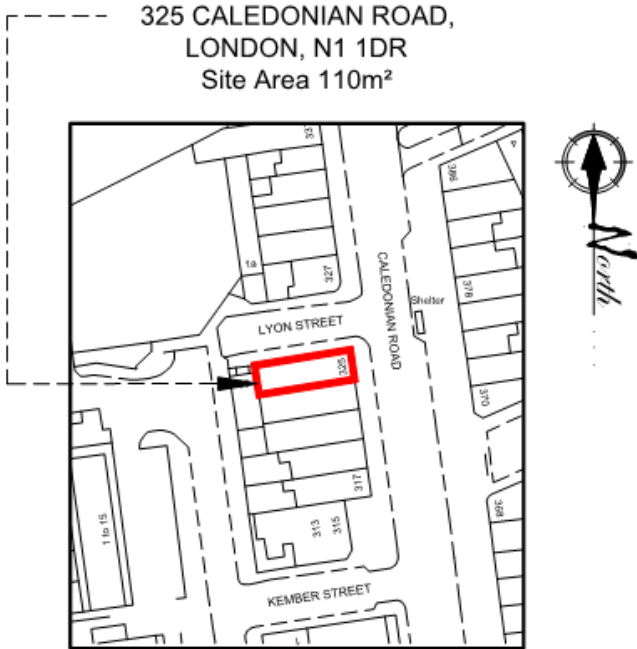
Application number	P2015/3368/FUL
Application type	Full Planning Permission
Ward	Caledonian
Listed building	No
Conservation area	Barnsbury
Development Plan Context	Core Strategy Key Area Local Shopping Area Conservation Area Local views Within 100m SRN
Licensing Implications	None required for this application
Site Address	325 Caledonian Road London N1 1DR
Proposal	Installation of a new shopfront including blocking up of windows to side elevation at ground floor level.

Case Officer	Joe Aggar
Applicant	Power Leisure Bookmakers Ltd
Agent	Katie Turvey

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)



SITE LOCATION PLAN
SCALE 1:1250

3. PHOTOS OF SITE/STREET



Image 1: Aerial photograph showing the front of 325 Caledonian Road.



Image 2: View looking west at 325 Caledonian Road

4. Summary

- 4.1 Planning permission is sought for the installation of a new shopfront and blocking up of the three windows to the side elevation at ground floor level.
- 4.2 The application is brought to committee because this application is linked to a related change of use application before members on this agenda which has attracted a large number of objections. (P2015/3360)
- 4.3 The proposed shopfront and alterations to the side elevation would not detract from the character and appearance of the application property and wider terrace and would not detrimentally impact upon neighbour amenity.
- 4.2 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies. It is recommended that planning permission be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The site is located on the west of Caledonian Road on the junction with Lyon Street. No. 325 Caledonian Road is an end of terrace, three storey property with a projecting shopfront. The ground floor level is commercial and previously was occupied by a

solicitor's office (A2). The ground floor shop unit is currently vacant. The upper floors are currently in residential use.

- 5.2 The surrounding area is characterised by three storey terraced buildings and the ground floor premises are predominantly shops. The existing building at the site is not statutorily listed, nor is it locally listed. The site is also located within the Barnsbury conservation area.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposals seek the installation of a new timber shopfront. The entrance door is currently recessed and located to the side of the shopfront. The entrance door would be brought in line with back edge of the pavement and be centralised with a fanlight above and two glazed panels either side. The shopfront would also consist of a decorative timber stall riser. The three side windows to the south elevation would be removed and blocked up in materials to match.
- 6.2 Separate applications have been submitted for the change of use and the installation of signage. There have been no amendments throughout the life of the application.
- 6.3 The application has been referred to the planning sub-committee due to the level of objections received.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 The following is the application history is considered relevant:
- 7.2 325 Caledonian Road, planning application re: P2015/4280/FUL for the '*Installation of 2 No. satellite dishes to 2nd floor rear wall and installation of 2 No. air conditioning units to ground floor flat roof at rear of 325 Caledonian Road*' is pending decision.
- 7.3 325 Caledonian Road, planning application re: P2015/3487/ADV for the '*Installation of internally illuminated fascia sign and externally illuminated projecting sign. Full Planning application P2015/3368 also submitted.*' Is pending decision.
- 7.4 325 Caledonian Road, planning application re: P2015/3360/FUL for the '*Change of use from solicitors (A2) to a betting shop (Sui Generis)*' is pending decision.
- 7.5 325 Caledonian Road, planning application re: 940409 for the '*Installation of hand painted timber shopfront*' was GRANTED on the 28/06/1994.
- 7.6 325 Caledonian Road, planning application re: 841848 for the '*The change of use of the ground floor from general industry to a licensed betting office entailing the formation of a new shopfront (as amended by revised shop front proposal received 21.01.85)*' was GRANTED on the 08/03/1985.

ENFORCEMENT:

- 7.3 None

PRE-APPLICATION ADVICE:

- 7.4 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 56 adjoining and nearby properties at Lyon Street and Caledonian Road.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 01st October 2015 however it is the Council's practice to continue to consider representations made up until the date of a decision. Any further representations received will be reported to Committee.
- 8.3 At the time of writing this report 3 objection have 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).
- Excessive concentration of betting shops (10.13)
 - Little demand for an additional betting shop (10.13)
 - Change of use with illuminated fascia and illuminated projecting sign is undesirable (10.13 & 10.15)

Internal Consultees

- 8.4 **Design and Conservation Officer:** No Objection
- 8.5 **Access Officer:** internal ramp appears steep than is acceptable

External 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. 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 is designated as a Core Strategy Key Area, Local Shopping Area and a Conservation Area, under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

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
- Neighbouring Amenity
- Access

Design and Appearance

- 10.2 Many of the shops have modern shopfronts, of variable quality. However, there are many, including some close to the site, which possess architectural features of historic interest, such as timber materials, stallrisers, cornices, pilasters and mouldings. These make a significant contribution to the character and appearance of the historic conservation area.
- 10.3 Although the shopfront does not exhibit some of the more ornate features evident on some of the other buildings in the street, they nevertheless helped to define the shopfront as a traditional one, in keeping with the historic character of the area.
- 10.4 The Council has produced a non-statutory document to supplement its Unitary Development Plan (UDP) entitled Conservation Area Design Guidelines. It refers to individual premises where it indicates that removal or alteration of part or all of an original shopfront will not be permitted. The building is not one of these. It goes on to say that alterations which are detrimental to the character of the area will not be allowed and elsewhere it says that proposals for alterations and refurbishments should use traditional materials. A further non-statutory document, the Council's Shopfronts Design Guide, also seeks to retain traditional features of shopfronts.
- 10.5 The replacement shopfront would be timber and exhibit the features of a traditional shopfront. As such it would not represent loss to the historic character of the area, and would not conflict with the clear advice referred to above. The proposed shopfront would be timber with a central door and fanlight above. The base of the shopfront would consist of a decorative timber stall riser and would reinforce the traditional character of the area and not reduce the historic and architectural interest of the building or wider conservation area.
- 10.6 Subject to a condition (Condition 3) for the use of materials to match the infilling of the windows to side elevation would not harm the appearance of the building or wider conservation area and as such would be considered acceptable.
- 10.7 Accordingly the proposed shopfront would preserve and enhance the character or appearance of the Angel Conservation Area. It would accord with Policy CS 9 of the Core Strategy, which requires proposals to protect the borough's unique character, and to conserve and enhance Islington's heritage assets, including Conservation

Areas. It would also comply with Policies DM2.1 and DM2.3 of the DMP which require, amongst other things, proposals to be of a high quality design and to conserve or enhance the significance of Conservation Areas as well as the Council's Conservation Area Design Guidelines and the Islington Urban Design Guide which have similar aims.

Neighbouring Amenity

- 10.8 The proposed replacement shopfront and infilling of the windows, within the existing footprint of the building would not cause demonstrable harm to the amenities (including daylight, sunlight, outlook or increased sense of enclosure) of adjoining occupiers in accordance with policy DM2.1 of the Development Management Policies.

Access

- 10.9 The shopfront does not currently have a level threshold. There is a single step up to the entrance door. The new shopfront would provide level access with the centralised door.
- 10.10 Concern was raised regarding the steepness of the internal ramp. However as this is an internal alteration to an existing building the assessment of this aspect falls away.
- 10.11 The introduction of a level threshold would therefore be seen in compliance with the aims of Development Management Policy DM2.2.

Other Matters

- 10.12 It is important to remember that although the local authority licensing regime includes consideration of similar issues to planning, it is a distinct and separate regime.
- 10.13 Planning application P2015/3360/FUL assesses the change of use from A2 to Sui Generis and these land use points will not be considered within this report. The merits of this application rely on the assessment of the design and appearance and its impact on the character and appearance on the conservation area.
- 10.14 Unfortunately, the issue of demand for a betting shop is not a material planning consideration and therefore, cannot be taken into account when determining any application for physical works to install a new shopfront.
- 10.15 Concerns raised regarding the proposed advertisements to the ground floor unit are also not under consideration within this application but are assessed within this agenda under ref P2015/3487/ADV.

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>14569-12, 14569-06, 14569-12, 14569-08. Planning, Design & Access Statement (Planning Potential Ref 15/2403).</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>MATERIALS (COMPLIANCE): The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. 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 2015, 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

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 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

DM2.3 Heritage

DM2.2 Access

3. Designations

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

- Core Strategy Key Area
- Local Shopping Area
- Conservation Area

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

The following SPGs and/or SPDs are relevant:

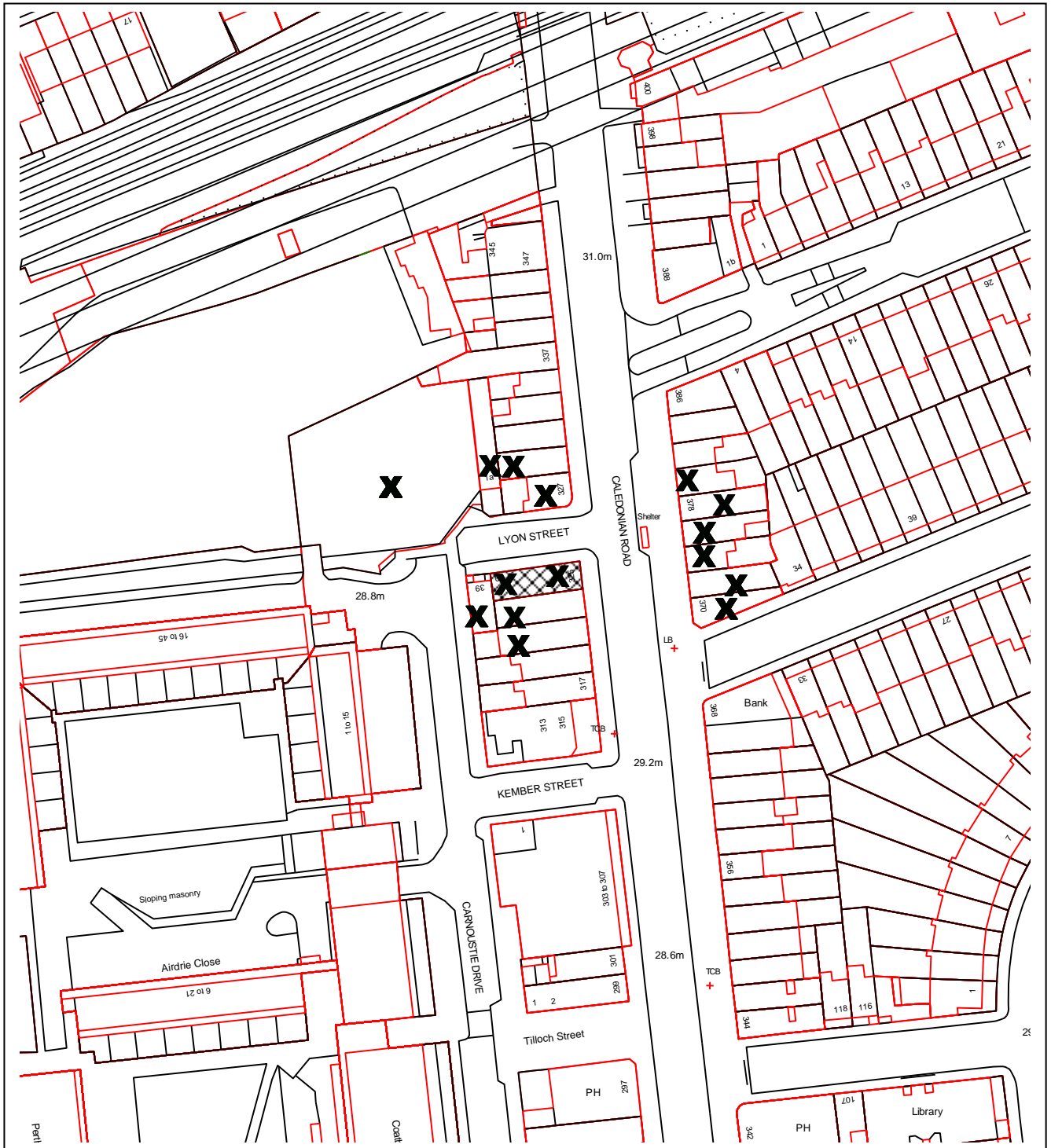
Islington Local Development Plan

London Plan

Conservation Area Design Guidelines
Urban Design Guide (2006)

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P2015/3368/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		AGENDA ITEM NO:
Date:	17 th December 2015	NON-EXEMPT

Application number	P2015/3487/ADV
Application type	Advertisement Consent
Ward	Caledonian
Listed building	No
Conservation area	Barnsbury
Development Plan Context	Core Strategy Key Area Local Shopping Area Conservation Area Local views Within 100m SRN
Site Address	325 Caledonian Road London N1 1DR
Proposal	Installation of an externally illuminated fascia sign and an externally illuminated projecting sign.

Case Officer	Joe Aggar
Applicant	Power Leisure Bookmakers Ltd
Agent	Katie Turvey

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: Aerial photograph showing the front of 325 Caledonian Road.



Image 2: View looking west at 325 Caledonian Road.

4. Summary

- 4.1 Advertisement consent is sought for the installation of an illuminated fascia sign and externally illuminated projecting sign.
- 4.2 The application is brought to committee because this application is linked to a related change of use application before members on this agenda which has attracted a large number of objections. (P2015/3360)
- 4.3 The proposed advertisements will neither harm the character or appearance of the adjacent building, the wider street scene, nor the character and appearance of the conservation area, nor will it materially affect the amenity of adjacent residents or have a detrimental impact on pedestrian and highways safety.
- 4.2 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies. It is recommended that planning permission be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 The site is located on the west of Caledonian Road on the junction with Lyon Street. No. 325 Caledonian Road is an end of terrace, three storey property with a projecting shopfront. The ground floor level is commercial and previously was occupied by a solicitor's office (A2). The ground floor shop unit is currently vacant. The upper floors are currently in residential use.

- 5.2 The surrounding area is characterised by three storey terraced buildings and the ground floor premises are predominantly shops. The existing building at the site is not statutorily listed, nor is it locally listed. The site is also located within the Barnsbury conservation area.

6. PROPOSAL (IN DETAIL)

- 6.1 The existing signage is proposed to be removed and one fascia sign installed. The fascia is proposed to be made from marine plywood panels and decorated in opal green with stripes. The letters are proposed to be individually raised opal acrylic with external illumination via trough lighting. One projecting sign is proposed with external illumination via trough lighting.
- 6.2 Separate applications have been submitted for the change of use (P2015/3360) and the installation of a new shopfront (P2015/3487) which are before members for consideration on this agenda. There have been no amendments throughout the life of the application.
- 6.3 The application has been referred to the planning sub-committee due to the level of objections received.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 The following is the application history is considered relevant:
- 7.2 325 Caledonian Road, planning application re: P2015/4280/FUL for the '*Installation of 2 No. satellite dishes to 2nd floor rear wall and installation of 2 No. air conditioning units to ground floor flat roof at rear of 325 Caledonian Road*' is pending decision.
- 7.3 325 Caledonian Road, planning application re: P2015/3487/ADV for the '*Installation of a new shopfront including blocking up of existing side elevation windows and associated advertisements. Advertisement application P2015/348 also submitted*' is pending decision.
- 7.4 325 Caledonian Road, planning application re: P2015/3360/FUL for the '*Change of use from solicitors (A2) to a betting shop (Sui Generis)*' is pending decision.
- 7.5 325 Caledonian Road, planning application re: 940409 for the '*Installation of hand painted timber shopfront*' was GRANTED on the 28/06/1994.
- 7.6 325 Caledonian Road, planning application re: 841848 for the '*The change of use of the ground floor from general industry to a licensed betting office entailing the formation of a new shopfront (as amended by revised shop front proposal received 21.01.85)*' was GRANTED on the 08/03/1985.

ENFORCEMENT:

- 7.3 None

PRE-APPLICATION ADVICE:

- 7.4 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 56 adjoining and nearby properties at Lyon Street and Caledonian Road.
- 8.2 A site notice and press advert was also displayed. Consultation expired on the 01st October 2015 however it is the Council's practice to continue to consider representations made up until the date of a decision. Any further representations received will be reported to Committee.
- 8.3 At the time of writing this report 1 objection have 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).
- Objection to betting shop (10.10)

Internal Consultees

- 8.4 **Design and Conservation Officer:** No Objection

External 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. 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 is designated as a Core Strategy Key Area, Local Shopping Area and a Conservation Area, under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

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:

- Amenity
- Public Safety

The Advertisement Regulations require that decisions be made only in the interests of amenity, and, where applicable, public safety. Therefore the Council's policy alone cannot be decisive. However, planning policy is a material consideration in the assessment of these proposals.

Amenity

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 and DM2.3 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. Furthermore, Development Management Policy DM2.6 requires all advertisements to be of a high standard and contribute to a safe and attractive environment. Any new sign should not cause a public safety hazard or contribute to a loss of amenity and should be appropriate to the building.
- 10.3 The Islington Shopfront Design Guide and Conservation Area Design Guidelines sets out the Council's approach to the control of advertisements within the borough and specifically within conservation areas. This policy and guidance seeks to ensure that advertisements respect the character and scale of the host building and surrounding townscape.
- 10.4 The proposed externally illuminated fascia sign with applied lettering and externally illuminated projecting sign is considered to be acceptable and of an appropriate size, siting and height to fit well with the front façade of the building, street scene and Conservation Area generally.
- 10.5 The proposed fascia signage would be located appropriately between the corbel brackets and would be 5122mm in width and would be acceptable in terms of size and proportion. The lettering would be individual raised with opal acrylic letters in white. The lettering would be externally illuminated via a trough light. The lettering to the fascia panel would be internally illuminated. The proposed hanging sign is appropriately located at fascia level and is externally illuminated.
- 10.6 The proposed advertisements are not considered to cause visual clutter or harm the visual amenity of the building or streetscape. Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policies DM2.1, DM2.3 and DM2.6.

Public Safety

- 10.7 It should be ensured that all new advertisement signs do not cause a hazard to pedestrians or road users, as a result of their visual dominance and method of illumination, in accordance with policy DM2.6 of the Islington Development Management Policies 2013.
- 10.8 The proposed signage will be internally illuminated, through the lettering only and via a trough lighting and will not have flashing illumination. The troughs point directly down to the pavement and as such there would be no public safety hazards and maintain the free flow of pedestrian traffic. No objections to the proposal in terms of the signage's size, siting or method of illumination and does not consider the proposed sign would have a detrimental impact on highways safety. The proposal is therefore not considered to cause a hazard to pedestrians or road users in line with policy DM2.6 of the Islington Development Management Policies June 2013.

Other Matters

- 10.9 It is important to remember that although the local authority licensing regime includes consideration of similar issues to planning, it is a distinct and separate regime.
- 10.10 The planning merits of planning application P2015/3360/FUL assessing the change of use from A2 to Sui Generis is considered separately within this committee agenda and not here.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed advertisement display panel is considered to be acceptable with regards to amenity and highways safety.
- 11.2 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, and the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.3 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 advertisement consent be subject to conditions to secure the following:

List of Conditions

1	Standard advertisement conditions
	<p>CONDITION: Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.</p> <p>Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.</p> <p>No advertisement is to be displayed without permission of the owner of the site or any other people with an interest in the site entitled to grant permission.</p> <p>No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</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 2015, 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

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 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

DM2.3 Heritage

DM2.6 Advertisements

3. Designations

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

- Core Strategy Key Area
- Local Shopping Area
- Conservation Area

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

London Plan

Conservation Area Design Guidelines
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	AGENDA ITEM NO:
Application number	P2015/3626/FULL & P2015/3674/LBC
Application type	Full Planning Application
Ward	St Peter's
Listed building	Grade II Listed
Conservation area	Arlington Square Conservation area
Development Plan Context	Article 4(2)
Licensing Implications	None
Site Address	37 Arlington Square, London N1 7DP
Proposal	The enlargement of the existing single storey rear extension at basement level and reconfiguration of the patio and minor internal alterations.

Case Officer	Ashley Niman
Applicant	Charles Cann
Agent	Roger Mears Architects

2. RECOMMENDATION

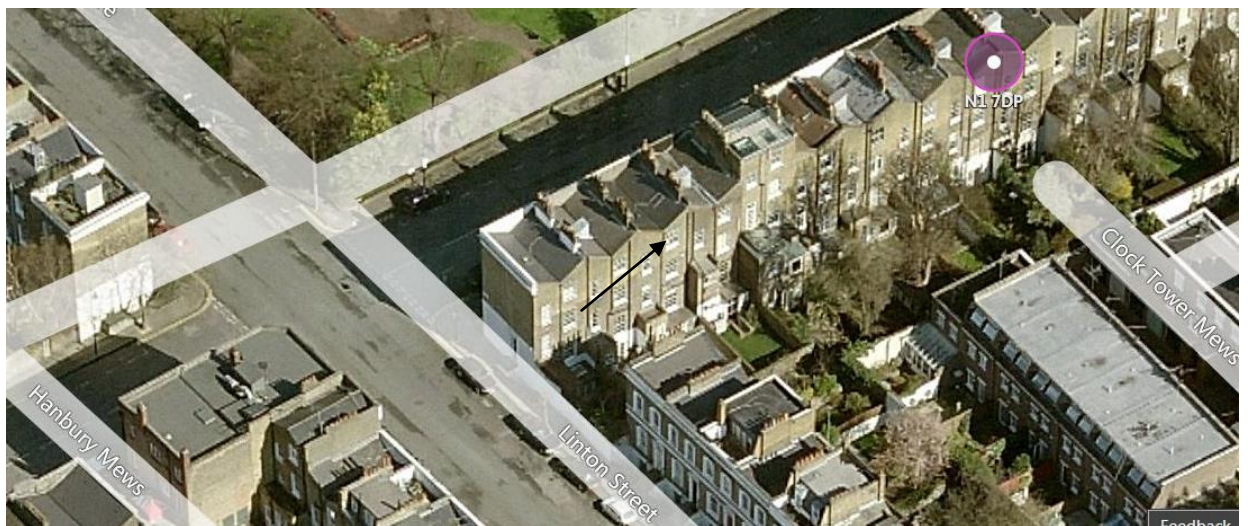
The Committee is asked to resolve to **GRANT** planning permission and listed building consent:

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

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



4. **AERIAL PHOTOGRAPH AND VISUALISATION OF THE SITE/STREET**





EXISTING REAR ELEVATION

5. SUMMARY

- 5.1 The scale, height and form of the new lower ground floor rear extension is acceptable and will not harm the appearance and character of the property or the wider terrace and conservation area.
- 5.2 The scale, height and form of the new lower ground floor rear extension, and other minor alterations, is acceptable and will not harm the appearance and character of the Grade II listed building and its setting.
- 5.3 The works will have no material effect on the sustainability of the rear garden, drainage or existing trees and planting.
- 5.4 The extension will have no material effect on the light, outlook or privacy of neighbours, nor harm their amenities generally.
- 5.5 This application is before members of Sub Committee for decision at the request of Cllr Klute.

6. SITE AND SURROUNDING

- 6.1 The property is a three storey mid terrace early Victorian single dwelling house. The building is listed Grade II and is located in the Arlington Square Conservation Area
- 6.2 The surrounding area is entirely residential in land use and character, composed primarily of three storey early Victorian terraces and broad streets.

7. PROPOSAL (IN DETAIL)

- 7.1 The enlargement of the existing single storey part width rear extension at lower ground floor level, and reconfiguration of the patio to provide two stepped planters up to garden level.
- 7.2 The extension will be fully glazed and frameless to the rear, with a glass roof and lead margins. The roof will pitch slightly from front to rear, with a drainage channel at lower ground floor level.
- 7.3 Internal alterations are proposed at first and second floor level. At first floor level the plans propose to strip out fitting and finishes in the bathroom at the rear to convert it to a bedroom. At second floor level it is proposed to convert the rear bedroom into a master bedroom with new sanitary ware, connection of waste pipes to the rear and alterations and relocation of the existing hot water cylinder and boiler.

8. RELEVANT HISTORY:

- 8.1 P031418/P031463 Refurbishment of existing rear extensions including the excavation of basement floor level to enable access to rear garden by replacing existing window with French doors. Gate to be inserted within front railings and installation of external stair within front lightwell. Insertion of two roof lights within main roof. Approved 08/12/2003.

ENFORCEMENT:

- 8.2 None

PRE-APPLICATION ADVICE:

- 8.3 Q2015/1343 Pre application advice for 'The enlargement of the existing single storey rear extension at basement level and reconfiguration of the patio'. The advice taken is reflected in the submitted proposal.

9. CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 13 adjoining and nearby properties at Arlington Square, Clock Tower Mews and Linton Street. A site notice and press notice were displayed on 18th September 2015. The public consultation of the application therefore expired on 15th October 2015.
- 9.2 No response was been received from the public with regard to the application.

External Consultees

- 9.3 None

Internal Consultees

- 9.4 Design and Conservation: No objection subject to conditions.

10. 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

- 10.1 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.
- 10.2 Since March 2014 Planning Practice Guidance for England has been published online.

Development Plan

- 10.3 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

- 10.4 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:

Arlington Square Conservation Area
Grade II listed

Article 4(2) Arlington Square

Supplementary Planning Guidance (SPG) / Document (SPD)

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

11. ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Land Use
- Design, Conservation and Listed Building considerations
- Sustainability
- Neighbouring Amenity

Land-use

The site is in residential use and as the proposal is an extension for the householder, no new land use issues arise.

Design, Conservation and Listed Building Considerations

11.2 External Works: The existing part width extension at rear lower ground floor is 2.2 metres deep. The roof is flat and covered with asphalt. The proposal will extend in depth by a further 1.0 metre to facilitate a larger kitchen space for the dwelling. The proposed extension proposes new rear doors opening onto the existing garden.

11.3 The proposed extension is constructed with a frameless glass and lead roof and double glazed bi-folding doors. The existing patio decking is removed and the existing garden retaining wall would be set back 0.6 metres with the replacement of the existing steep vertical wall being replaced by stepped brick planters. .

11.4 The proposed part width single storey rear extension at lower ground floor is acceptable, as it will be subservient and modest extension to the main building and detailed in a way that does not detract from the original design

11.5 Internal Works: The creation of a bathroom to the 2nd floor rear room is acceptable as long as the attached conditions are met which ensure the original layout of the room is retained at cornice level. The works are considered to be acceptable and sensitive and will not harm the fabric or architectural integrity of the host listed building.

Neighbouring Amenity

11.6 Daylight and overshadowing: The extension will only extend rearwards a further one metre, but the new roof will be set lower and the slope will be pitched downwards. There will therefore be no material impact on light to the adjacent property at 36 Arlington Square.

Overlooking, privacy and sense of enclosure: There will be no overlooking to habitable rooms of any adjacent property. The alignment, height and scale of the proposal will ensure that no adjacent property will experience a sense of enclosure or material loss of outlook.

Sustainability and Landscaping

- 11.7 The Council's relevant document is the draft SPD on Basement Development Design (July 2015). This application does not propose a basement, since there is no new or additional floorspace proposed under the ground level, but the draft document provides guidance on sustainable drainage, water conservation, and sustainable material sourcing, all relevant to the application.
- 11.8 Work to basements is allowed out to a distance of 3.0 metres from the main rear wall of the property, and although the planters extend further, the garden disruption is slight. Moreover, there has to be a design mechanism to gain access to the higher rear garden level, and the tier of planters is the most sympathetic.
- 11.9 The work will not alter the prevailing garden level, but push the retaining wall back by 0.5 metres and then provide two levels of stepped planters. There will be no material loss of garden space and disruption will be minimal.
- 11.10 The proposed extension is a lower ground floor extension to an existing lower ground floor of the dwelling with minimal removal some soil from the rear garden area. There is no significant excavation works proposed within this application.
- 11.11 The proposal will have no effect on trees, with no TPO trees on the site or immediately adjacent to the site. The closest TPO tree is in the rear garden of 34 Arlington Square.

12. CONCLUSION

Conclusion

- 12.1 It is recommended that planning permission and listed building consent be granted subject to conditions for the reasons and details 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 for P2015/3626/FUL:

1	<p>Commencement</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</p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans,</p> <p>Location plan, 00C, 01B, 02B, 03B, 04, 05B, 06B, 07B, 11E, 12C, 13C, 14, 15B, 16C, 17C, Heritage, Design and Access Statement RevA (Roger Mears Architects)</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</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) Details and samples of all facing brickwork b) Samples of all facing render including colour b) Details of window and door treatment (including sections and reveals); c) Details and samples of screening <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>

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.</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>

List of Conditions for P2015/3674/LBC:

1	Commencement
	<p>3 YEAR CONSENT PERIOD FOR LBC: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Material to Match (Compliance)
	<p>MATERIALS TO MATCH (COMPLIANCE): 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>
3	Garden level
	<p>CONDITION: Notwithstanding the plans hereby approved the garden level that is not excavated shall remain at the same level.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
4	Down pipes
	<p>CONDITION: Notwithstanding the plans hereby approved any new sections of down pipes shall be in iron with 'period' brackets hand painted in black.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>

5	Vent brick
	<p>CONDITION: Notwithstanding the plans hereby approved, the vent shall either be a vent brick to match existing or a cast iron period vent painted black.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
6	Chimney breast
	<p>CONDITION: Notwithstanding the plans hereby approved the panel covering the chimney breast to support the sanitary wear shall not be full height so that the original form of the room is visible at high level.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</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.</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>

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

7 London's living places and spaces

Policy 7.4 Local character
Policy 7.6 Architecture

5 London's response to climate change

Policy 5.3 Sustainable design and construction

Policy 5.13 Sustainable drainage

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)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.3 Heritage

Health and Open Spaces

DM6.5 Landscaping, trees and biodiversity.

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.4 Sustainable design standards

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:

- Arlington Square Conservation Area
- Article 4(2)

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

The following SPGs and/or SPDs are relevant:

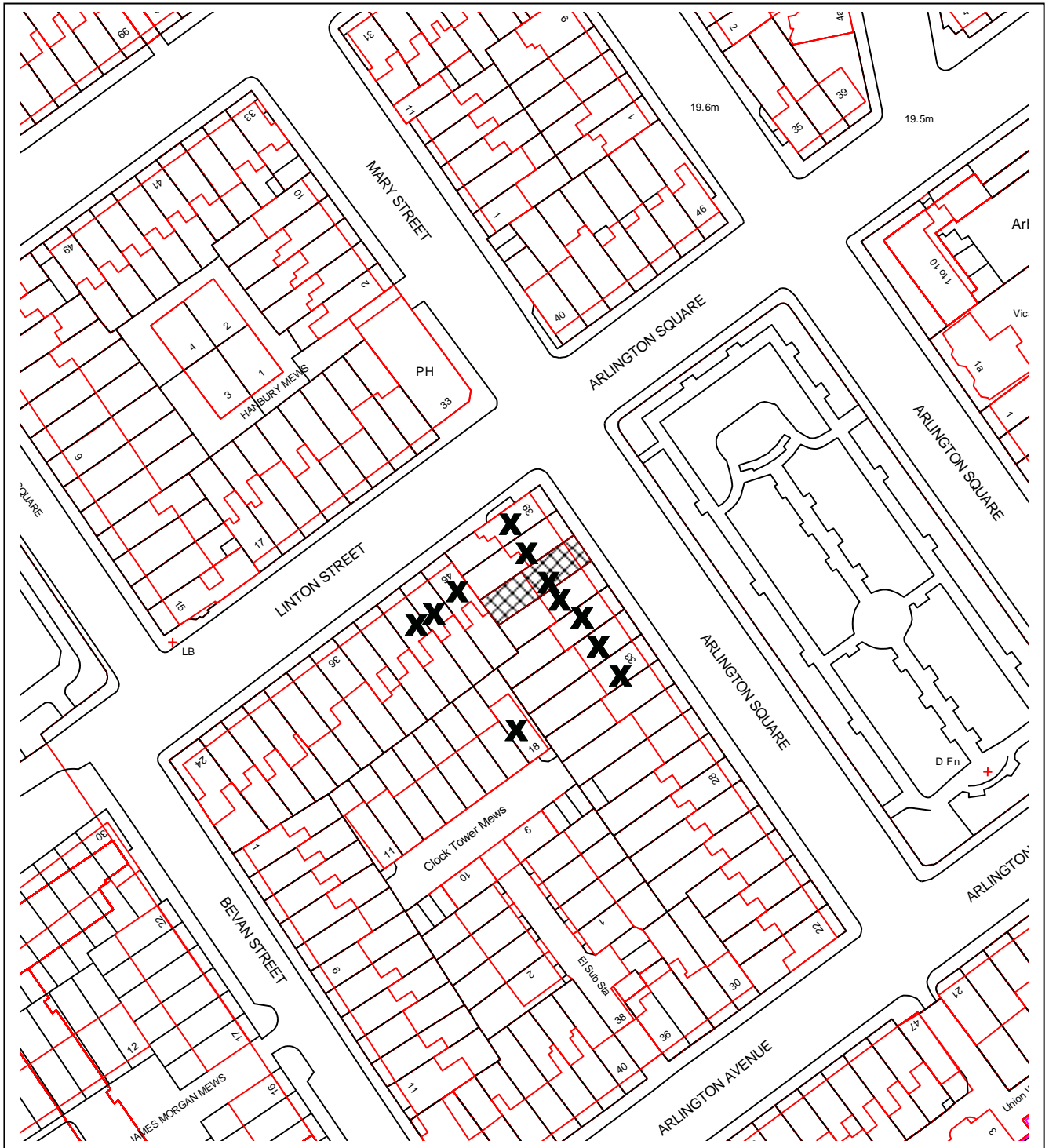
Islington Local Plan

- Islington Urban Design Guide
- Conservation Design Guidelines
- Basement Development (Draft)

London Plan

- Sustainable Design & Construction

Islington SE GIS Print Template



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P2015/3626/FUL

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PLANNING COMMITTEE ADDENDUM REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
222 Upper Street
LONDON N1 1YA

PLANNING SUB COMMITTEE B		Agenda
Date:	17 th December 2015	

Application number	P2015/2002/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	Unlisted
Conservation area	Not in Conservation Area
Development Plan Context	Archway Town Centre, Secondary Shopping Frontage
Licensing Implications	None
Site Address	627 - 635 Holloway Road, London, N19 5SS
Proposal	Installation of air conditioning plant and machinery at the rear of the site.

Case Officer	Duncan Ayles
Applicant	Tesco Stores Ltd
Agent	CGMS LTD

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 3

2. REASON FOR DEFERRAL

- 2.1 This report follows the deferral of the item at the planning sub- committee on the 8th October. The application was deferred following concerns raised by members in respect of the background noise data used to inform the acoustic report submitted in support of the application. The previous acoustic report used a proxy measure at Hartham Road to inform the background noise measurement at the application site, and members were concerned that this proxy measure was not representative of the background noise at the application site, due to the specific characteristics of the application site.
- 2.2 The applicant has provided an amended acoustic report (v 1.2) in support of the application based one site specific noise survey. Furthermore, a laser survey of the area was taken to confirm the distance between the plant and the nearest residential properties used within the noise modelling.

3. RECONSULTATION

- 3.1 A 21 day neighbour re-consultaiton was undertaken following the receipt of the amended acoustic report on the 25th of October. This final re-consultation ended on the 16th November. At the time of the writing of this report, a total of three further objections had been received in response to the final re-consultation. The comments received raised the following issues:

-Impact on the amenity of neighbouring properties through noise and vibration (4-4.5)

3.2 Internal Consultees

- 3.3 Acoustic Officer: Following on from the previous committee hearing where this application was deferred, the applicants have provided a revised acoustic report. Understandably there was some concern about the use of a proxy position and the reliability of using this data with corrections for background sound levels in a noise assessment. The acoustic consultant has carried out monitoring at the rear of the store over a 24 hour period on 14th/15th October 2015. This was a mild, dry Wednesday/Thursday and not during the school term period so reasonable to assume as representative of normal traffic and climate conditions. For the first report, a monitor was set up on the lamp post at Hargrave Road and background sound levels logged. A correction of 6dB was used for an appropriate background sound level (i.e. 6dB was taken away to compensate for the fact that the rear façade is likely to be quieter than the site on Hargrave Road which has a partial line of sight of Holloway Road). The typical background sound level (the mode value with the 6dB adjustment) was taken to be 45dB during the day and 34dB at night.
- 34 The second survey was carried out with the monitor on the rear façade and background sound levels logged. The typical background sound level (the median value) was measured as 50dB during the day and 39dB at night. Therefore the rear façade is not as quiet as proposed in the previous assessment. The report still proposes using the more conservative lower values from the first report for assessment. There will always be some variability and fluctuation in the background sound level but they have used the lowest of the two values.
- 3.5 By way of comparison, the lowest (not the typical or mode value now set out in the revised BS4142 guidance) background levels recorded at the rear of Sainsbury's 465 Holloway Road were 57dB daytime and 46dB night time.
- 3.6 The typical background sound level measured at the rear of the store is taken to be 50dBA during the day (0700-2300) and 39dB at night (2300-0700). This is 5dB higher at day and at night than the level used in the original assessment after adjustment of the Hargrave Road data. They have used the original report background sound levels of 45dB during the day and 34dB at night as the lower of the two and a worst case scenario. The nearest affected residential is the upper floors flats further along the Holloway Road parade of shops and Church Garth on the other side of the

alleyway. They have used laser scanning to calculate distances. From previous visits to site the distances quoted to the residential tally with my notes.

- 3.7 The predictions are for the plant to be a rating level of 6dB below the background during the day and 5dB below the background at night for the Holloway Road flats. The night time rating level equates to 29dB at the facade. Assuming 10-15dB reduction for an open window this would equate to 14-19dB within the bedroom and would be well below the WHO guidelines for community noise advise levels within a bedroom of 30dB.
- 38 The distances between the plant and the Holloway Road flats and Church Garth flats are very similar. For Church Garth, the predictions are for a rating level of 5dB below the background during the day and 6dB below at night. The quoted rating level is 28dB at this façade.
- 3.9 The Gresham Place properties are at least 30m away and less affected by the plant noise. A doubling of distance away from a point source is usually taken to mean a reduction of 6dB – increasing the distance between the plant and receptor from 10m to 30m would result in a further 10dB of attenuation from the predicted levels at Holloway Road. The report submitted is therefore acceptable, subject to the conditions proposed.
- 3.10 The condenser has a night time setting with the lower load on the unit due to lower night time temperatures. Full load would kick in at over 32°C. The manufacturer has provided noise data for the night time setting (assuming operation at 25°C). A condition has been proposed to require time controls of the other units.

4. ASSESSMENT OF THE AMENDED ACOUSTIC REPORT

- 4.1 The applicant's amended acoustic report is based on a site specific noise survey conducted over a 24 hour period between the 14th and 15th of October 2015. The background noise levels found was 50dBa during the day (0700-2300) and 39dB at night (2300-0700). These levels are slightly higher than the proxy figures used within the previous acoustic report. However, the applicant has continued to use the previous, lower, background measure as a worst case scenario.
- 4.2 The Council's Acoustic officer has confirmed that the background noise levels within the acoustic report are a reliable assessment of noise conditions within the area. The survey was taken during a mild and dry Wednesday and Thursday during the school term, and therefore the noise report will not have been affected by climatic conditions or traffic associated with Schools within the area. The noise levels found within this report are also comparable to the findings of an acoustic report conducted in connection to the Sainsbury's store close to the application site.
- 4.3 The predictions within the new report are for the plant to be 6dB below the background noise the day and 5dB below the background level during the night. The night-time level on the façade would be 29dB at the façade. Assuming at 10-15dB reduction for an open window, this would equate to 14-19dB within bedrooms, which is within the World Health Organisations guidelines.
- 4.4 The applicant has not provided an assessment of the likely noise impact at Gresham Place. However, as these properties are at least 30 metres away from the proposed plant, the noise level will be significantly lower due to noise decay. An increase in distance from 10 metres to 30 metres would usually result in a further 10dB of attenuation from the predicted levels at Holloway Road. Consequently, the failure to provide specific predictions for the noise at Gresham Place does not justify the refusal of the application.
- 4.5 The noise officer has confirmed that the amended acoustic report fully addresses the concerns raised by the members with regard to the previous report. The proposal is therefore considered to be in accordance with policy DM 6.1. The councils noise officer will be in attendance at committee on the 17th December 2015 to provide comments and/or answer any enquiries members may have in relation to this application.

5. CONCLUSIONS

- 5.1 The amended acoustic report is considered to fully address the concerns raised by members in respect of the previous acoustic report, specifically in respect of the location used for the background noise measurement.
- 5.2 The amended acoustic report is therefore considered to demonstrate that the proposal would be in compliance with policy DM 6.1 of the Development Management Policies 2013
- 5.3 It is recommended that planning permission be granted subject to conditions as set out in Appendix 3 – RECOMMENDATIONS.

APPENDIX 1

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
222 Upper Street
LONDON N1 1YA

PLANNING SUB COMMITTEE B	Agenda	
Date:	8 th October 2015	

Application number	P2015/2002/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	Unlisted
Conservation area	Not in Conservation Area
Development Plan Context	Archway Town Centre, Secondary Shopping Frontage
Licensing Implications	None
Site Address	627 - 635 Holloway Road, London, N19 5SS
Proposal	Installation of air conditioning plant at the rear of the site

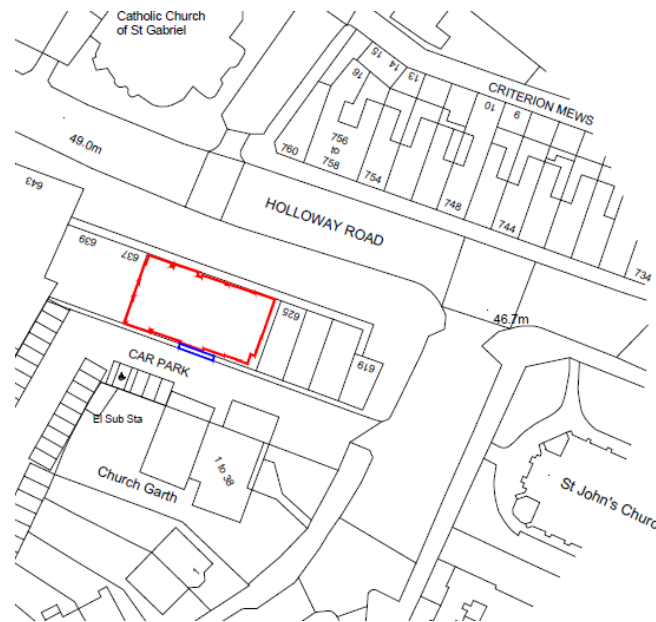
Case Officer	Duncan Ayles
Applicant	Tesco Stores Ltd
Agent	CGMS LTD

3. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 3

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



5. **PHOTOS OF SITE/STREET**



Image 1: Photograph of the rear of the application site showing location of proposed plans



Image 2: Photograph Showing Rear of Church Gardens

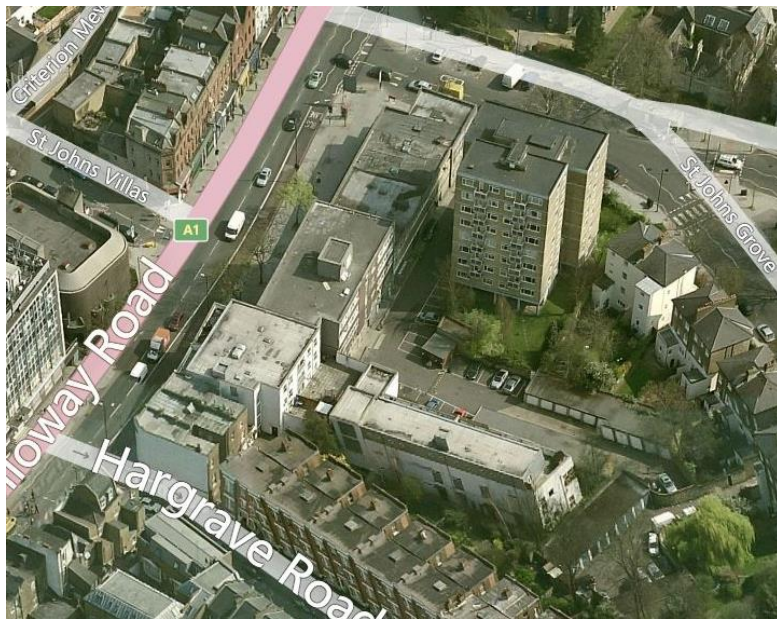


Image 3: Aerial View of the Application Site

SUMMARY

- 5.1 The application seeks approval for the erection of an external air conditioning plant to the rear of 627-635 Holloway Road, an existing retail unit (A1 use) which Tesco intend to occupy. The air conditioning units are located to the rear of the store within a car park and service area at ground floor level, and are in close proximity to residential dwellings at Church Gardens and Gresham Place. A number of objections have been received from neighbouring properties in relation to the potential for noise disturbance to occur, as a result of the installation of the proposed plant. Cllr Burgess has also objected to the proposed air conditioning units and plant.
- 5.2 The applicant has submitted an acoustic report in support of the application, which has been assessed by the Council's Acoustic Officer. It is confirmed that the proposal will not give rise to any adverse noise emissions to the detriment of neighbour amenity, provided that appropriate conditions are imposed. The proposal is therefore considered to be in compliance with policy DM 6.1.
- 5.3 The design of the air conditioning units is also considered to be acceptable, and is not considered to harm the character and appearance of the area. The units are also not considered to lead to any adverse impact on the amenity of neighbouring properties in respect of the loss of outlook, daylight and sunlight. The design and amenity impact is therefore considered to be acceptable, and in compliance with policy DM 2.1.

6. SITE AND SURROUNDING

- 6.1 The application site is located to the rear of 627-635 Holloway Road. This retail unit (A1 use), which was previously occupied by Budgens, is proposed to be opened as a Tesco Store. To the rear of the property is Church Garth, a seven storey residential building. The site has been the subject of a significant number of noise complaints historically, in connection with early morning deliveries associated with the former occupant of the unit, Budgens (and the nearby Sainsbury's Supermarket). Holloway Road, which runs immediately to the north of the application site, is a busy arterial road and part of the A1 (red route).
- 6.2 The land use within the area is mixed. Holloway Road is largely comprised of commercial uses including retail and café uses at ground floor, and a combination of office and residential uses at upper floor level. The land use to the rear of the application site, on St John's Grove, is predominantly residential, with a mixture of single family dwelling houses and flats.

7. PROPOSAL (IN DETAIL)

- 7.1 The application seeks approval for the erection of air conditioning and refrigeration plant to the rear of the application site at ground floor level within a fence enclosure. The proposed plant is comprised of Two Searle Fan Condenser Units, which will serve the refrigeration units within the store, and three Mitsubishi Air Conditioning units which will cool the sales floor and cash office. The condenser units will operate during the day and night time, although a night mode will be in operation. The air conditioning units will operate during the units opening hours.
- 7.2 The application also includes details of acoustic and visual barriers in the form of two 25 mm thick absorption panels, and 1.8 metre high timber ship lap cladding on the outside of the proposed air conditioning plant. This will surround the proposed plant on three sides. The fourth side is the rear elevation of the Tesco store (building).

8. RELEVANT HISTORY

PLANNING APPLICATIONS:

- 8.1 **P2015/1814/FUL:** Installation of a new shopfront and access and extension of the existing entrance ramp: Approved 26/6/2015
- 8.2 **P2015/1816/S73:** Application for variation of condition 9 (hours of operation) of planning consent ref: P071360 dated 07/02/2008 to extend the hours of opening of the shop (A1 use) from 0700hrs and 2300hrs Monday-Saturday and between 09.00 and 17.00hrs on Sundays, to 07:00hrs to 23:00hr from Monday to Sunday: Approved 26/6/2015.
- 8.3 **P2015/1815/FUL:** Installation of an ATM in existing shopfront: Approved 26/6/2015

9. CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 298 adjoining and nearby properties at St John's Grove, Hargrave Mansions and Holloway Road on the 27th May 2015. A site notice was displayed on the 11th June 2015 The public consultation of the application therefore expired on the 13th July 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report a total of 18 responses had been received from the public with regard to the application. An objection was also received from Councillor Burgess. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Concerns about the Noise Emitted from the Proposed Plant (9.0- 9.14)
 - Inaccurate background level used within the Acoustic Report Baseline Assessment (9.8)
 - No consideration given to other potential locations (9.12)

Internal Consultees

- 9.3 **Acoustic Officer:** This is a sensitive site and there is a history of complaints about noise from early morning deliveries to Budgens and plant noise from the neighbouring Sainsbury's and any new mechanical plant subject to scrutiny and potential complaints in the future. The applicants have compiled a report and ideally the consultant should have liaised with the Acoustic Officer on the methodology and use of a proxy measurement position prior to submission.
- 9.4 However the report as submitted has taken a background noise level of 51dB daytime and 39dB night time and this appears to be relatively representative of a typical background noise level of a rear commercial façade of a busy road. The report predicts noise ratings for the plant that will be 12dB below these background levels used. It is advised a condition is applied to any permission granted to protect nearby residential amenity.
- 9.5 As an informative, the applicant is advised that the plant will need to be regularly checked, maintained and serviced to ensure that noise levels do not rise and that the annoying tones, rattles, buzzes etc. do not develop and that the mitigation measures are

still effective. The plant should be installed in line with the manufacturers' instructions on level ground with anti-vibration mounts. In addition to this a condition requiring a post installation report to demonstrate compliance with the noise criteria is recommended.

- 9.6 There is a lower night time noise rating for the plant quoted as the air conditioning units are reported to operate between 0700 and 2300 and the condenser is on a lower night time mode. To ensure that this is the case, a condition is also recommended.

10. 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

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

Development Plan

- 10.2 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 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)

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

11. ASSESSMENT

- 11.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Impact on the Amenity of Neighbouring Properties, including in respect of noise

Land-use

- 11.2 The unit at 627-635 Holloway Road has an established A1 retail use and has previously been occupied by Budgens. The planning application does not propose a change of use as the unit will re-open as an A1 retail unit. There are a number of relevant policies including DM 2.1 (Design) and DM 6.1 (Health Development) that are relevant to the determination of the application. The 2013 Development Management Policies provides specific criteria for noise emitting development within Appendix 10. Subject to the compliance with the above policies, specifically in relation to noise, there is no in principle objection to the development.

Design and Conservation

- 11.3 The application site is located to the rear of retail units that fronts the Holloway Road. The air conditioning units will front onto the car park area located to the rear of the

property. The proposed air conditioning units will be visible both from the pavement to the south of the application site at St John's Grove, and from the car park between Church Gardens and 627 Holloway Road.

- 11.4 The proposed air conditioning enclosure is located at ground floor level and will have a height of 1.8 metres above ground level and a depth of 1.9 metres. In respect of its height, the enclosure will match the height of the top of the rear ground floor doors of the building. The enclosure is considered to be acceptable in terms of its mass and scale, as it is considered to be a relatively modest feature that is subordinate to the adjacent commercial building and seen against the rear elevation of the store building.
- 11.5 The proposed enclosure has a relatively simple design, with the enclosure formed from a combination of timber vertical cladding and timber mesh below. This is considered to accord with the utilitarian character of the rear elevation of the building, which contains features such as security doors and refuse storage.
- 11.6 For these reasons, the design of the proposed plant and enclosure is considered to be acceptable in terms of its impact on the character and appearance of the area. The proposal is therefore considered to be in compliance with policy 7.4 and 7.4 of the London Plan 2015 and policy DM 2.1 of the Development Management Policies 2013.

Impact on the Amenity of Neighbouring Properties

- 11.7 The application is supported by an acoustic report prepared by KR Associates, and further information has been provided by the applicant's acoustic consultant following queries raised by the Council's Acoustic Officer. The Acoustic Officer has confirmed that while the site is sensitive, due to the close proximity of residential dwellings at Church Gardens, the acoustic report is sufficient to demonstrate that no adverse impact will occur on neighbouring properties.
- 11.8 The Acoustic Officer has confirmed that the background noise level of 51 dB daytime and 39dB night-time is relatively representative of a rear commercial façade on a busy commercial frontage. Objections have been received regarding the background noise level that has been used and while concerns were raised in respect of the failure of the applicant to agree the locations for the noise survey prior to it being conducted, it has been confirmed that the baseline assessment is a sound basis for the assessment of the impact of the proposed air conditioning units. Although the failure to agree the baseline testing prior to the application being submitted is unfortunate, it is not in itself a reason to refuse the application.
- 11.9 The proposal achieves 12dB below this background noise façade, which accords with the requirements of policy DM 6.1 and appendix 10 of the Development Management Policies 2013. The Acoustic officer has recommended a condition to secure this, and a condition that requires an acoustic report to be submitted after the erection of the equipment, to confirm that the guidelines are accorded with.
- 11.10 The applicant has stated that the proposed Mitsubishi air conditioning units will not operate during the night, and the condenser units for the refrigeration condensers will contain a night-mode. Conditions are recommended for the hours of operation of the air conditioning units and to secure that an automatic night switch is installed on the condenser units, as the operation of the units on day mode during the night would give rise to an adverse impact on neighbour amenity, when background noise levels are significantly lower.

- 11.11 The Council's acoustic officer has also recommended that a condition is imposed to require the submission of an acoustic report after the completion of the approved development, to demonstrate that the acoustic report has been complied with. This condition is set out within the recommendations within Appendix 1.
- 11.12 A number of objections to the application have queried whether the applicant has examined other potential locations for the air conditioning plant, which might have a lesser impact on neighbour amenity. The objections are not relevant to the determination of the application, as the application needs to be assessed on its merits against the development plan and other material considerations. A noise report has been compiled and it is considered that the proposed location of the air conditioning and condenser units is acceptable subject to the recommended hours of operation and restrictions as set out in the recommended conditions.
- 11.13 Provided the recommended conditions are imposed, the proposal is not considered to lead to any adverse impact on the amenity of neighbouring properties through the emission of noise. The proposal is therefore in compliance with policy DM 6.1 of the Development Management Policies 2013.
- 11.14 Given the modest, single storey scale of the enclosure which is set against the rear elevation of the retail unit it is not considered that the enclosure structure will have a dominant appearance or overbearing impact when viewed from the residential properties to the rear of the site or from the public highway and views from St John's Grove. The proposed air conditioning units are not considered to lead to any material impact on the amenity of neighbouring properties in respect of the loss of outlook, daylight, sunlight or increased sense of enclosure. This is because the unit will be below the lowest residential units, and is situated directly adjacent to the rear elevation of the retail buildings. The proposal is therefore considered to be in compliance with policy DM 2.1.

12. SUMMARY AND CONCLUSION

Summary

- 12.1 The proposed air conditioning unit will accord with the limitations identified within Appendix 9 of the Development Management Policies 2013, and therefore will not lead to any adverse impact on the amenity of neighbouring properties through the emission of noise. Provided the proposed conditions are imposed on the consent, the proposal is considered to be in compliance with policy DM 6.1 of the Development Management Policies 2013. The proposed development is also considered to be in acceptable in terms of the impact on the outlook, daylight and sunlight received by neighbouring properties, and is in accordance with policy DM 2.1 of the Development Management Policies in this respect.
- 12.2 The design of the air conditioning units and enclosure is also considered to be acceptable, given the character of the rear elevation of the retail unit and car park area. The proposal is considered to be in compliance with policy DM 2.1 in this respect.

Conclusion

- 12.3 It is recommended that planning permission be granted for the reasons and details as set out in Appendix 3 - RECOMMENDATIONS.

APPENDIX 3 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement (Compliance)
	<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	Approved Plans List: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[12429-400, 12429-410, 12429-302, 12429-305, 12429-415 rev A, 12429-411 rev A, Covering letter, KR Associates Environmental Acoustic Test April 2015 KR04472 v.1.1]</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	Noise (Compliance)
	<p>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: In the interests of neighbour amenity.</p>
4	Noise (Compliance)
	<p>Within six months of the completion of the development hereby approved, 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 3. The report shall be submitted to the Local Planning Authority for approval.</p> <p>REASON: In the interests of neighbour amenity.</p>
5	Noise (Compliance)
	<p>Prior to the hereby approved plant equipment being used, a timer shall be installed limiting the operation of the Mitsubishi air conditioning units to between the hours of 07:00 to 23:00 only. The timer shall be maintained as such thereafter.</p> <p>REASON: In the interests of neighbour 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. 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	<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 & Equalities Act</p>
3	<p>Part M Compliance</p>
	<p>You are advised that the scheme is required to comply with -</p> <ul style="list-style-type: none"> • The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', <p>For this proposal, this may include</p> <ul style="list-style-type: none"> - colour contrast nosing to the external steps; - improvements to the handrail profile - glass marking manifestations <p>For more information, you may wish to contact Islington Council's Building Control (0207 527 5999).</p>
4	<p>Noise</p>
	<p>You are advised that the plant will require regular checks, maintenance and servicing to ensure that the noise levels do not rise and that any annoying tones, rattles, buzzes etc. do not develop and that the mitigation measures are still effective.</p>
5	<p>Construction hours</p>
	<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;"> <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>
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APPENDIX 4: 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)

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)

Policy CS17 (Sports and recreation provision)

C) Development Management Policies June 2013

Design and Heritage

Policy DM 2.1 (Design)

Policy DM 6.1 (Healthy Development)

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

The following SPGs and/or SPDs are relevant:

- Urban Design Guide

Islington SE GIS Print Template



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