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## AGENDA FOR THE PLANNING SUB COMMITTEE A

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Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on **5 January 2016 at 7.30 pm.**

**John Lynch**  
**Head of Democratic Services**

Enquiries to : Zoe Crane  
Tel : 020 7527 3044  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 18 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](mailto:enquiriesplanning@islington.gov.uk).**

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor Fletcher (Chair)	- St George's;	Councillor Convery	- Caledonian;
Councillor Poyser (Vice-Chair)	- Hillrise;	Councillor Diner	- Canonbury;
Councillor Chowdhury	- Barnsbury;	Councillor Gantly	- Highbury East;
Councillor Khan	- Bunhill;	Councillor Donovan	- Clerkenwell;
Councillor Spall	- Hillrise;	Councillor Kay	- Mildmay;
		Councillor Klute	- St Peter's;
		Councillor Nicholls	- Junction;
		Councillor A Perry	- St Peter's;
		Councillor Picknell	- St Mary's;
		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
6. Minutes of Previous Meeting 1 - 6

**B. Consideration of Planning Applications** **Page**

1. 16 Dove's Yard, London, N1 0HQ 9 - 26

2. Highbury Pool, Highbury Crescent, Islington, London, N5 1RR

27 - 52

**C. Consideration of other planning matters**

**D. Urgent non-exempt items (if any)**

Any non-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.

**E. Exclusion of press and public**

To consider whether, in view of the nature of the remaining item 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 A, 23 February 2016

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

[www.democracy.islington.gov.uk](http://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](mailto:enquiriesplanning@islington.gov.uk).**

London Borough of Islington

## Planning Sub Committee A - 1 December 2015

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 1 December 2015 at 7.30 pm.

**Present:**           **Councillors:**       Kat Fletcher (Chair), David Poyser (Vice-Chair), Jilani Chowdhury and Robert Khan  
**Also Present:**       **Councillor:**           Osh Gantly

### Councillor Kat Fletcher in the Chair

**123**        **INTRODUCTIONS (Item A1)**

Councillor Fletcher welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

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

Apologies were received from Councillor Spall.

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

There were no declarations of substitute members.

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

In relation to Agenda Item B4, Councillor Poyser declared that he was a member of the Highbury Fields Association.

**127**        **ORDER OF BUSINESS (Item A5)**

The order of business would be:

B4, B3, B6, B1, B2, B5, B7, B8, B9, B10, B11, B13, B14 and B15. Item B12 had been deferred by the applicant.

**128**        **MINUTES OF PREVIOUS MEETING (Item A6)**

**RESOLVED:**

That the minutes of the meeting held on 13 October 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**129**        **20 SHELBURNE ROAD, LONDON, N7 6DL (Item B1)**

Conversion of single dwelling house (C3) into 2 self-contained flats (1 x 3 bedroom, 1 x 1 bedroom) and refurbishment of existing rear extension to include facing brickwork and new timber-framed windows and doors.

(Planning application number: P2015/1525/FUL)

In the discussion the following point was made:

- The application was policy compliant.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the case officer's report.

**130**      **25-52 ROTHERFIELD COURT, ROTHERFIELD STREET, ISLINGTON, LONDON, N1 3BN (Item B2)**

Installation of steel hand railings (1.1m high) at roof level of the building.

(Planning application number: P2015/2620/FUL)

In the discussion the following points were made:

- The applicant confirmed that the building had a flat roof which had to be accessed for maintenance purposes. Legislation meant safety improvements were necessary for the safety of those undertaking maintenance work. A safety rail would ensure compliance with the legislation.
- The applicant confirmed that residents did not have access to the roof.
- The applicant confirmed that the rail was adjustable but would be set at 1.1m high which was recommended by the manufacturer. He also confirmed that the rail would be 1.2m from the edge of the building. If maintenance workers had to go closer to the edge of the building, they would be harnessed.

**RESOLVED:**

That planning permission be granted subject to the conditions and informative set out in Appendix 2 of the case officer's report.

**131**      **57-65 RANDELL'S ROAD, LONDON, N1 0DH (Item B3)**

The demolition of the existing garage/workshop and the erection of a four storey plus basement building to provide commercial (B1) space at ground floor and basement, and residential use (five x 2 bed flats and one x 1 bed flat) to the four upper floors, together with the incorporation of refuse bin stores and bicycle storage.

(Planning application number: P2015/2834/FUL)

In the discussion the following points were made:

- The planning officer advised that the application was in Caledonian ward and not Barnsbury ward as stated in the officer's report.
- The location of the cycle storage provision was discussed.
- The planning officer advised that this application was for a small part of the site. This scheme would not prevent the rest of the site from being developed at a later stage and it could form part of a more comprehensive development in the future.
- The scheme was policy compliant.

**RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the case officer's report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the case officer's report.

**132**      **HIGHBURY POOL, HIGHBURY CRESCENT, ISLINGTON, LONDON, N5 1RR (Item B4)**

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

(Planning application number: P2015/0386/FUL)

## Planning Sub Committee A - 1 December 2015

In the discussion the following points were made:

- The planning officer advised that a late objection had been received from the Highbury Pool Group. This included suggestions about windows, materials and landscaping and the group sought a deferral for these to be considered.
- The planning officer advised that if the proposals were amended, this would require a new full consultation.
- The planning officer advised that the design and conservation was satisfied with the materials in the proposed scheme.
- The chair stated that the application had previously been deferred based on design and improvements had been made.
- The planning officer confirmed that the scheme had not been put to the Design Review Panel due to its small scale nature. The next meeting of the panel was not until February 2016.

Councillor Poyser proposed a motion to defer the consideration of the application to enable further discussion to take place between the applicant and the objectors in relation to windows, materials and landscaping. This was seconded by Councillor Chowdhury and carried.

### **RESOLVED:**

That the consideration of the application be deferred to enable further discussion to take place between the applicant and the objectors in relation to windows, materials and landscaping.

**133**

### **LAND AT CORNER OF KILLICK STREET AND CALEDONIAN ROAD, N1 (Item B5)**

Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on the pavement at corner of Killick Street and Caledonian Road.

(Planning application number: P2015/3954/ADV)

In the discussion the following points were made:

- The applicant advised that the sites selected for display panels had been chosen based on footfall. Any sites that received permission for display panels would be included within one contract and a tendering process would then take place. There was a separate planning application for each of the sites and individual decisions were required for each application.
- The application was consistent with policy.

### **RESOLVED:**

That advertisement consent be granted subject to the conditions and informative set out in Appendix 1 of the case officer's report.

**134**

### **NEW NORTH HOUSE, CANONBURY BUSINESS CENTRE, 202 NEW NORTH ROAD, LONDON, N1 7BJ (Item B6)**

Demolition of existing rooftop structures and erection of additional storey on New North House to form 396 sqm of additional business (B1) space.

(Planning application number: P2015/2290/FUL)

In the discussion the following points were made:

- The planning officer confirmed that the existing lift shaft was small but in the view of the planners it was not reasonable to require the applicants to enlarge it due to the small size of the development.

## Planning Sub Committee A - 1 December 2015

- The planning officer advised that one window failed the daylight and sunlight test but it passed the average daylight factor test. A small number of windows were minimally affected by a reduction in light.
- The proposal would return the building to look similar to how it looked during World War II.
- The proposal was generally policy compliant.

### **RESOLVED:**

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the case officer's report.

135

### **PAVEMENT AREA OUTSIDE ISLINGTON CENTRAL LIBRARY, LONDON, N5 (Item B7)**

Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on the pavement area outside Islington Central Library.

(Planning application number: P2015/3957/ADV)

In the discussion the following points were made:

- It was considered that the display panel would result in street clutter which would detract from the library which was a Grade II\* Listed Building.
- It was noted that there were currently a number of signs on the library.

### **RESOLVED:**

That advertisement consent be refused for the reason set out in Appendix 1 of the case officer's report.

136

### **PAVEMENT AREA IN OLD STREET OPPOSITE MALLOW STREET, LONDON, EC1V 9LT (Item B8)**

Installation of a Freestanding Self-Illuminated Advertisement Display Panel (6 Sheet) on the pavement of north side of Old Street opposite Mallow Street.

(Planning application number: 2015/3961/ADV)

In the discussion the following points were made:

- Transport for London (TfL) had raised concerns that the display panel could cause a distraction for drivers.
- The Service Director, Planning and Development stated that as Highways was also the applicant, in the interests of transparency, this application could be referred to Traffic and Engineering for their view on the TfL comments.

Councillor Khan proposed a motion to defer the application for it to be referred to Traffic and Engineering to consider the TfL comments. This was seconded by Councillor Poyser and carried.

### **RESOLVED:**

That the consideration of this application be deferred to enable Traffic and Engineering to comment on the TfL comments.

137

### **PAVEMENT AREA ON PENTONVILLE ROAD (SOUTH SIDE) WEST OF PENTON RISE, PENTONVILLE ROAD, LONDON, N1 9JL (Item B9)**

Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on the pavement on south side of Pentonville Road, west of Penton Rise.

(Planning application number: P2015/3962/ADV)



**RESOLVED:**

That advertisement consent be granted subject to the conditions and informative set out in Appendix 1 of the case officer's report.

**138** **PAVEMENT AREA OPPOSITE BRYLES HOUSE, 32-34 CLERKENWELL ROAD, LONDON, EC1 (Item B10)**

Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on pavement opposite 32-34 Clerkenwell Road.

(Planning application number: P2015/3959/ADV)

In the discussion the following point was made:

- The application was consistent with policy.

**RESOLVED:**

That advertisement consent be granted subject to the conditions and informative set out in Appendix 1 of the case officer's report.

**139** **PAVEMENT AREA OPPOSITE 541-543 CALEDONIAN ROAD, LONDON, N7 (Item B11)**

Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on the pavement opposite 541/543 Caledonian Road.

(Planning application number: P2015/3953/ADV)

In the discussion the following points were made:

- The location of the display panel was considered.
- Although objectors had raised concern about the site being near a conservation area, it was not in a conservation area and was therefore policy compliant.

**RESOLVED:**

That advertisement consent be granted subject to the conditions and informative set out in Appendix 1 of the case officer's report.

**140** **SEVEN SISTERS ROAD (NORTH SIDE) OPPOSITE MEDINA ROAD, LONDON, N7 7PU (Item B12)**

Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on the grass verge outside of Seven Sisters Road opposite Medina Road.

(Planning application number: P2015/3963/ADV)

**RESOLVED:**

That it be noted that this item had been deferred by the applicant.

**141** **SITE ON CLERKENWELL ROAD (BRIDGE BETWEEN FARRINGDON ROAD AND FARRINGDON LANE), CLERKENWELL ROAD, LONDON, EC1M 3LN (Item B13)**

Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on the pavement on the bridge between Farringdon Road and Turnmill Street.

(Planning application number: P2015/3955/ADV)

In the discussion the following points were made:

- It was considered that the display panel would result in street clutter which would detract from the nearby Grade II\* Listed Building.

**Planning Sub Committee A - 1 December 2015**

- The proposed display sign would be higher than the wall behind it.
- The applicant advised that before the wall was rebuilt, there were multiple advertising hoardings in this location.

**RESOLVED:**

That advertisement consent be refused for the reason set out in Appendix 1 of the case officer's report.

**142**

**SITE OUTSIDE WHITTINGTON PARK (ADJACENT TO 563 HOLLOWAY ROAD),  
HOLLOWAY ROAD, LONDON, N19 4DQ (Item B14)**

Installation of a Freestanding Self Illuminated Advertisement Display Panel (6 Sheet) on the green area adjacent to Holloway Road.

(Planning application number: P2015/3952/ADV)

In the discussion the following points were made:

- Transport for London (TfL) had submitted concerns about street clutter and the impact of the display panel on a TfL tree.
- The application was consistent with policy.

**RESOLVED:**

That advertisement consent be granted subject to the conditions and informative set out in Appendix 1 of the case officer's report.

**143**

**SOUTH OF RAILWAY BRIDGE, OPPOSITE EMIRATES, HORNSEY ROAD, ISLINGTON,  
LONDON, N7 8DB (Item B15)**

Erection of a 48 Sheet externally illuminated, static, wall-mounted hoarding.

(Planning application number: P2015/3960/ADV)

**RESOLVED:**

That advertisement consent be granted subject to the conditions and informative set out in Appendix 1 of the case officer's report.

The meeting ended at 9.20 pm

**CHAIR**

**COMMITTEE AGENDA**

**1 16 Dove's Yard, London, N1 0HQ**

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**2 Highbury Pool Highbury Crescent Islington London N5 1RR**

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**1 16 Dove's Yard, London, N1 0HQ**

**Ward:** Barnsbury

**Proposed Development:** The construction of a rear, single storey extension.

**Application Number:** P2015/4201/FUL

**Application Type:** Full Planning (Householder)

**Case Officer:** Emily Benedek

**Name of Applicant:** Rev Peter Berghard

**Recommendation:**

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**2 Highbury Pool Highbury Crescent Islington London N5 1RR**

**Ward:** Highbury East

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

**Application Number:** P2015/0386/FUL

**Application Type:** Full Planning Application

**Case Officer:** Emily Benedek

**Name of Applicant:** GLL - Mrs Lucy Murray-Robertson

**Recommendation:**

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## PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB-COMMITTEE A</b>		
Date:	5 January 2016	<b>NON-EXEMPT</b>

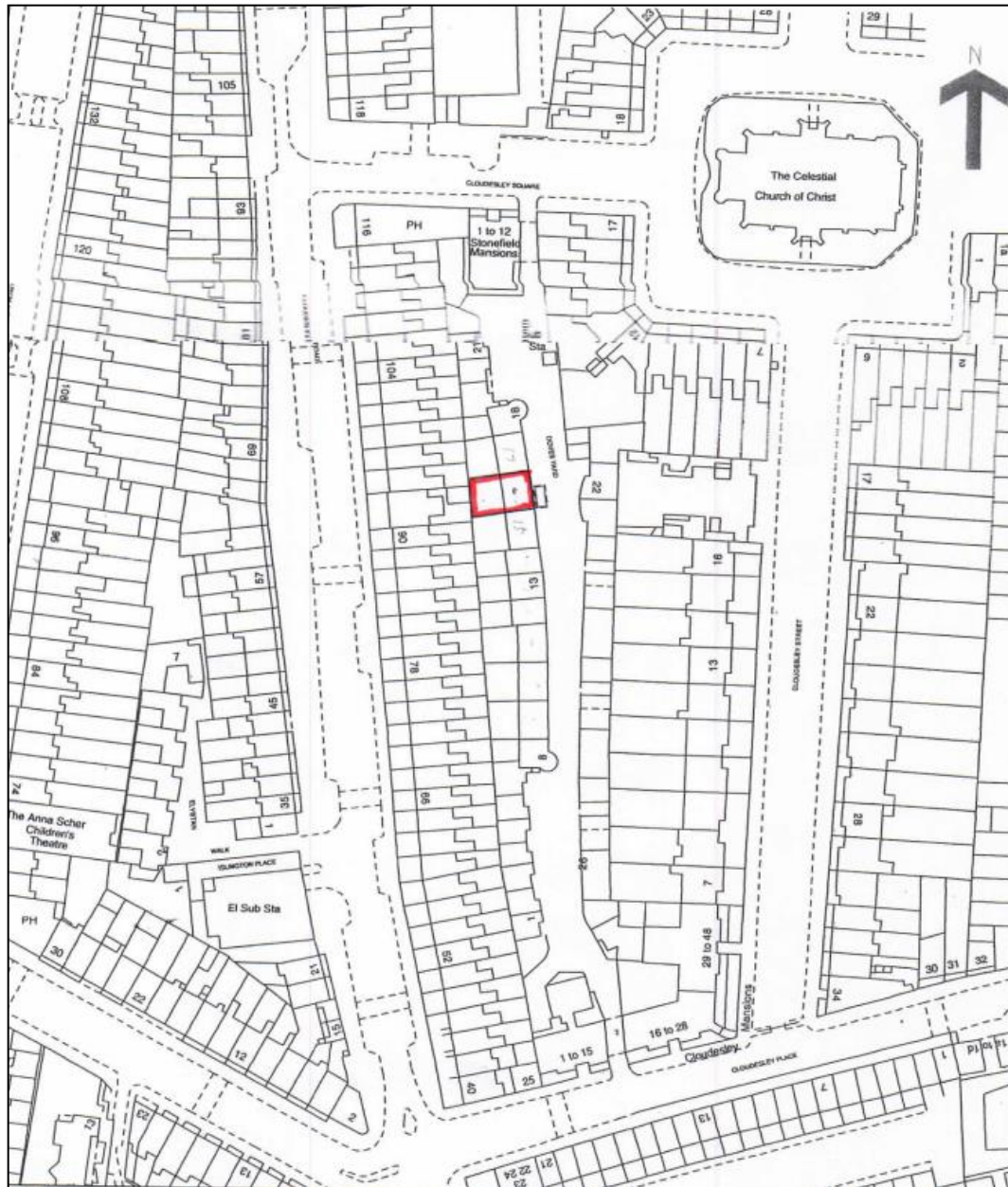
Application number	P2015/4201/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	Not Listed
Conservation area	Barnsbury
Development Plan Context	Article 4.2 Area Local Cycle Route
Licensing Implications	None
Site Address	16 Dove's Yard, London, N1 0HQ
Proposal	Erection of a single storey rear extension.

Case Officer	Emily Benedek
Applicant	Rev. Peter Berghard
Agent	Mr G Alexander – Gus Alexander Architects

### 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

Application site



Image 1: Aerial Photo of the Front of the Site

Application site

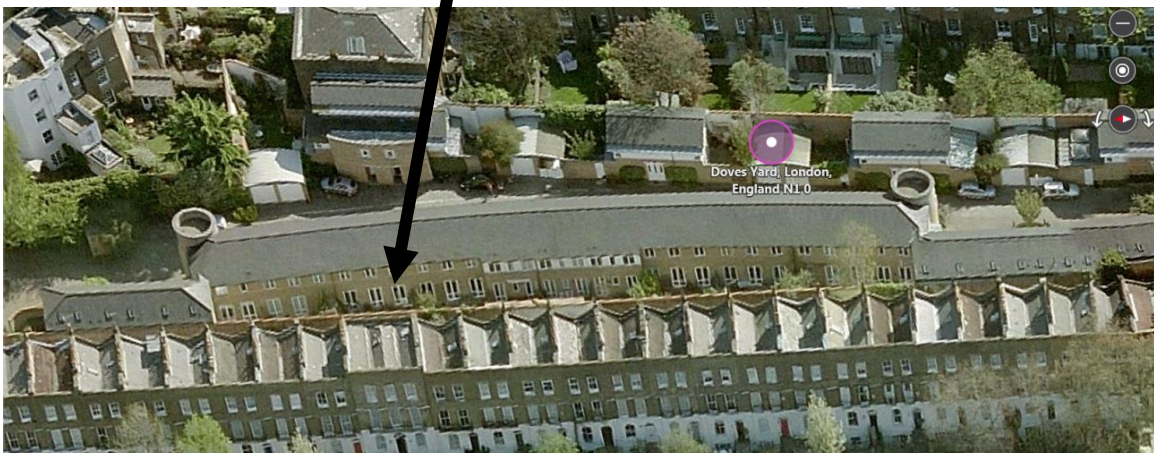


Image 2: Aerial Photo of the Rear of the Site

### 4. SUMMARY

- 4.1 Planning permission is sought for the erection of a single storey rear extension.
- 4.2 The application is brought to committee because of the level of objections.

- 4.3 The proposed single storey rear extension will neither harm the character or appearance of the building nor the wider street scene or the Barnsbury Conservation Area. Given the size of the proposal it will not materially affect the amenity of adjacent residents by virtue of loss of day/sunlight, sense of enclosure, overbearing/dominant or overlooking.
- 4.4 It is recommended that planning permission be granted subject to conditions.

**5. SITE AND SURROUNDING**

- 5.1 The application site comprises of a two-storey, mid-terraced single family dwelling house located on the west side of Dove’s Yard, which is predominantly residential in character. Dove’s Yard is a gated development which was built in the 1990s comprising of two-storey single family dwelling houses accessed either from Cloudesley Square or Cloudesley Place
- 5.2 The building is not listed however the site is located in the Barnsbury Conservation Area. The surrounding area is predominantly residential in character.

**6. PROPOSAL (IN DETAIL)**

- 6.1 Planning permission is sought for the erection of a single storey rear extension. The extension would run along the north boundary wall and would measure less than half the width of the existing garden.
- 6.2 The proposed single storey rear extension will measure 3.5 metres in depth, 3.35 metres in width and 3.65 metres in height and comprises a flat roof. The extension will be timber clad with a zinc roof.
- 6.3 Amended plans have been received which reduced the depth of the extension from 3.8 to 3.5 metres. Neighbouring were re-consulted on these amended plans on 07/12/15 and the formal consultation period therefore expires on 21/12/15.

**7. RELEVANT HISTORY:**

**PLANNING APPLICATIONS:**

- 7.1 **P2015/1824/FUL** – Construction of a single storey rear extension. Refused 19/08/2015.  
Reason for Refusal:  
1) The proposed single storey rear extension by reason of its inappropriate scale, depth, height, bulk and final design would form an overdominant feature which would have an overbearing impact when viewed from the neighbouring rear ground floor windows and garden of No. 17 Dove's Yard. The proposed development would fail to be a subservient addition to the host property and is therefore considered to have a detrimental visual impact on the character and appearance of the host building and wider Barnsbury Conservation Area. The proposed development is therefore considered to be contrary to policies CS8 and CS9 of Islington's Core Strategy (2011), policies DM2.1 and DM2.3 of the Adopted Development Management Policies (2013), the Islington Urban Design Guide (2006) and the Conservation Area Guidelines (2002).

**930365** - Redevelopment for housing to provide 25 two-storey houses and 2 three-storey houses to comprise of 11 x three-bedroom units 8 x two-bedroom units and 8



x one-bedroom units and associated car parking and the raising of a boundary wall to 5.1 metres height at the rear of Nos. 8 9 and 10 Cloudesley Street. Approved (11/07/1994)

#### **ENFORCEMENT:**

7.2 None

#### **PRE-APPLICATION ADVICE:**

7.3 Q2014/4643/HH – Pre-application advice for the erection of a single storey rear extension. (09/02/2015)

### **8. CONSULTATION**

#### **Public Consultation**

8.1 Letters were sent to 24 occupants of adjoining and nearby properties at Dove's Yard and Cloudesley Road on the 16/10/15. A site notice was placed outside the site and the application was advertised in the Islington Gazette on 22/10 2015. Therefore the public consultation expired on 12/11/15. Neighbours were re-consulted on amended plans on 07/12/15 and this public re-consultation expires on 21/12/15 however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report five (5) objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Proposal should be refused for the same reasons as the previous application which have not been addressed in new application (10.9)
- Properties do not have permitted development rights so extensions could be tightly controlled and the impact the proposal may have on residential amenity (10.11-10.15)
- No public benefit to the proposed works (10.10)
- Proposal will have an adverse effect on the architectural design, integrity and rhythm of the terrace (10.7-10.8)
- No external constructions works have taken place on the rear elevation of any properties in this row of 11 terraces so proposal would damage visual amenity irreparably (10.8)
- Loss of visual amenity (10.13-10.15)
- Loss of outlook (10.13-10.15)
- Over dominant extension, not subservient to the main property (10.7-10.10)
- Loss of green space (10.7)
- Increase in density (10.15)
- Safety concerns (10.15)
- Proposal doesn't comply with policies DM2.1 and 2,3, the Islington Urban Design Guide and the Conservation Area Design Guidelines (10.3-10.11)
- Proposal would affect the light at 17 Dove's Yard (10.13-10.15)
- Sense of enclosure to Nos 17 and 18 Dove's Yard (10.15)
- Design out of character (10.7-10.10)
- Proposal would set a precedent for other properties which would be difficult to refuse (10.8)
- Detrimental to character and appearance of the Conservation Area (10.9-10.10)
- Inconsistencies in the planning submission (8.3)
- Noise and disturbance (10.15)

- Loss of light (10.13-10.15)
- Development was designed holistically as a single unit, this has not been considered as part of the proposal (10.8)
- Lack of sufficiently detailed drawings and heritage statement (8.3)
- Previous planning application and decision, its rejection and planning policies not considered adequately in rejecting the previous application (8.3)
- Proposed development will extend ground floor space by 25%, will extend more than 60% into the garden and is more than 60% of the depth of the host property (10.7-10.10)
- Proposal 90 degrees to the building so would not follow the traditional pattern of rear extensions (10.7)
- Proposal would replace a low level wood boundary fence with a brick wall 1m higher which would add to the dominance (10.13-10.14)
- Would create an excessive overall footprint and depth which fails to relate to the scale and appearance of the host property creating an excessively large rear extension in comparison to a reasonably small rear garden (10.7-10.10)
- Zinc roof and cedar cladding are visually harmful and incongruent (10.9)
- Fails to harmonise with the style of the existing property or the character and appearance of adjoining properties (10.7-10.10)
- No other properties have been extended to the rear (10.8)
- Impact on heritage wall and Grade II properties in Cloudesley Road (10.10)
- No information provided about pre-application advice (8.3)
- No restriction on what proposed room could be used for which could be problematic if used at evenings or weekends creating additional light and noise
- Impact on drainage (8.3)
- Drawings should have spot height and ground levels (8.3)
- Proposal will result in a very substantial building that will dominate the existing property and its neighbours (10.7-10.10)
- Overlooking from extension to neighbouring property and neighbours can see into new room from upper floors (10.14)
- Noise carries off the existing rear wall and the noise will carry from the extension to neighbouring property affecting its amenity and will create a courtyard effect (10.15)
- Proposal could increase existing occupancy of six to eight which is excessive and unjustified (10.15)
- High wall not in keeping with the character of the area (10.13)
- Proposal with associated excavation could unsettle a delicate ecosystem and release historic toxins which would release historic toxins and would require an environmental impact assessment before proceeding (10.18)
- Structural impacts of excavation of the neighbouring properties, heritage wall, increase in tube noise and environmental impacts in light of historic issues (8.3)

8.3 Matters relating to structural issues and drainage are not considered to be material planning considerations which can be taken into account when assessing a planning application of this nature. This matter falls under the Building Regulations Act and will be considered by Building Control officers. Pre-application advice is confidential advice which is not normally available to members of the public. The proposal is for the construction of a rear extension and there are not substantial level differences on site. The applicant has provided detailed scaled drawings which are sufficient for the submission of a planning application and therefore spot levels would not be required for a development of this size and scale. Every application is considered on its own merits and it is considered that the previous application was assessed fully in relation to planning policies and guidance.

### **Internal Consultees**

8.4 **Design and Conservation Officer:** raise no objection to the development

### **External Consultees**

8.5 **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 and Planning Policy Guidance seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals. Development Plan

9.2 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

### **Designations**

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

- Barnsbury Conservation Area
- Article 4.2 Area
- Local Cycle Route

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

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

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Amenity
- Sustainability
- Other matters

## **Land Use**

- 10.2 Planning permission is sought for the erection of a single storey rear extension. Although planning permission is not normally required for development of this nature, when the original development in Dove's Yard was granted planning permission in 1994 (930365), permitted development rights were removed from the property with regards to extensions. This was to ensure that any future extensions on the site could be carefully considered in order to assess the character and appearance of the property and wider locality.

## **Design and Conservation**

- 10.3 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. It is also considered that policy DM2.3 is important in this application to ensure all development continues to preserve and enhance the character and appearance of the conservation area.
- 10.4 The application site is located in the Barnsbury Conservation Area. The site itself forms part of a gated community built in the 1990s and although not of the same high quality design as other buildings within this conservation area, it is important to ensure that any new development continues to preserve and enhance the character and appearance of the conservation area and should ensure that these works would not be visible from the street scene.
- 10.5 The Islington Urban Design Guide (IUDG) (paragraph 2.5.2) states that:  
"rear extensions should avoid disrupting the existing rhythm of the existing rear elevations, or dominate the main building. Particular care needs to be given to rear elevations visible from the public realm...and the most prominent upper part of the rear elevation that are visible from the private realm."

The IUDG explains that ground floor rear extensions will normally be acceptable beyond the existing rear building line provided sufficient garden space is retained.

- 10.6 With reference to rear extensions, the Conservation Area Design Guidelines for Barnsbury (2002) states in paragraph 10.19 that "in order to preserve the scale and integrity of the existing buildings it is important that rear extensions are subordinate to the mass and height of the main building. Rear extensions will be permitted on their merits and only where the scale, design and materials to be used are in keeping with the existing property and where all other planning standards are met."
- 10.7 The proposed single storey rear extension will extend across less than half the width of the existing dwelling so as not to dominate the existing rear building line. Whilst the fenestration will be located on the flank elevation, the extension has not been built at 90 degrees to the main dwelling. The plans have been amended with regards to the depth of the extension so that it extends 3.5 metres into the existing garden (as opposed to the 3.8 metres originally submitted) and the proposal will measure 2.65 metres in height. The height of the extension remains the same as the previously refused scheme. As a result of the reduced depth a total of 36.1sqm of existing private amenity space will be retained. Development Management Policy DM3.5 relates to new build developments and requires the provision of a minimum 30 sqm private amenity space for 3 bedroom houses. Whilst this is not a new build property it

would still retain adequate amenity space to serve existing occupiers. The resultant amenity space following the erection of the extension would exceed this requirement for new build housing and the proposal is therefore not considered to result in an excessive loss of garden space.

- 10.8 With regards to design it is considered that the proposal has been sensitively designed so as not to create an overdominant feature when viewed from the private realm, especially in relation to the existing dwelling. Whilst it is noted that other properties in this row of terraces have not been extended to the rear, this does not automatically mean the proposal will be harmful to the character and appearance of the locality, and each application must be assessed on its own merits. Furthermore, the application site is located in a gated community with a 5 metre high wall along the rear boundary, therefore the proposal would only be visible from the immediate neighbouring properties and it is not considered to alter the character of the area.
- 10.9 The proposed rear extension will measure 2.6 metres in height and will extend 0.2 metres above the sill height of the ground floor fenestration. It is acknowledged that the previously refused application projected the full depth of the garden and therefore by reason of its height, scale, massing, bulk and depth was considered to have a detrimental impact on the amenity of the adjoining occupiers at No 17 Dove's Yard, which abuts the extension. However, this amended scheme has been substantially reduced in terms of its rear projection since the previous refusal with the depth reduced by 2.3 metres. As a result, it is considered that the massing of the proposed extension has been reduced to an acceptable level so as not to create an overly dominant structure. The height of the proposed extension is also considered to be modest in relation to the existing building. With regards to the materials, the proposed extension will be built from western red cedar vertical boarding with a new zinc roof. Whilst the existing dwelling has been built from yellow stock brick, the proposed materials are considered to integrate well and complement the existing dwelling and would not have a harmful impact on the character and appearance of the property and no objections are raised to the proposed materials. The proposal will be located at the rear of the dwelling and will not be visible from the public realm. As such it is not considered to have a harmful impact on the character and appearance of the Barnsbury Conservation Area or wider locality.
- 10.10 The NPPF (paragraph 134) states that where a development proposal will lead to less than substantial harm of a designated heritage asset, this harm should be weighed against the public benefits. The application site is located to the rear of a row of Grade II Listed properties on Cloudesley Road and at a significantly lower level and is separated by a 5 metre high wall to the rear. There is a separation distance of 2.25 metres between this wall and the rear of the proposed extension and given the distances, the proposal is not considered to have a less than substantial harm development on the heritage assets. Furthermore, whilst the application site is located in the Barnsbury Conservation Area it forms part of a more modern development within this historic setting. As the proposal results in a subservient dwelling to an existing dwelling, there is a neutral impact and therefore the test of the NPPF does not apply, however in light of the above, the proposal is not considered to have a harmful impact on the setting of the neighbouring heritage assets.
- 10.11 The proposal is therefore 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, Development Management Policies DM2.1 and DM2.3, the Islington Urban Design Guide 2006 and the Barnsbury Conservation Area Design Guidelines (2002).

### **Neighbouring Amenity**

- 10.11 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, safety and an increased sense of enclosure. A development's likely impact in terms of light pollution, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policies 7.14 and 7.15 as well as Development Management Policies DM 2.1 and DM6.1 which requires for all developments to be safe and inclusive and maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.12 The proposed extension will extend along the boundary with No 17 Dove's Yard and will be 0.7 metres higher than the existing boundary fence. Whilst the existing fence will be replaced with a new brick wall along this shared boundary, given the low height and depth of the extension along this shared flank elevation, the proposal is not considered to have a harmful impact on the amenities of this neighbouring occupier, nor is it considered to result in loss of light or outlook.
- 10.13 The proposed extension will be located 5 metres away from the shared boundary with No 15 Dove's Yard and there is an existing 1.8 metre high fence dividing the two properties. It is acknowledged that the only fenestration on the proposed extension faces onto No 15 Doves Yard and whilst the top of the new door will measure 2 metres in height, a normal sight line is 1.7 metres from ground level and therefore the only outlook the applicant will have is onto the shared boundary fence. There is an existing wall along the southern elevation of the property which measures 5 metres in height, a 1.8 metre high boundary fence between the application site and No 15 Dove's Yard and the height of the boundary wall between the application site and No 17 Dove's Yard will be increased to 2.3 metres following the erection of the extension. This is sufficient to ensure the proposal will not result in overlooking to neighbouring occupiers. Whilst the extension would be visible from upper floor levels this does not necessarily mean that it would have a harmful impact on neighbouring amenity and given the distance from this neighbouring property, as well as the height of the extension, the proposal is not considered to have a detrimental impact on the amenities of this neighbouring occupiers, or result in an increased sense of enclosure.
- 10.14 Concerns have been raised from neighbouring occupiers regarding potential noise and disturbance and light pollution resulting from the use. It is proposed that the rear extension will be used for domestic purposes and would therefore provide ancillary accommodation to the main dwelling and will not result in unacceptable levels of noise and disturbance to neighbouring occupiers. Whilst in theory the new room could be used as a bedroom or for another use in connection with a single family dwelling house, it is not considered that the proposal would result in an over-intensification of the site in terms of density. It is noted that concerns have also been raised regarding light pollution, however it would be difficult to substantiate a condition relating to the hours of use in evenings or weekends as the proposal relates to the extension of a single family dwelling house and it would be difficult to substantiate refusal for this reason. With regards to safety, the site relates to a mid-terraced property which is enclosed on all sides including a 5m high wall to the rear. It is therefore not considered that the proposed extension would have an impact on the safety of neighbouring occupiers.
- 10.15 The proposal is not considered to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington Development Management Policies June 2013.

### **Sustainability**

- 10.16 The proposal will not have an impact on the sustainability of the building and will not result in the significant loss of the garden area. No trees will be affected by the development.

### **Other Matters**

- 10.17 Neighbours have raised concerns about the historic toxins which could be released into the ecosystem as a result of the development. However, a soil investigation condition was discharged as a result of the original redevelopment (950313) which would have dealt with this matter and the size and the depth of the foundations used for the proposed extension will not be as deep as the foundations required for the original dwellings. As such, the proposal is not considered to have a harmful impact on the ecosystem.

## **11.0 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed single storey rear extension is considered to be acceptable with regards to the design, neighbour amenity and sustainability.
- 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, 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 planning permission be subject to conditions to secure the following:

#### List of Conditions

<b>1</b>	<b>Commencement</b>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan, 720/01, 720/02 REV 4 (02-12-15), 720/03 REV 4 (02-12-15), 270/04 REV 4 (02-12-15), Heritage Statement, Photos.</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>
<b>3</b>	<b>Materials</b>
	<p>CONDITION: 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:

<b>1</b>	<b>Positive statement</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>Definitions</b>
	<p>INFORMATIVE: (Definition of 'Superstructure' and 'Practical Completion') A number of conditions attached to this permission have the time restrictions</p>



	'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
<b>3</b>	<b>Hours of Working</b>
	The applicant is advised that the accepted working hours for development within the borough are: 8:00am-6:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.

## 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

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

**Energy and Environmental Standards**

**DM 7.2** Energy efficiency and carbon reduction

**DM7.4** Sustainable Design Standards

**5. Designations**

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

- Highbury New Park Conservation Area.
- Provisional Article 4.2 Area
- Local Cycle Route
- Within 50m of Sotheby Road Conservation Area

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

The following SPGs and/or SPDs are relevant:

**Islington Local Development Plan**

**London Plan**

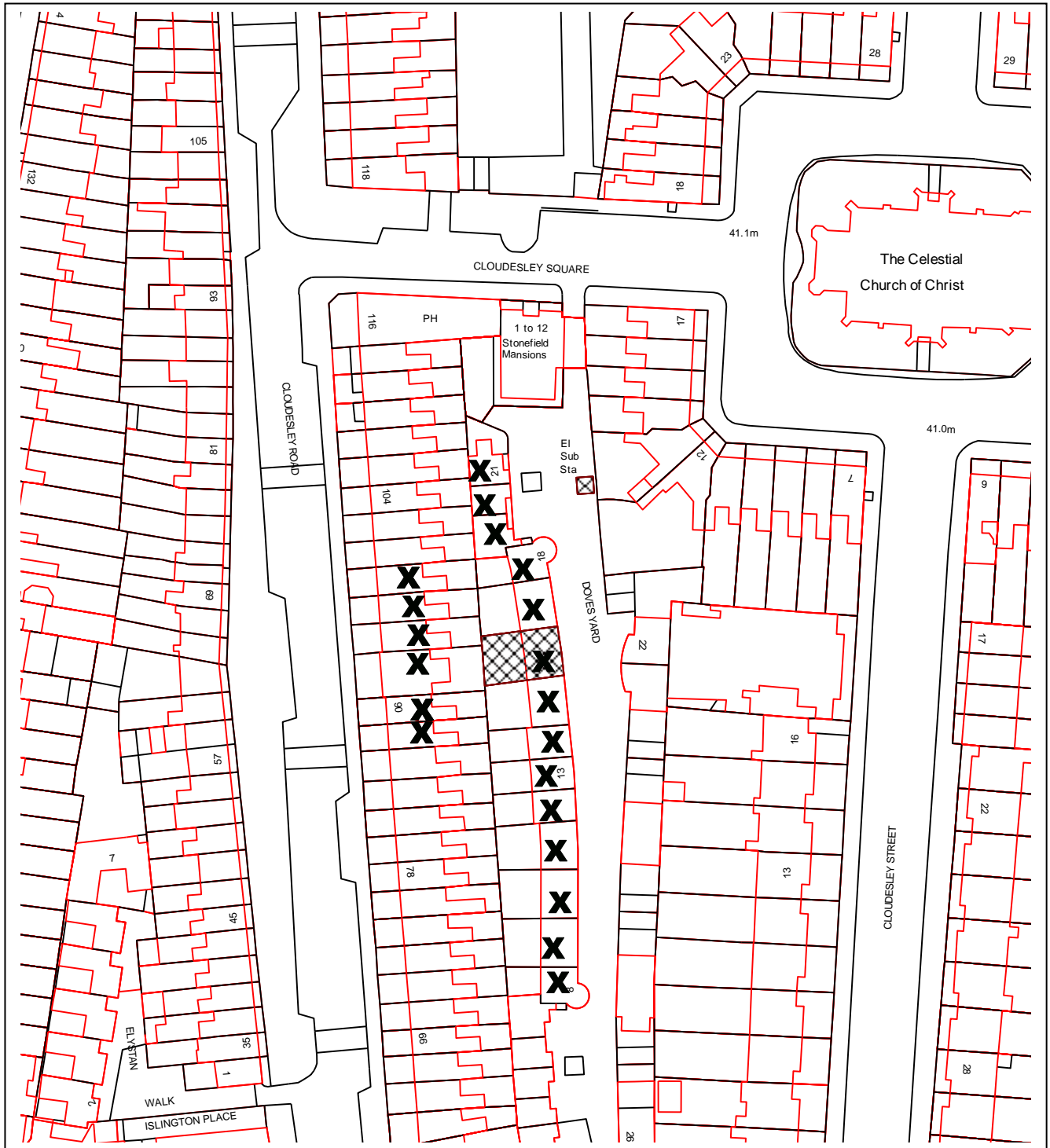
**Urban Design Guide (2006)**

**Conservation Area Design Guidelines (2002)**



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# Islington SE GIS Print Template



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P2015/4201/FUL

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## PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB- COMMITTEE A</b>	
<b>Date:</b> 5 <sup>th</sup> January 2016	NON-EXEMPT

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

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

### 1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 3.

## **2. REASON FOR DEFERRAL**

- 2.1 This application was previously discussed at Planning Sub Committee A on the 1<sup>st</sup> December 2015. The application received a late objection following the publication of the agenda and particular concern was raised at committee regarding the windows, materials and landscaping. The application was deferred in order for the applicant to consider these elements further and enable further discussion with the objectors.
- 2.2 Feedback and advice was given by planning officers and design and conservation officers to the applicants (GLL) following the committee meeting officers advised that the proposed reduction of windows would be acceptable but, as advised throughout the application, officers would not support zinc cladding.

## **3. AMENDMENTS TO THE SCHEME**

- 3.1 Following discussions with the objectors, the following key design elements amendments were adopted:
- alterations to the glazing on the south and east elevations from a three pane arrangement to a two pane arrangement resulting in the overall reduction of windows on this elevation from 21 to 14.
  - amendment to landscaping on the east elevation to create a new 600mm high planting bund to provide screening to the ground floor

## **4. PUBLIC CONSULTATION**

- 4.1 Letters were sent to 108 neighbours on 7<sup>th</sup> December 2015. A site notice was placed outside the site and the application was advertised in the Islington Gazette on 10<sup>th</sup> December 2015. The public consultation of the application therefore expired on 31<sup>st</sup> December 2015, however it is the Council's practice to consider representations made up until the date of decision.
- 4.2 At the time of writing the report one additional objection had been received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Highbury Pool Group accepts the amendments to the extent of the glazing on the east and south elevation including the increased size of windows. The reduction from twenty one to fourteen windows allows better proportions to be achieved, calms down the elevation and responds better to the wider context in this Conservation Area which includes the rhythmic continuity and scale of the windows opposite along Highbury Place (5.2)
  - The Group do not accept comments by the planning officers that the windows should differentiate the building from the terrace opposite (5.2)
  - The Group do not accept the choice of facing brickwork but would support aluminium to match the proposed aluminium frames which would reinforce the principle of a light 'pavilion' structure, look aesthetically pleasing, be simpler in construction terms and reflect the choice of the two architects on the Group (5.1)



- Further details showing the plan of the proposed planting bund on the east elevation are required. (5.3)

## 5. ASSESSMENT OF THE AMENDMENTS

- 5.1 In terms of materials, as stated in the report which went to sub-committee on 1 December 2015, the use of cladding materials such as zinc or aluminium is not considered to be appropriate, as it would introduce a further material (and not retain the simple existing palette of materials), the grey colour would be viewed in the context of the grey roof which would make the scheme appear top heavy, and there are also practical concerns of the use of cladding in this verdant location. The use of lighter coloured brick on the first floor is considered to give a lighter visual appearance to the first floor. Several brick samples were shown to planning and conservation officers on site and it is considered that the Ibstock New Diana brick (5143) would be most appropriate for the scheme in terms of their colour, texture and integration with the existing bricks. As such, the use of brick was supported by both Planning and Design and Conservation Officers. Whilst the Highbury Pool Group has differing opinions with regards to the materials than the Design and Conservation and Planning officers, it is considered that the use of external materials has been carefully assessed and the proposed bricks are the most appropriate for the building. The officer team (including the Service Director) would not support the use of zinc cladding or any darker materials on the east elevation and have consistently advised the applicants and Highbury Pool Group as such throughout the application process.
- 5.2 With regards to the alterations to the window arrangement and size, officers are of the opinion that the three window arrangement works better, it is more fluid, it provides better articulation and looks more elegant. Having said that, the concept of the design would not be significantly affected by the change to a two window arrangement, therefore would not resist the two window arrangement.
- 5.3 Clarifications have been provided to the proposed site plan including to highlight in colour the 0.6m high proposed planting bund on the east elevation which would provide some screening from the ground floor elevation and is considered acceptable. It is proposed that further details of the planting bund are provided as part of the landscaping condition.
- 5.4 It is recommended that
- condition 2 is amended to reflect the revisions received to plans;
  - condition 3 is deleted and an additional condition is added to reflect the sample of brick work that has been approved by planning and conservation officers;
  - an additional condition is proposed relating to the provision of a construction method statement prior to the commencement of works starting on site.

## 6. SUMMARY AND CONCLUSION

### Summary

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

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

### **Conclusion**

- 6.3 It is recommended that planning permission be granted subject to conditions as set out in Appendix 3 – RECOMMENDATIONS and the additional conditions and informatives set out below.

#### **Revised Condition 2**

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

P001 A, P002 B, P003, P100 C, P101 B, P102 B, P103 B, P104 B, P105 B, P106 A, P107 B, P108 D, P109, P110 C, P111 D, P120 B, P125 A, P126, P127 B, Design & Access Statement revision B dated 6<sup>th</sup> October 2015 (Arkon Associates), Arboricultural Report (Andrew Day 5<sup>th</sup> Feb), 1634 01 C.

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.

#### **Revised Condition 3**

CONDITION: A sample panel of brickwork showing the proposed facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority prior to the commencement of works on the relevant part of the development.

The approved sample panel shall be retained on site until the works have been completed.

The facing bricks shall be Ibstock New Diana (5143); stretcher bond; pointing shall be flush or slightly recessed with a natural colour lime based mortar.

REASON: In order to safeguard the special architectural or historic interest of the heritage asset.

#### **Additional Condition 6**

CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority.

The reports shall detail the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.

The development shall be carried out strictly in accordance with the approved CMP throughout the construction period.

REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development

#### **Additional Informative 4**

The applicant is advised that the accepted working hours for development within the borough are:

8:00am-6:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.

## APPENDIX 1: December 2015 Committee Report

### PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB- A COMMITTEE</b>	
<b>Date:</b> 1 <sup>st</sup> December 2015	NON-EXEMPT

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

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

#### 1. RECOMMENDATION

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

- subject to the conditions set out in Appendix 3.

## **2. REASON FOR DEFERRAL**

- 2.1 This application was previously discussed at Planning Sub Committee B on the 29<sup>th</sup> June 2015. The application received a number of objections and particular concern was raised at committee regarding the design of the eastern side double height extension, and its visual impact upon the designated open space, Conservation Area and grade II listed Highbury Fields.
- 2.2 Whilst the principle of the extension and refurbishment of the leisure centre was supported, the application was deferred in order for the design and height of this extension to be considered further for improvements and for further consultation and discussions to take place.
- 2.3 Feedback and advice was given by planning officers and conservation officers to the applicants (GLL) regarding the committee meeting and the consensus of opinion on the design. It was considered that if the design is of sufficient high quality then the visual impact of the massing and height of the extension would be reduced.

## **3. MEETINGS WITH OBJECTORS, STAKEHOLDERS, PLANNING OFFICERS AND THE APPLICANT**

- 3.1 A meeting with the Highbury Fields Association (HFA) was held on the 18<sup>th</sup> August 2015 (attended by GLL and planning and conservation officers) where the HFA presented suggestions and plans regarding the design of the eastern elevation to the applicant for their consideration.
- 3.2 A 'pavilion style' design was put forward, retaining the brick base and introducing a lightweight first floor. A larger expanse of glazing was suggested, with column features, a horizontal emphasis, balustrade detailing and column features at first floor level to express the frame structure. The use of lightweight cladding materials such as zinc was proposed for the first floor.
- 3.3 A landscaping bund was also suggested, in order to reduce the visual impact and overall massing of the building. It was also suggested that the first floor slab level was lowered in order to match the height of the floor level with the fenestration level. It was explained at the meeting by the applicants architect that it was not possible to reduce the height of the slab level due to the physical and engineering constraints of the site.
- 3.4 A meeting was then held on the 17<sup>th</sup> September 2015 where GLL presented the amended designs and drawings to the HFA and the planning and conservation officers.

## **4. AMENDMENTS TO THE SCHEME**

- 4.1 The following key design elements amendments were adopted:
  - Adoption of a 'pavilion style' design reminiscent of park and golf course buildings.
  - A strong horizontally projected roof fascia which together with a strongly stated lower fascia line at a level corresponding to the current fascia line creates a horizontal emphasis.
  - Column features at first floor level expressing the frame structure.

- Increased obscure glazing to the façade at first floor level creating a more open building to introduce movement, light and activity.
  - Glazing provided to create a rhythm to the elevation which continues onto the southern elevation to maintain aesthetic to approach the Highbury Fields from the station.
  - Additional detail to the façade added in the form of a horizontal balustrade.
  - Use of a contrasting brick, lighter in colour than the existing and of a geometric form to contrast to the current stock brickwork.
- 4.2 A 600mm high bund has also been introduced to the eastern boundary with planting to reduce the visual impact of the extension.

## 5. PUBLIC CONSULTATION

5.1 Letters were sent to 108 neighbours on 9<sup>th</sup> October 2015. A site notice was placed outside the site and the application was advertised in the Islington Gazette on 15<sup>th</sup> October 2015. The public consultation of the application therefore expired on 5<sup>th</sup> November 2015, however it is the Council's practice to consider representations made up until the date of decision.

5.2 At the time of writing the report two additional objections had been received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Object to the use of materials, should be lightweight such as zinc cladding (6.1)
- Would the work be noisy? What's the schedule for carrying out work (in terms of working days/hours?) (6.4)

5.3 One letter of support has also been received stating that the proposal is more in keeping with the character of the area.

## 6. ASSESSMENT OF THE AMENDMENTS

6.1 In terms of materials, as stated previously, the use of cladding materials such as zinc is not considered to be appropriate, as it would introduce a further material (and not retain the simple existing palette of materials), the grey colour would be viewed in the context of the grey roof which would make the scheme appear top heavy, and there are also practical concerns of the use of cladding in this verdant location. The use of lighter coloured brick on the first floor is considered to give a lighter visual appearance to the first floor. Several brick samples were shown to planning and conservation officers on site and it is considered that the Ibstock New Diana brick (5143) would be most appropriate for the scheme in terms of their colour, texture and integration with the existing bricks. As such, the use of brick was supported by planners.

6.2 The amended plans were considered to be a significant improvement by HFA and the planning and conservation officers in terms of the quality of the design. The design is considered to be of sufficient high quality that the visual impact of the massing and height of the extension has been reduced.

6.3 It is recommended that

- condition 2 is amended to reflect the revisions received to plans;
- condition 3 is deleted and an additional condition is added to reflect the sample of brick work that has been approved by planning and conservation officers;
- an additional condition is proposed relating to the provision of a construction method statement prior to the commencement of works starting on site.

6.4 The construction management plan will ensure the proposal would not have an adverse impact on neighbouring amenity. When submitted, the construction method statement will be assessed by the Council's Pollution team to ensure construction hours and noise levels are kept to an acceptable level.

## **7. SUMMARY AND CONCLUSION**

### **Summary**

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

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

### **Conclusion**

7.3 It is recommended that planning permission be granted subject to conditions as set out in Appendix 3 – RECOMMENDATIONS and the additional conditions and informatives set out below.

#### **Revised Condition 2**

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

P001 A, P002 B, P003, P100 B, P101 B, P102 B, P103 A, P104 B, P105 B, P106 A, P107 B, P108 C, P109, P110 C, P111 D, P120, P125 A, P126, P127 A, Design & Access Statement revision B dated 6<sup>th</sup> October 2015 (Arkon Associates), Arboricultural Report (Andrew Day 5<sup>th</sup> Feb), 1634 01 C.

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.

#### **Revised Condition 3**

CONDITION: A sample panel of brickwork showing the proposed facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority prior to the commencement of works on the relevant part of the development.

The approved sample panel shall be retained on site until the works have been completed.

The facing bricks shall be Ibstock New Diana (5143); stretcher bond; pointing shall be flush or slightly recessed with a natural colour lime based mortar.

REASON: In order to safeguard the special architectural or historic interest of the heritage asset.

#### Additional Condition 6

CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority.

The reports shall detail the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.

The development shall be carried out strictly in accordance with the approved CMP throughout the construction period.

REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development

#### Additional Informative 4

The applicant is advised that the accepted working hours for development within the borough are:

8:00am-5:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.



## APPENDIX 2: Original June 2015 Committee Report

### PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB- B COMMITTEE</b>		
<b>Date:</b>	29 <sup>th</sup> June 2015	NON-EXEMPT

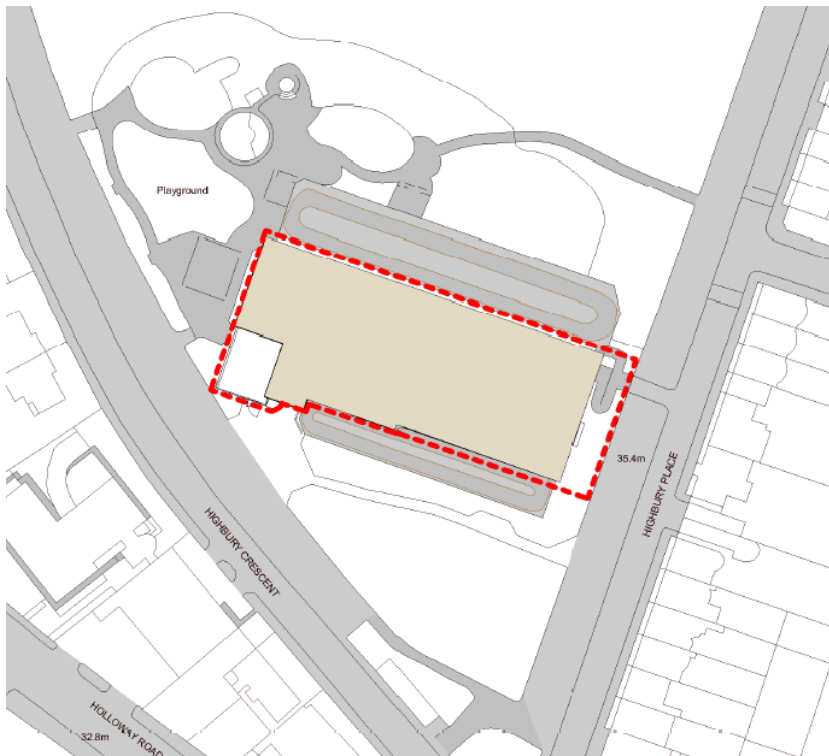
Application number	P2015/0386/FUL
Application type	FULL Planning Application
Ward	Highbury East
Listed building	Unlisted, but sited adjacent to Grade II listed Highbury Fields (open space)
Conservation area	Highbury Fields
Development Plan Context	Adjoining Metropolitan Open Space, adjoining Grade II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

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

#### 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 3;

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



## 3. PHOTOGRAPHS



Image 1: View of Eastern side elevation



Image 2: View of front (south) elevation

#### **4. SUMMARY**

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

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

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

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

- 6.1 The proposal is for an extension to the leisure centre. There are two separate extensions, one single storey addition on the western side of the building, infilling the existing staff car park and providing a new entrance and reception area. On the western side of the building a first floor extension is proposed providing 2 new studios.

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

## 7. RELEVANT HISTORY:

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

## PRE-APPLICATION ADVICE:

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

## 8. CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of 109 adjoining and nearby properties on the 25<sup>th</sup> of February and then, following the submission of amended drawings, on the 12<sup>th</sup> of May 2015. A site notice and press advert were displayed on 14<sup>th</sup> of May 2015. The public consultation of the application therefore expired on 28<sup>th</sup> of May 2015, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 11 objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Poor design (para 10.5-10.18)
  - We require details of the proposed landscaping plan (10.22)
  - The submitted D&A statement and submission as a whole is inadequate (10.27)
  - The existing internal layout is not acceptable (10.27)
  - The proposal is very prominent and ignores the context of the conservation area (10.5-10.18)
  - The new windows on the eastern side will overlook my property (10.24)
  - Is the signage necessary (10.28)
  - How will the loss of the front car park affect the running of the centre? (10.17)

### **Internal Consultees**

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

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

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

### **External Consultees**

- 8.6 None

## **9. RELEVANT POLICIES**

Details of all relevant policies and guidance notes are attached in Appendix 4. This report considers the proposal against the following development plan documents.

### **National Guidance**

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.

### **Development Plan**

- 9.3 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 4 to this report.

### **Designations**

- 9.4 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Highbury Fields Conservation Area
  - Public Open Space
  - Adjacent to Metropolitan Open Space
  - Adjacent to Grade II listed space
  - Adjacent to site for importance of nature conservation

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

9.5 The SPGs and/or SPDs which are considered relevant are listed in Appendix 4.

### **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land use
- Design, conservation and heritage considerations
- Landscaping and Trees
- Neighbouring Amenity

#### **Land Use**

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

#### **Design, Heritage and Conservation Issues**

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

#### **First floor extension**

- 10.8 The proposed first floor extension is sited in a visible position next to Highbury Place and the adjacent walkway. This is the most prominent side of the building.

- 10.9 Policy DM6.3 states that *development proposals within the immediate vicinity of public open space must not impact upon the amenity, ecological value and functionality of the space.*
- 10.10 Whilst the fact that this part of the development does not extend the footprint of the building, and therefore reduce the surrounding open space is clearly supported, given the prominence of this elevation, the visual impact of the massing of the side elevation is considered to be of key importance.
- 10.11 The original submission proposed a combination of obscure glazing panels, white through colour recessed render panels and an offset brick panel, in addition to a white rendered panel for signage, in order to break up the massing of this side elevation.
- 10.12 It was considered that this proposal did not reduce the visual impact of the eastern side elevation sufficiently, and was not of sufficient design quality.
- 10.13 The elevation retains the simple pitched roof but has been amended to introduce a number of full height slot windows (and some dummy recessed openings) which introduces a rhythm and vertical emphasis that successfully breaks up the massing and echoes the grade II listed properties opposite on Highbury Place. In addition, the rendered panel for signage is replaced with stainless steel pinned off lettering (although this will be the subject of a separate advertisement consent application).
- 10.14 The Design and Conservation Officer has stated that the amended design is an improvement to the original submission, but do retain concerns about the scale and massing of this elevation.
- 10.15 On balance however, it is considered that amended design successfully reduces the visual impact of the additional massing and, in addition to the improved landscaping on this elevation, (to be agreed via a condition) will not harm the character of the Conservation Area, nor visually harm the designated open space or setting of the adjoining metropolitan open space.

### **Single storey extension**

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

### **Landscaping and Trees**

- 10.19 The existing building is surrounded by trees and vegetation which help to obscure the building from view and reduce its visual impact.
- 10.20 A detailed arboricultural report has been submitted and set out methods for safeguarding the future of existing trees and setting out a landscape proposal for additional planting on the eastern side elevation. No trees (with a diameter of over 75mm) will be removed as part of the proposals.

- 10.21 The Tree Officer has no objection to the proposal, subject to further detail being submitted regarding protection of the retained trees and the appropriate working methods. Conditions to this effect are recommended.
- 10.22 In addition, new landscaping is shown on the eastern elevation. Further details of this scheme is also required by condition to ensure that it is appropriate to this location.
- 10.23 It is not therefore considered that the proposal will have a detrimental impact upon the amenity and ecological value of the public open space.

### **Neighbouring Amenity**

- 10.24 The Highbury Pool building is sited some 30m from the front elevation of the properties on the eastern side of Highbury Place. As such, the impact of the additional massing on the eastern side of the building, both in terms of outlook and overbearance, will be limited and not sufficient to warrant a recommendation of refusal. Neither does it result in a loss of daylight/sunlight to these properties, given the separation distance of over the 18m face to face minimum .
- 10.25 The proposal does include new first floor fenestration (full height slot windows), however given the distance (policy DM2.1 states that 18m is an appropriate distance between habitable room windows and furthermore states that overlooking across a public highway does not constitute an unacceptable loss of privacy) and the use of the building it is not considered that these windows will have an unacceptable overlooking impact.
- 10.26 It is also not considered that the limited intensification of the site will have a detrimental impact in terms of noise, given the separation distances. In terms of light pollution, the windows are clear, however given the closing time for the leisure centre of 10pm, it is not considered that this would have a detrimental impact upon neighbouring amenity.

### **Other Matters**

- 10.27 Notwithstanding the above, 14 letters of objection have been received, the relevant issues pertaining to which have been addressed above. It is considered that the submitted documents and drawings are sufficient for full consideration and determination of this proposal. The internal arrangements of the existing building is not a material planning consideration.
- 10.28 As stated above, advertisement consent will be required for the signage outlined on the eastern elevation, however as annotated, the signage will be good quality stainless steel pinned off lettering. In terms of whether it is necessary, should the design and impact on public safety be considered acceptable then this would not be a material planning consideration.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 It is considered that the proposed development, on balance, will not have detrimental impact upon the character and appearance of the existing building and will preserve the setting of the Highbury Fields Conservation Area and Grade II listed Highbury Fields Metropolitan Open Space in accordance with Policy DM2.3 and DM6.3.
- 11.2 The proposal is also considered to have no detrimental impact upon the amenities of any neighbours, or upon the amenity and ecological value of the public open space.



## **Conclusion**

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

## APPENDIX 3 – RECOMMENDATIONS

### RECOMMENDATION

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

#### List of Conditions:

1	Commencement
	<p>The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>P001A, P002A, P100A, P101A, P102A, P103, P104A, P105A, P106A, P107A, P108B, P109, P110B, P120, FS231. Design &amp; Access Statement revision A (Arkon Associates), Aboricultural Report (Andrew Day 5<sup>th</sup> Feb).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>The facing materials of the extension hereby approved shall match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the appearance of the building is acceptable.</p>
4	Landscaping
	<p>A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) an updated Access Statement detailing routes through the landscape and the facilities it provides;</li> <li>b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</li> <li>c) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>d) proposed trees: their location, species and size;</li> <li>e) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</li> <li>i) any other landscaping feature(s) forming part of the scheme.</li> </ul>

	<p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such.</p>
5	<p><b>Tree protection</b></p> <p>Notwithstanding the arboricultural detail provided , no site clearance, preparatory work or development shall take place until the following further detail for the protection of the retained trees and the appropriate working methods in accordance with BS 5837:2012 -Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority.</p> <p>Specific issues to be dealt within the arboricultural method statement (AMS):</p> <ol style="list-style-type: none"> <li>a. The methods of ground protection should the existing hard surfaces be removed.</li> <li>b. Methods for delineating the RPA on site so ambiguity to its extent can be clearly seen on site</li> <li>c. Methods of removal of current surfacing within the within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees</li> <li>d. Tree protection during construction indicated on a tree protection plan ( TPP), including the method of identifying where construction and construction activities are prohibited and the position of material storage, welfare units and any associated construction activities.</li> <li>e. The pavement is not to be obstructed during demolition or construction and the RPA of retained trees not to be used for storage, welfare units or the mixing of materials.</li> <li>f. The method of protection for the retained trees</li> </ol> <p>REASON: To ensure that the development does not prejudice the life, health and stability of trees to be retained on and adjacent to the site, in accordance with policy 7.21 of the London Plan 2011, policy CS15 of Islington's Core Strategy 2011 and policy DM6.5 of Islington's Development Management Policies 2013.</p>

**List of Informatives:**

1	<p><b>Superstructure</b></p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of</p>
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	readiness for use or occupation even though there may be outstanding works/matters to be carried out.
2	<p><b>Community Infrastructure Levy (CIL) (Granting Consent)</b></p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p>
3	<p><b>Positive Statement</b></p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. 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>

## 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.

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

### 2. Development Plan

The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

#### **A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011**

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

Policy 1.1 Delivering the strategic vision and objectives for London

##### **3 London's people**

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

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

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

##### **7 London's living places and spaces**

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.17 Metropolitan Open Land

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.20 Geological conservation

Policy 7.21 Trees and woodlands

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

##### **Strategic Policies**

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

Policy CS15 (Open Space and Green Infrastructure)

Policy CS16 (Play Space)

Policy CS17 (Sports and recreation provision)

#### **C) Development Management Policies June 2013**

##### **Design and Heritage**

**DM2.1** Design

**DM2.2** Inclusive Design

##### **Health and open space**

**DM6.2** New and improved public open space

**DM6.3** Protecting open space

**DM2.3** Heritage

**DM6.4** Sport and recreation

**DM6.5** Landscaping, trees and biodiversity

### **Designations**

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

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

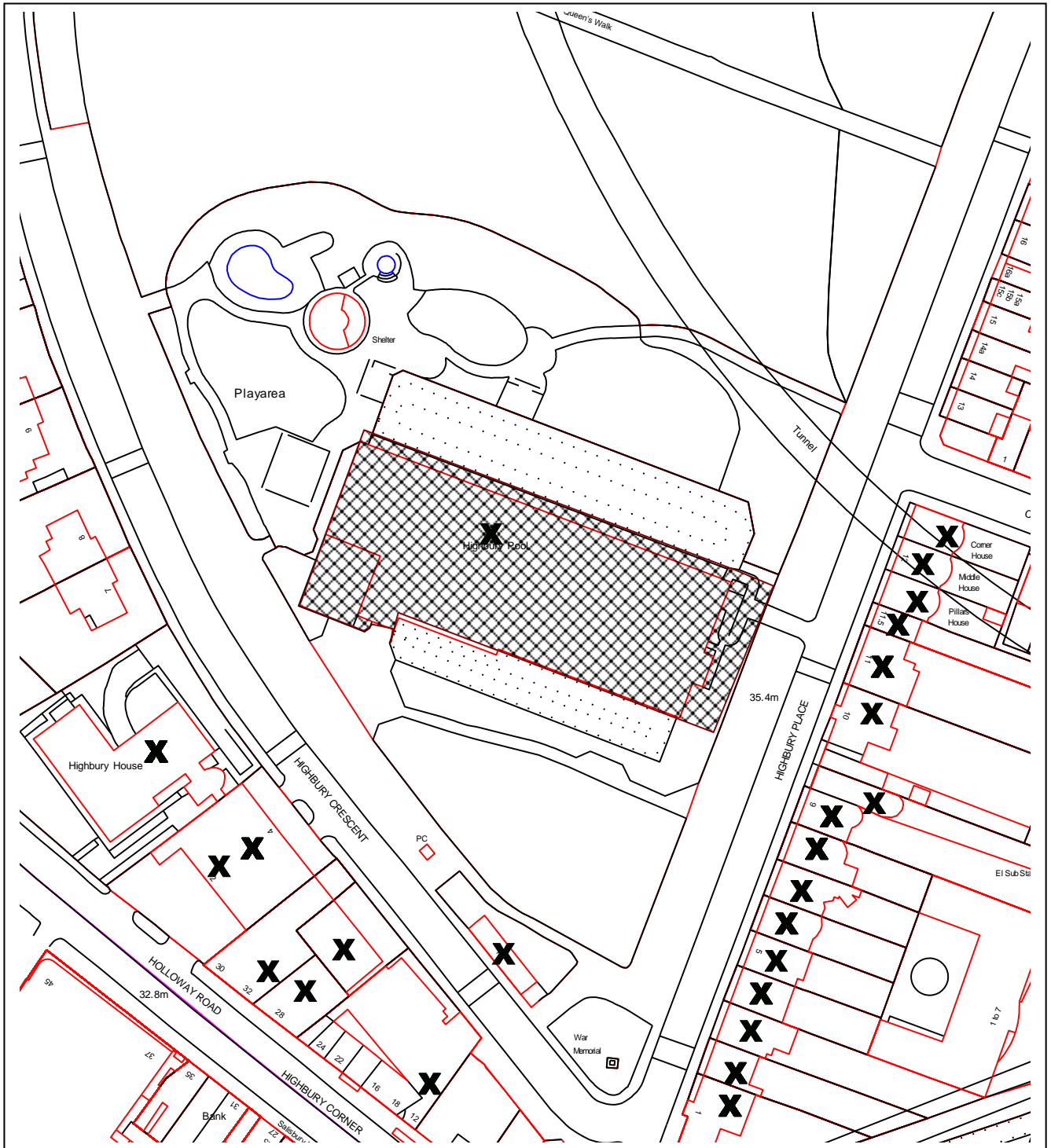
### **7. Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

#### **Islington Local Plan**

- Conservation Area Design Guidelines

# Islington SE GIS Print Template



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