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## AGENDA FOR THE PLANNING SUB COMMITTEE B

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Members of Planning Sub Committee B are summoned to a meeting, which will be held in on **21 May 2015 at the rising of the Planning Committee at approximately 7.35pm.**

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

Enquiries to : Jackie Tunstall  
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Despatched : 12 May 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)**

Committee Membership

Substitute Members

Membership for the municipal year 2015/16 will be appointed by the Planning Committee on the 21 May 2015.

Quorum: 3 councillors



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

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

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

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

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

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

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

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

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

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

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

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

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

5.	Order of Business	
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<b>B.</b>	<b>Consideration of Planning Applications</b>	<b>Page</b>
1.	139 Grosvenor Avenue, N5 2NH	7 - 34
2.	21-36 Outram Place and playground at rear, N1 0UX	35 - 54
3.	68 Hanley Road, N4 3DR	55 - 68
4.	7 Aberdeen Lane, N5 2EJ	69 - 82
5.	Ground Floor, Holiday House, 2 Mildmay Street, N1 4NF	83 - 104
6.	13-17 Thane Villas, N7 7PH	105 - 130

**C. Consideration of other planning matters**

**D. Urgent non-exempt items**

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

**E. Exclusion of press and public**

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

<b>F.</b>	<b>Confidential/exempt items</b>	<b>Page</b>
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**G. Urgent exempt items (if any)**

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

**Date of Next Meeting:** Planning Sub Committee B, 29 June 2015

**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 B - 19 March 2015

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 19 March 2015 at 7.30 pm.

**Present:**           **Councillors:**       Martin Klute (Chair), Nicholls (Vice-Chair), Khan and Picknell

### Councillor Martin Klute in the Chair

- 84**        **INTRODUCTIONS (Item A1)**  
Councillor Klute welcomed everyone to the meeting. Members of the Sub-Committee and officers introduced themselves. The Chair explained that the Sub-Committee would deal with the determination of planning applications and outlined the procedures for the meeting.
- 85**        **APOLOGIES FOR ABSENCE (Item A2)**  
None.
- 86**        **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**  
None.
- 87**        **DECLARATIONS OF INTEREST (Item A4)**  
None.
- 88**        **ORDER OF BUSINESS (Item A5)**  
Agenda Item B5 – 465 Holloway Road had been withdrawn from the agenda. The order of business would otherwise be as per the agenda.
- 89**        **MINUTES OF PREVIOUS MEETING (Item A6)**  
That the minutes of the meeting held on the 5 February 2015 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 90**        **NOS. 4, 9, 10-37 LEGION CLOSE, LONDON, N1 1PJ (Item B1)**  
Replacement of existing single glazed timber windows and doors with UPVC double glazed windows. (P2014/3189/FUL)

In the discussion the following points were considered:-

- The planning officer stated that Paragraph 10.6 of the case officer's report should be amended to refer to eight out of twenty seven flats rather than nine out of twenty seven flats
- The previous application had been refused due to the materials, thickness of the frames and design and appearance. The current application was for frames with a narrower profile.
- The proposed windows would not be made from recyclable materials but could be recycled in the future.
- Sectional drawings had not been provided for the Sub-Committee to consider.

Councillor Klute proposed a motion to defer the consideration of the application to enable the applicant to provide details (elevational and sectional drawings 1:5/1:10) and samples of the type of UPVC frames. This was seconded by Councillor Khan and carried.

**RESOLVED**

That consideration of the application be deferred for the reason outlined above.

**91** **DUNCOMBE PRIMARY SCHOOL, SUSSEX WAY, LONDON N19 4JA (Item B2)**

The construction of a new community hall (together with locker rooms, toilet facilities, classroom and offices) together with new landscaping and boundary walls and gates. (P2013/4257)

In the discussion the following points were considered:-

- The planning officer stated that Condition 2 should be amended to read 'Drawing and Document Numbers: The development hereby approved shall be carried out in accordance with the following approved plans:  
Design and Access Statement (CH Architects July 2009), 197\_20\_400C, 197\_20\_401C, 197\_20\_430C, 197\_20\_431C, 197\_20\_202E, 197\_20\_203D, 197\_20\_204C, 197\_20\_221D, 197\_20\_222B, 197\_20\_230D, 197\_20\_231D, 197\_20\_232D, 197\_20\_233E, Arboricultural Statement (ACS Consulting).  
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.'
- The officer stated that Condition 6 should be removed and that Paragraph 10.6 should refer to hardwood and not softwood.
- The scheme was identical to the one previously approved at committee and no relevant policy changes had been made since then.

**RESOLVED**

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

**92** **GROUND FLOOR, HALIDAY HOUSE, 2 MILDMAY STREET, LONDON, N1 4NF (Item B3)**

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

In the discussion the following points were considered:-

- The planning officer stated that in Condition 5 in the case officer's report, the reference to cycle storage for no less than two spaces per bedroom should be amended to no less than one cycle space per bedroom.
- Concern was raised about the quality of the drawings submitted.

Councillor Khan proposed a motion to defer the application to enable the applicant to submit corrected drawings. This was seconded by Councillor Klute and carried.

**RESOLVED**

That the consideration of the application be deferred for the reason outlined above.

**93** **MULTI USE GAMES AREA TO THE NORTH OF CHARD HOUSE AND METHLEY HOUSE, ANDOVER ESTATE, LONDON, N4 (Item B4)**

Temporary change of use of Multi Use Games Area to Community Plant Nursery for 2 years with the erection of poly tunnels, seating areas and raised planting beds. (2014/4873/FUL)

In the discussion the following point was considered:-

## Planning Sub Committee B - 19 March 2015

- If the applicants wanted the nursery to remain in place for longer than two years, they would need to reapply for planning permission and would have to provide replacement playspace.

### **RESOLVED**

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

#### **94**      **465 HOLLOWAY ROAD, LONDON N7 6LE (Item B5)**

Variation of condition 2 (in accordance with approved drawings) of planning approval reference P121944. The variation relates to the plant equipment including 3 x fan condenser units and its enclosure, iron railings painted black, acoustic canopy and timber framed pitched roof with single ply membrane covering painted black, additional louvre situated directly behind railings painted black. (P2014/0275/S73).

### **RESOLVED:**

That it be noted that the application had been withdrawn from the agenda by the applicant.

#### **95**      **FLAT 3, 161 UPPER STREET, N1 1US (Item B6)**

Construction of a roof terrace and associated staircase with glass balustrade and opaque glass privacy screen over buildings third floor level with 2.50 metres setback from front parapet wall and 1.00 metre setback from building's main rear façade. (P2014/4499/FUL).

In the discussion the following points were considered:-

- The planning officer confirmed that the glass balustrade at the front and back of the terraces would be 1.1m and the privacy screens which would bisect the terraces would be 1.7m.
- The planning officer confirmed that terraces had been approved at the first floor level.

### **RESOLVED**

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

#### **96**      **FLAT 3, 165 UPPER STREET, N1 1US (Item B7)**

Construction of a roof terrace and associated staircase with glass balustrade and opaque glass privacy screen over buildings third floor level with 2.50 metres setback from front parapet wall and 1.00 metre setback from building's main rear façade. (P2014/4530/FUL).

In the discussion the following points were considered:-

- The planning officer confirmed that the glass balustrade at the front and back of the terraces would be 1.1m and the privacy screens which would bisect the terraces would be 1.7m.
- The planning officer confirmed that terraces had been approved at the first floor level.

### **RESOLVED**

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

#### **97**      **FLAT C, 167 UPPER STREET, N1 1US (Item B8)**

Construction of a roof terrace and associated staircase with glass balustrade and opaque glass privacy screen over buildings third floor level with 2.50 metres setback from front parapet wall and 1.00 metre setback from building's main rear façade. (P2014/4565/FUL).

## Planning Sub Committee B - 19 March 2015

In the discussion the following points were considered:-

- The planning officer confirmed that the glass balustrade at the front and back of the terraces would be 1.1m and the privacy screens which would bisect the terraces would be 1.7m.
- The planning officer confirmed that terraces had been approved at the first floor level.

### **RESOLVED**

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

The meeting ended at 8.30 pm

**CHAIR**



#### COMMITTEE AGENDA

1 139A and 139B Grosvenor Avenue, London N5 2NH

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2 21-36 Outram Place and playground at rear, London N1 0UX

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3 68 Hanley Road, London N4

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4 7 Aberdeen Lane London N5 2EJ

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5 Ground floor, Holiday House, 2 Mildmay Street, London, N1 4NF

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

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1 139A and 139B Grosvenor Avenue, London N5 2NH

Ward: Mildmay

**Proposed Development:** Demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO- use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings (C3) consisting of 2 x 4bedroom units and 6 x 2bedroom units with bin storage area to the front, cycle storage area to rear and associated landscaping.

**Application Number:** P2014/3449/FUL

**Application Type:** Full Planning Application

**Case Officer:** Ben Phillips

**Name of Applicant:** Mr Carlton James

**Recommendation:**

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2 21-36 Outram Place and playground at rear, London N1 0UX

Ward: Caledonian

**Proposed Development:** Permanent retention of the construction and conversion of undercroft car parking area into offices, locker rooms, storage and kitchen facilities and the use of the playground, to the north of Bingfield Street for the parking for service vehicles.

**Application Number:** P2014/4049/FUL

**Application Type:** Full Planning (Council's Own)

**Case Officer:** David Nip

**Name of Applicant:** london Borough of Islington

**Recommendation:**

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3 68 Hanley Road, London N4

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**Ward:** Tollington

**Proposed Development:** Erection of a single storey side/rear extension at the lower ground floor level.

**Application Number:** P2015/1156/FUL

**Application Type:** Full Planning Application

**Case Officer:** Joe Aggar

**Name of Applicant:** Julvinda Singh

**Recommendation:**

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#### 4 7 Aberdeen Lane London N5 2EJ

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**Ward:** Highbury East

**Proposed Development:** Creation of a new roof terrace to existing flat roof of property including installation associated frameless glass balustrade to front elevation and planters to the rear, concealed access hatch, new surfacing, benches and planters.

**Application Number:** P2015/0589/FUL

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

**Case Officer:** Sandra Chivero

**Name of Applicant:** Mr James Sun

**Recommendation:**

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#### 5 Ground floor, Holiday House, 2 Mildmay Street, London, N1 4NF

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**Ward:** Mildmay

**Proposed Development:** Conversion of disused spaces in the ground floor of Holiday House, N1 4NF into 2no. flats (1x 1bed flat and 1x2bedroom flat) including external alterations to west elevation and creation of garden areas including erection of garden walls.

**Application Number:** P2014/3961/FUL

**Application Type:** Full Planning (Council's Own)

**Case Officer:** Stefan Sanctuary

**Name of Applicant:** Islington Council

**Recommendation:**

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

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**Ward:** Finsbury Park

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

**Application Number:** P2014/0472/FUL

**Application Type:** Full Planning Application

**Case Officer:** Eoin Concannon

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

**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 B</b>		
Date:	21st May 2015	NON-EXEMPT

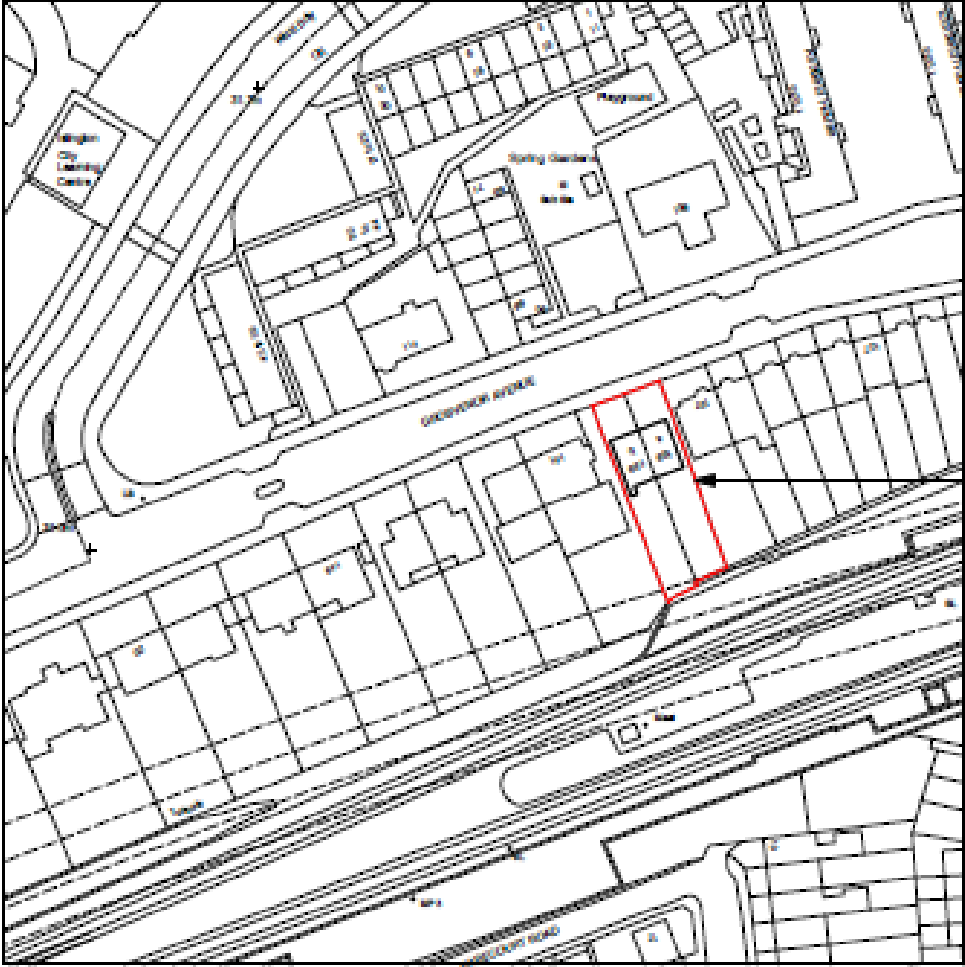
Application number	P2014/3449/FUL
Application type	Full Planning Application
Ward	Mildmay
Listed building	Not Listed
Conservation area	Not in a Conservation Area
Development Plan Context	No designation
Licensing Implications	None
Site Address	139A and 139B Grosvenor Avenue N5 2NH
Proposal	Demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO- use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings (C3) consisting of 2 x 4bedroom units and 6 x 2bedroom units with bin storage area to the front, cycle storage area to rear and associated landscaping.

Case Officer	Ben Phillips
Applicant	Mr Carlton James
Agent	Mr Stephen Sinclair

### 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission, subject to the conditions and S106 agreement (affordable housing and carbon offsetting) as set out in Appendix 1.

2. SITE PLAN (site outlined in black)





### 3. PHOTOS OF SITE/STREET



Image 1: The existing properties from Grosvenor Avenue



Image 2: the Eastern Neighbour, No 137





Image 3: The Western Neighbour, No 141

#### **4.0 SUMMARY**

- 4.1 Planning permission is sought for the demolition of a pair of two storey semi-detached dwellings and their replacement with a 5 storey building containing 8 residential units.
- 4.2 It should be noted that the plans have been amended since first submission in order to address concerns raised by the Tree Officer, the Design & Conservation Officer and the Inclusive Design Officer.
- 4.3 In addition, following concerns raised regarding the impact of the building (specifically on the daylight and sunlight) upon the basement unit of No 137, the scheme has been amended to, in effect, remove the corner of the building away from the boundary with this neighbour so that it passes all BRE standard daylight & sunlight tests.
- 4.4 The development is, on balance, considered to comply with the relevant Local Plan policies.
- 4.5 The development will not result in significant adverse impacts upon the amenities of neighbouring properties.
- 4.8 It is therefore recommended that planning permission be granted subject to conditions.

## 5.0 SITE AND SURROUNDING

- 5.1 The site is located on the south side of Grosvenor Avenue and consists of a two storey semi-detached pair of dwellings currently in HMO use. The properties date back to the 1950s and have two storey front bay projections, half hipped roofs and large rear gardens. To the rear the site backs onto a railway line and at the front Grosvenor Avenue is a wide street with mature tree lined pavements.
- 5.2 The 1950's semi-detached pair of dwellings form the only such pair within the mostly Victorian streetscene. To the east the properties consist of three-storey over basement terraced dwellings, with those to the west consisting of three/four storey over basement townhouses. To the front of the site, on the opposite side of the road, are a number of more modern four storey residential buildings.
- 5.3 Most of the dwellings nearby have been converted to flats and there are a number of HMOs in the vicinity.
- 5.4 The site is not located within a conservation area and the building is not listed. However, the western boundary of the site forms the eastern most extent of the Highbury New Park Conservation Area.

## 6.0 PROPOSAL (in Detail)

- 6.1 The application consists of the demolition of a pair of two storey semi-detached dwellings and their replacement with a 5 storey building containing 8 residential units.
- 6.2 The existing 1950's semi-detached dwellings are currently in use as Houses of Multiple Occupants (C4), and were converted in 2007 (P070499 & P070589).
- 6.3 The proposed 5 storey building will consist of 2 four bed duplex units set over the lower ground and ground floors and 6 two bed units set above.
- 6.4 Each unit will have external outdoor space, private garden space for the larger 4 bed units and private balconies on the rear for the remaining units, which are also served by communal garden space to the rear. Also to the rear will be cycle storage (20 spaces) and bin storage is proposed to the front of the building.

## 7.0 RELEVANT HISTORY:

### Planning Applications:

#### 139 A Grosvenor Road:

- 7.1 **P070598** - Change of use from single family residence to house in multiple occupation – (**Granted Conditional Permission 13/11/2007**).
- 7.2 **P062091** - Change of use from single family residence to house in multiple occupation – (**Refused Permission 08/11/2006**).

- 7.3 **P061040** - Change of use from single family residence to house in multiple occupation – **(Refused Permission 11/07/2006)**.

139 B Grosvenor Road:

- 7.4 **P070499** - Change of use from single family residence to house in multiple occupation – **(Granted Conditional Permission 09/07/2007)**.
- 7.5 **P062142** - Change of use from single family dwelling to house in multiple occupation – **(Refused Permission 14/11/2006)**.
- 7.6 **P061041** - Change of use from single family residence to house in multiple occupation – **(Refused Permission 10/07/2006)**.

**Enforcement:**

- 7.5 None relevant

**Pre Application Advice:**

- 7.6. Q2014/2304/LM Advice was sought on the principle of the scheme and policy requirements. The advice provided resulted in design and scale amendments, as well as internal alterations to the size of the units (to comply with adopted floor space standards).

**8.0 CONSULTATION**

**Public Consultation**

- 8.1 Letters were sent to occupants of 132 neighbouring properties on the 15/9/14. A site notice was also erected on the 18/9/14. The consultation period expired on the 9/10/14.
- 8.2 At the time of the writing of this report 44 letters of objection have been received, which are summarised as follows (with paragraph numbers stated in brackets stating where the issue is addressed).
- The footprint is too large (10.14-10.18)
  - The structure is too large and out of keeping with the surroundings and nearby Conservation Area (10.14-10.18)
  - The building has no merit architecturally nor is it providing any social housing (10.21-10.24 and 10.74-10.75)
  - There will be issues of noise during construction and possible subsidence (10.79)
  - The development will reduce light levels to the neighbours (10.42-10.57)
  - The development will lead to a loss of view for No 137 (not a material planning consideration)
  - The development will overshadow and overlook my property (10.42-10.54)
  - The materials are inappropriate (10.21-22)
  - The development will have an impact on the surrounding green space and trees (10.56-10.67)



- There will be more cars on the road (10.68)
- The development will impact biodiversity (10.56-10.67)
- To demolish the existing buildings will be a loss to the street scene (10.14-10.15)
- The submitted plans make inaccurate assumptions regarding the layout of the neighbouring property. It is considered that the submitted plans are sufficiently accurate to allow proper consideration of the application and site.

8.3 In addition, a petition from the 'Grosvenor Avenue Action Group' including 45 signatures objecting to the scheme has been submitted (which states that 'we the undersigned object').

8.4 One letter of support has been received.

### **External Consultees**

8.5 **Network Rail:** - The developer must ensure that the development does not encroach onto Network Rail land or affect its infrastructure etc.

### **Internal Consultees**

8.6 **Design and Conservation Officer:** Concerns were raised initially regarding the design. Specifically the fenestration size and siting, the size of the dormers and the detailing of the entrance.

8.7 These issues have been addressed (through the submission of amended plans) and the Design & Conservation Officer is now satisfied that detailing and materials are appropriate.

8.8 **Policy Officer:** Concerns were raised regarding loss of the existing HMO's, loss of garden space, subterranean development, residential provision and affordable housing.

8.9 With regards to the existing HMO, Policy DM3.9 part C states that the council will resist the loss of good quality HMOs with paragraph 3.9 clarifying it will not apply to change of use between HMOs in C4 use class shared by 3 to 6 people (as opposed to sui generis HMOs with a larger number of occupants) and C3 housing due to the existence of some permitted development rights allowing for this.

8.10 Part D of Policy DM3.9 states that where the loss of an HMO is acceptable, development should provide accommodation to meet an acute need identified by the council's Housing Department, which may include social rented housing.

8.11 **Inclusive Design Officer:** Concerns were initially raised regarding the future installation of a lift, upper ground/lower ground configuration and that the units meet Lifetime Homes and Islington's flexible homes standards. These issues have been addressed through the submission of amended plans.

8.12 **Tree Officer:** Concern was initially raised regarding the incursion of the development into the root protection area of the street tree and the service connection detail. Additional information has been submitted and the Tree Officer is

satisfied that the issues can be dealt with within a conditioned Arboricultural Method Statement (AMS).

## **9 RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

- 9.3 The Development Plan comprises of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

### **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:

Sited within 50m of a Conservation Area  
(Highbury New Park)

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

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

## **10. ASSESSMENT**

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

- Loss of existing dwellings
- Design and visual impact on the street scene and conservation area.
- Mix and standard of accommodation
- Inclusive design
- Impact on neighbouring amenity
- Impact on trees

- Affordable housing
- Sustainability
- Construction

### **Loss of existing HMO dwellings**

- 10.2 The two existing properties are each in use as a HMO and policy DM3.9 of the Development Management Policies states that the Council will resist the loss of good quality HMOs. The properties were granted permission for use as HMOs in 2007 and were considered at the time to provide good quality accommodation of this type.
- 10.3 It has been established that each of the two properties are occupied by five individuals through the submission of copies of licences issued by the council's Environmental Health department. The dwellings therefore fall within the C4 use class.
- 10.4 Recent changes to the General Permitted Development Order 2015 (Part 3, Class L -*small HMOs to dwellinghouses and vice versa permitted development*) now states that the change of use from Use Class C4 to Use Class C3 results in the creation of 2 or more single dwellinghouses (C3) is not allowed.
- 10.5 In this instance it should be noted that the change of use of the 2 HMO's on the site to 2 single family dwellings would however be permitted development.
- 10.6 Policy DM3.2 would then be relevant, which permits the redevelopment of housing resulting in no net loss of residential floorspace in principle.
- 10.7 In this instance clearly the development will provide additional residential floor space (778m<sup>2</sup> set over 8 units compared to the existing 350m<sup>2</sup> approx) and therefore this policy would be satisfied, and the site would be used in a more efficient manner whilst providing 8 new residential units, which is supported by the Development Management Policies relating to housing which states that high density development is needed to accommodate the projected population growth in the borough.
- 10.8 It is therefore considered that, on balance, it would be unpractical and unreasonable to require the initial change of use of the existing HMO's to 2 residential units before accepting the larger number of units. This is a fall back position allowed under permitted development and in this instance should be taken into account.
- 10.9 In addition, as stated below, it is considered that the provisions of Core Strategy CS12 requiring an affordable housing contribution has been satisfied. This meets the requirements of Part D of Policy DM3.9, which seeks to ensure that development that replaces HMOs meet an acute need identified by the Council's housing department.
- 10.10 The Policy Officer also raises concern regarding the loss of garden space, the housing mix and affordable housing. The issues of affordable housing and housing mix is discussed below. With regards to the loss of garden space, there remains a significant garden space (255m<sup>2</sup>) and it is not considered that the limited loss of space caused by the large footprint of the building (and the extension to the rear by

3.5m) is significant in terms of openness or biodiversity (which is discussed below), and the Tree Officer does not object to the proposal (again discussed in detail below).

10.11 The Policy Officer also raises issue with the proposed subterranean development proposed. The scheme proposes a similar lower ground/basement level to that prevalent along the existing Victorian streetscene. In terms of access, this is discussed further below.

10.12 As such, in principle, it is considered that the redevelopment of this site for residential units is acceptable.

### **Design and visual impact on the street scene and conservation area**

10.13 Paragraph 63 of the National Planning Policy Framework states that "in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area".

10.14 Policy DM2.1 states that 'all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

10.15 The proposal would demolish an existing two storey semi-detached pair of houses and introduce a new modern 5 storey (including lower ground floor and basement) residential building. The existing dwellings (built in the 1950's) have little architectural merit and represent an incongruous break in the predominantly three and four storey height of the neighbouring Victorian buildings.

10.16 The existing semi-detached buildings are set away from both side boundaries, providing clear separation from each of the neighbouring properties, which in turn are also set away from both boundaries, leading to views through to the trees to the rear of the site and a sense of space around the property, particularly on the west side.

10.17 Furthermore, this side of Grosvenor Avenue, particularly to the west is in part characterised by open space to the side of semi-detached properties and the termination of terraced rows.

10.18 The proposed building retains a 1m approx gap to both boundaries which is similar to the existing properties. As such there should not be a loss of openness at the site which is characteristic of the existing pattern of development. The proposed building retains the same approximate ridge and eaves height of the neighbouring dwellings, and therefore in terms of scale and massing the building is considered appropriate.

10.19 Whilst set some 3m in front of the existing properties, the building line of the building is consistent with both neighbours, with only the lightwells and bin storage areas set in front.

- 10.20 The development provides a sunken private rear amenity space for the lower/ground floor duplex units, with steps up to the retained existing garden space at the rear.
- 10.21 The detailing of the front elevation has been amended from the original design to address the concerns raised by the Design & Conservation Officer, namely in terms of the scale and consistency of the fenestration. In addition the dormer window shave been reduced slightly in scale to be more in keeping with the surrounding properties. The vertical emphasis of the façade replicates the traditional Victorian dwellings on either side.
- 10.22 The materials proposed (predominantly facing brick front elevation and timber framed windows) will ensure that the development is in keeping with the traditional Victorian street scene. A condition is proposed to ensure the exact brick used is appropriate to the surroundings.
- 10.23 The building is set back from the front boundary in line with the existing dwellings and incorporates landscaping and a low rendered masonry wall which will match the existing front boundary treatment along this part of Grosvenor Avenue. The large tree to the front of the building, which contributes to the character and appearance of the street scene will be retained (this is discussed further below).
- 10.24 As such, the design is now considered to be acceptable and will appear as a contemporary addition to the street scene which sits comfortably within the historic surroundings.
- 10.25 It is not considered that the amendment to the rear (south east) corner (the removal of this corner of the building) has a detrimental impact upon the character and appearance of the rear elevation.
- 10.26 It is therefore considered that the proposed development will preserve the character of the adjoining Conservation Area.

### **Standard of Accommodation for Future Occupiers**

- 10.27 Policy DM3.4 of the Islington's Development Management Policies (June 2013) sets out the standards expected of accommodation in the borough.
- 10.28 The following table shows the proposed unit sizes.

<i>Unit</i>	<i>Rooms</i>	<i>Required Floor Space (m2)</i>	<i>Provided Floor Space (m2)</i>
Unit 1	4	99	158
Unit 2	4	99	164
Unit 3	2	70	74
Unit 4	2	70	81
Unit 5	2	70	76
Unit 6	2	70	81
Unit 7	2 (1 single)	61	74
Unit 8	2 (1 single)	61	70

10.29 The units therefore comply with Policy DM3.4 in this regard.

10.30 In terms of amenity space, DMP policy DM3.5 states that all new residential development and conversions are required to provide good quality private outdoor space.

Unit	required amenity space (m2)	amenity space (m2)
Unit 1	30	121
Unit 2	30	144
Unit 3	7	10
Unit 4	7	7
Unit 5	7	7
Unit 6	7	9
Unit 7	7	8
Unit 8	7	8

10.31 The proposed units therefore comply with the amenity space guidelines outlined in Policy DM3.5.

10.32 Notwithstanding the above, Policy DM3.4 states that all new housing developments are required to provide dual aspect accommodation, adequate daylight and sunlight provision, legible, logical and level entrances, and acceptable shared circulation space.

10.33 The proposed units are all dual aspect and provide a good level of sunlight and daylight from both aspects. The two duplex units provide bedroom accommodation on both lower and ground floors. The front lower ground floor bedrooms (one in each unit) are served only by a lightwell. This is not ideal, but given that these duplex units provide three other bedrooms on the ground floor (all served with windows), on balance, it is not considered that this is unacceptable in this instance.

10.34 As such, it is considered that all 8 units will provide a satisfactory standard of living accommodation.

### **Accessibility**

10.35 The Inclusive Design Officer requested some alterations to the original scheme, namely the provision of a space for future installation of a lift and the changes to layout of the upper/lower ground floor units (units 1&2).

10.36 These issues have been addressed through the resubmission of amended plans illustrating a space for future lift provision. The development will have level access as will each unit, save for the 2 duplex apartments, and will meet design standards in terms of wheelchair accessibility and corridor widths etc, and, on balance it is considered to be sufficiently visitable and adaptable to meet the Lifetime Homes and Islington's flexible homes standards.

10.37 Concern is raised regarding the configuration of the duplex units, with the living space set on the lower ground floor. However whilst this is not ideal from an

inclusive design perspective, the properties on this side of Grosvenor Avenue have a lower ground and upper ground floor, and this living space is served by the external excavated garden space. To replace this with bedrooms and to have the living space on the ground floor would not work as well and on balance therefore, it is considered that this arrangement is acceptable.

### **Neighbouring Amenity**

- 10.38 Policy DM2.1 states that the design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing. It goes on to state that development must not unduly prejudice the satisfactory development or operation of adjoining land and/or the development of the surrounding area as a whole. It also states that the impacts on amenity such as privacy, direct sunlight or daylight must be considered.
- 10.39 The proposed building is clearly greater in scale and massing than the existing pair of two storey semis. It extends to the rear by 3m more, to the front by 3m more and is (at its highest point) approximately 4m taller.
- 10.40 The eastern neighbour No 137, a five storey semi-detached property, includes a separate basement flat. The applicants state that the second floor of this building is not in use as residential but rather is a therapy and health/well being business.
- 10.41 The eastern neighbour No 141, a four storey semi-detached property has been converted into flats.
- 10.42 A daylight/sunlight assessment has been submitted (by MES Building Solutions, amended 28<sup>th</sup> Oct 2014 which was amended/updated following an internal inspection of no 137, and an addendum added following the redesign of the south east corner). This assesses the scheme against the standards of the BRE Site Layout Planning for Daylight & Sunlight (as suggested by Policy DM2.1).
- 10.43 The report assesses the impact of the development upon Vertical Sky Component (VSC) of the windows of the neighbouring properties.
- 10.44 Beginning with No 141, this property has 4 windows on its side elevation including a bay window. The bay serves a room that is also served by front elevation fenestration. The lower ground floor window serves a bathroom (non-habitable room). The first floor side elevation window serves a room that is also served by front elevation fenestration. The report makes it clear that these rooms pass the VSC Test in accordance with the BRE standards. It should also be noted that the BRE standards state that side elevation windows close to a boundary 'should not be considered in the same way as windows built a reasonable distance from their boundary'. As such, the impact of the development on this side elevation is considered to be acceptable.
- 10.45 With regards the rear fenestration, no window fails the VSC & Daylight Distribution Test nor the Available Sunlight Hours Test. This is also the case with the front elevation fenestration. As such, it is considered that the proposed building will not have a detrimental overbearing or overshadowing impact on this neighbour.

- 10.46 Turning to No 137, this neighbour has a door and a small window on the second storey (opening onto a small terrace) and a side facing dormer. The two second storey openings will experience a reduction in sunlight and daylight. However this room is also served by front and rear windows and these side windows are secondary. The room also passes the Daylight Distribution test and as such, it is not considered that the impact of the development on this room is sufficient to warrant a recommendation of refusal. The side dormer windows pass all the tests, and the development will not have a detrimental impact upon this room.
- 10.47 Turning to the rear elevation, the ground and first floor fenestration pass all tests.
- 10.48 As noted above, the basement/lower ground floor is in use as an independent flat. Following the amended design of this corner of the building, so that it is angled away from this property, the addendum to the Daylight & Sunlight statement shows that the scheme now passes all tests with specific regard to the basement unit windows, one of which serves a bedroom and one of which serves a kitchen.
- 10.49 As such, it is not considered that the impact of the development upon these windows is sufficient to warrant a recommendation of refusal. It is not therefore considered that the development will have a detrimental impact on the rear facing windows of No. 137.
- 10.50 The submitted Daylight and Sunlight report also measures the impact of the development on the two properties on the opposite side of Grosvenor Avenue, No. 114 Grosvenor Avenue and Park Church House. The assessment shows that the development will not have an unacceptable impact on these properties.
- 10.51 Finally, it should also be noted that the assessment shows that the development will also comply with BRE standards with regards to the impact on neighbouring amenity space.
- 10.52 This amenity space assessment does not include the side terrace located on top of the side projection of No 137. However it is not considered that it would be reasonable to expect this space to be protected in any way given its siting on the side boundary.
- 10.53 Turning to overlooking, the building has no side elevation fenestration, and all rear balconies face directly down the site. In addition, the balconies are set behind the side walls and therefore it is not considered that the building will offer any unacceptable overlooking to either adjacent neighbour.
- 10.54 As such and on balance, it is not considered that the proposed development will have an unacceptable impact on the amenity of neighbouring properties.

### **Tree and Landscaping**

- 10.55 Policy DM6.5 states that developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats.



- 10.56 As stated above, the Tree Officer initially identified two major areas of concern, namely the impact of the development at the front of the site on the large London Plane tree sited directly in front of the building facing Grosvenor Avenue, and the propose service connection detail.
- 10.57 Of less concern is the loss of trees to the rear of the site (x 9), which (as the site is not within a Conservation Area) does not require permission.
- 10.58 The tree to the front of the site is an important amenity tree and part of an historically importing avenue. The details submitted initially were considered insufficient to protect this tree.
- 10.59 Further information from a tree consultant (Arbtech Consulting Ltd) was submitted, along with a short method statement from a structural engineer (David Dexter Associates) detailing the construction method.
- 10.60 In addition, minor amendments were undertaken to the front boundary treatment, with the introduction of semi-porous resin bound service to the front of the building, along with a semi-porous service at the base of the low front masonry boundary wall and some soft landscaping (raised planter bed) directly in front of the entrance.
- 10.61 The Tree Officer is now satisfied that, subject to a condition regarding the submission of an arboricultural method statement, the development could preserve this tree in accordance with the Policy DM6.5.
- 10.62 The development is clearly of a greater foot print than the existing pair of semis, and will extend to the rear some 3.5m further than the existing. There does remain however a substantial rear garden (255sqm) for the use of Units 1 and 2 as stated above, 9 trees in total will be removed from the rea garden, but these are not protected and the site is not within a Conservation Area.
- 10.63 The development incorporates a green wall and a living roof (with solar panels). The living wall sits on the rear elevation and extends over to the ground floor.
- 10.64 The landscaping at the front and rear is limited to improving the existing gardens. The trees at the rear boundary of the site will be retained and a semi porous decked sunken area adjacent to the building will provide irrigation for the garden.
- 10.65 In addition, the submitted Sustainable Design and Construction Statement (Ingleton Wood) makes it clear that the development will meet Code Level 4. The sustainability and biodiversity credentials of the building far exceeds the existing building therefore.
- 10.66 Policy DM 6.3 (E) states that ' development of private open space is not permitted where there would be a significant individual or cumulative loss of open space... or where there would be a significant impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and or flood alleviation affect'.
- 10.67 On balance, and subject to the condition requested by the Tree Officer it is considered that a sufficient amount of garden space is being retained and development will not have a detrimental impact upon the biodiversity or ecological connectivity of the site in compliance with the above condition.

## **Cycle and Bin Storage**

- 10.68 The development will be car free in accordance with the Core Strategy, and will therefore not add any additional parking pressure to Grosvenor Avenue and the nearby streets. The exceptions to this are blue badge holders and Islington residents who have already held a permit for the specified period of one year.
- 10.69 Policy DM8.4 states that minor developments creating new residential are required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible.
- 10.70 In this instance, 1 cycle space per bedroom (20) should be provided. A cycle parking area (for 20 cycles) is provided at the rear of the site within an enclosed timber structure (with a green roof). This is accessible through a secured access along the eastern side of the building.
- 10.71 With regards to bin storage, as stated above, this is provided at the front of the site adjacent to the new front boundary wall. The brick bin storage area will match that of the front elevation of the building and will incorporate a boundary planter to soften its appearance.
- 10.72 It is therefore considered that the proposed development provides acceptable cycle and bin storage.

## **Affordable Housing**

- 10.73 The Core Strategy Policy CS 12 – ‘Meeting the Housing Challenge’ requires (part G) "... all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough."
- 10.74 The SPD ‘Affordable Housing Small Sites’ states that in line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough. The SPD states, in accordance with the NPPF, that in instances where the applicants consider that this level of contribution would leave the development unviable, that the council will accept viability assessments where the applicants should provide a statement with their application with a justification for not providing the full financial contribution. The applicants initially stated that no contribution was possible. In this instance the applicants originally provided information relating to viability and suggested any contribution would lead the scheme to be unviable.
- 10.75 The SPD states that ‘a viability appraisal must include sufficient information to enable the council and/or an independent viability expert to review the appraisal without having to seek further information from the applicant’. The viability statement was independently assessed and it was concluded by the assessors that a contribution of £144,000 is reasonable. Following this request, the applicants have agreed to pay this figure, and a legal agreement has been agreed to secure

this. As such, it is considered that this policy requirement has been satisfied and therefore the proposal is acceptable in this regard.

### **Sustainability**

- 10.76 Policy DM7.2 requires developments to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.77 Minor new-build residential developments of one unit or more are required to achieve an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with Building Regulations Part L 2010 (equivalent to Code for Sustainable Homes level 4), unless it can be demonstrated that such provision is not feasible.
- 10.78 An Energy and Sustainability statement has been submitted. As stated above, the document illustrates that the scheme will achieve the standards set in the Code for Sustainable Homes level 4.

### **Construction**

- 10.79 A condition requiring a construction method statement will ensure that any construction is undertaken in an appropriate manner (Condition 8)

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 In accordance with the above assessment, it is considered that the proposed demolition of the existing 2-storey semi-detached houses in multiple occupation (HMO- use class C4) and the construction of a new 5-storey (inc lower ground floor) building providing 8 residential dwellings would be acceptable in land use terms, have an acceptable impact upon the character and appearance of the terrace and street scene and will preserve the character and appearance of the adjoining conservation area. In addition, it would not be unduly harmful to the amenities of adjoining residents.
- 11.2 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions.

### **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

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

- a) A financial contribution of £144,000 towards the provision of off site affordable housing.
- b) A financial contribution of £8000 towards CO2 off setting.

### 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>304.PP.00.01, 304.PP.00.02, 304.PP.00.03, 304.PP.01.01 A  304.PP.01.02 C, 304.PP.02.02 C, 304.PP.02.03 D, 304.PP.02.05 C  304.PP.02.06 B, 304.PP.02.07 B, 304.PP.02.10 B, 304.PP.02.12 A  304.PP.02.13 A, 304.PP.02.14 A, 304.PP.02.15 A</p> <p>Aboricultural Impact Assessment , Aboricultural Development Report, Tree Survey (Arbtech)  Planning Statement (AZ Urban Studio 19/8/14)  Daylight &amp; Sunlight Report (MES building Solutions) &amp; Addendum 16/3/15  Design &amp; Access Statement (Fourthspace Aug 2014)  Sustainable Design &amp; Construction Statement (Ingleton Wood 15/8/14)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials</b>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> <li>a) solid brickwork (including brick panels and mortar courses)</li> <li>b) window treatment (including sections and reveals);</li> <li>c) roofing materials;</li> <li>d) balustrading treatment (including sections);</li> <li>e) garden fences;</li> </ol>

	<p>f) bin store; and e) divisions between gardens.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<b>Accessible Homes</b>
	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
<b>5</b>	<b>BREEAM</b>
	<p>CONDITION: The development shall achieve a BREEAM [Office/Retail/Schools/Bespoke/multi-residential rating (2008)/BREEAM New Construction rating (2011)] of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
<b>6</b>	<b>Cycle parking</b>
	<p>CONDITION The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 20 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>7</b>	<b>Car Free Housing</b>
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <ul style="list-style-type: none"> <li>(2) In the case of disabled persons</li> <li>(3) In the case of units designated in this planning permission as 'non car free'; or</li> <li>(4) In the case of the resident who is an existing holder of residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least a year.</li> </ul> <p>REASON: To ensure that the development remains car free.</p>
<b>8</b>	<b>Construction Method Statement</b>

	<p>No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>v. wheel washing facilities</li> <li>vi. measures to control the emission of dust and dirt during construction</li> <li>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</li> <li>viii mitigation measures of controlling noise from construction machinery during business hours</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
<b>9</b>	<b>Green Roof</b>
	<p>Details of the biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> <li>a) biodiversity based with extensive substrate base (depth 80-150mm); and</li> <li>b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ul> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>

<b>10</b>	<b>Arboricultural Method Statement</b>
	<p>No development (including demolition works) shall take place on site unless and until an arboricultural method statement (AMS) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities</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 accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>Construction Hours</b>
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system – Building Regulations as well as Environmental Health Regulations.</p> <p>Any construction works should take place within working day.</p> <p>The Pollution Control department lists the normal operating times below.</p> <p>Delivery and operating times – the usual arrangements for noisy works are</p> <ul style="list-style-type: none"><li>• 8am – 6pm Monday to Friday</li><li>• 8am – 1pm Saturday</li><li>• no noisy works on Sunday or Public Holiday (unless by prior agreement in special circumstances)</li></ul>
<b>3</b>	<b>CIL</b>
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <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 payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-">http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-</a></p>



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<b>4</b>	<b>Car Free</b>
	CAR-FREE DEVELOPMENT: All new developments are car free. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
<b>5</b>	<b>S106</b>
	SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

## **APPENDIX 2: RELEVANT POLICIES**

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

### **National Guidance**

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

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

On the 28<sup>th</sup> November 2014, a Ministerial Statement and revision to the Planning Practice Guidance (PPG) were published.

### **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**

7 London's living places and spaces  
Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.8 Heritage assets and archaeology

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

Spatial Strategy  
Policy CS8 (Enhancing Islington's Character)

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

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

Design and Heritage  
DM2.1 Design  
DM2.2 Inclusive Design  
DM2.3 Heritage  
DM3.1 Housing Mix  
DM3.4 Housing Standards  
Dm3.5 Private Amenity Space

Transport  
DM8.4 Walking & Cycling  
DM8.6 Delivery & Servicing

## **Designations**

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

### **Islington Local Plan**

none

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

The following SPGs and/or SPDs are relevant:

#### **Islington Local Plan**

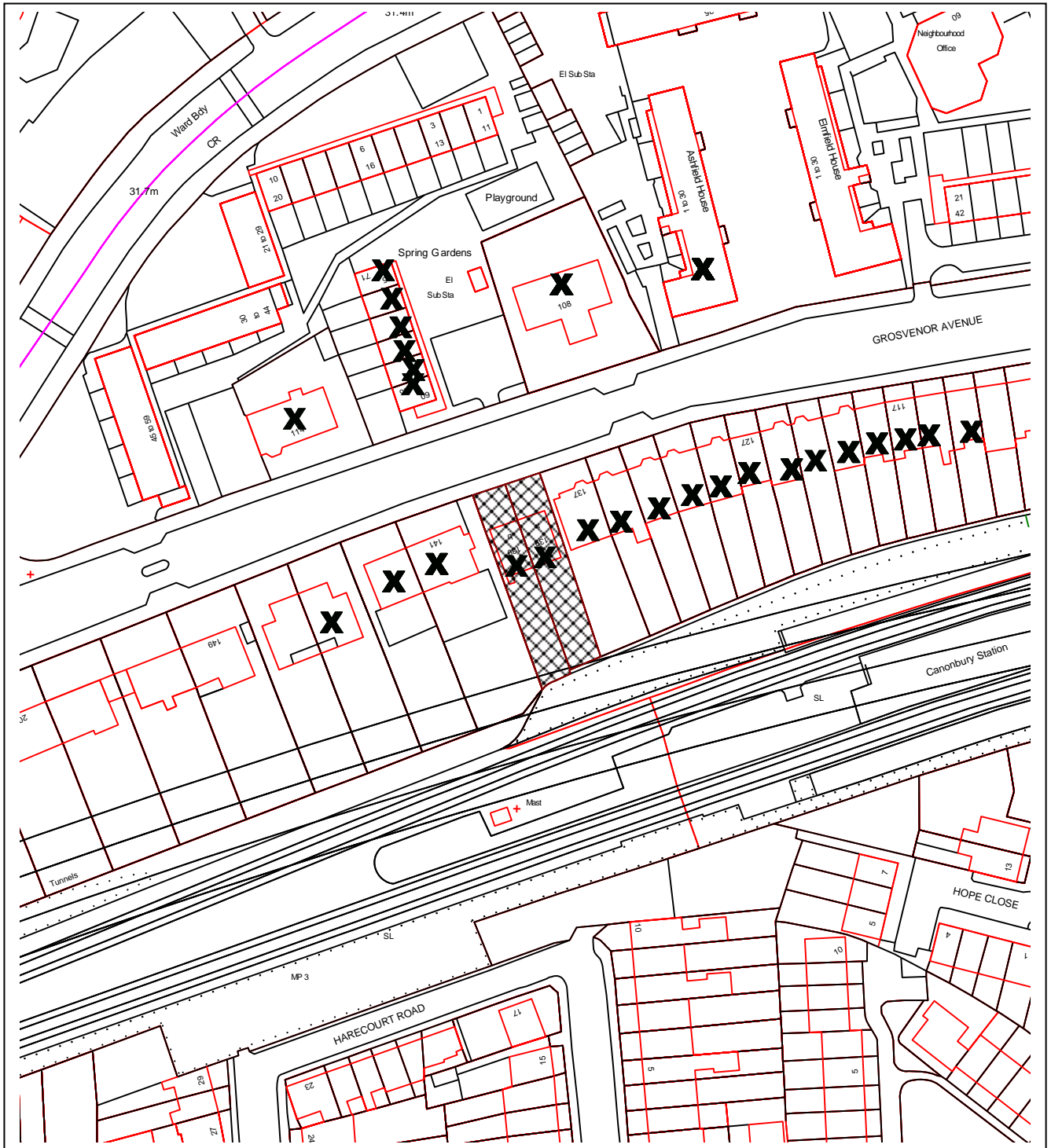
Environmental Design  
Urban Design Guide  
Accessibility SPD

#### **London Plan**

Accessible London: Achieving and  
Inclusive Environment  
Planning for Equality and Diversity in  
London

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# ISLINGTON SE GIS Print Template



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**P2014/3449/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 B</b>		
<b>Date:</b>	Thursday, 21 May 2015	<b>NON-EXEMPT</b>

Application number	P2014/4049/FUL
Application type	Full Planning (Council's Own)
Ward	Caledonian
Listed building	Unlisted
Conservation area	No
Development Plan Context	Kings Cross and Pentonville Road Core Strategy Area and Site allocation KC4.
Licensing Implications	None
Site Address	21-36 Outram Place and playground at rear, London N1 0UX
Proposal	Permanent retention of the construction and conversion of undercroft car parking area into offices, locker rooms, storage and kitchen facilities and the use of the playground, to the north of Bingfield Street for the parking for service vehicles.

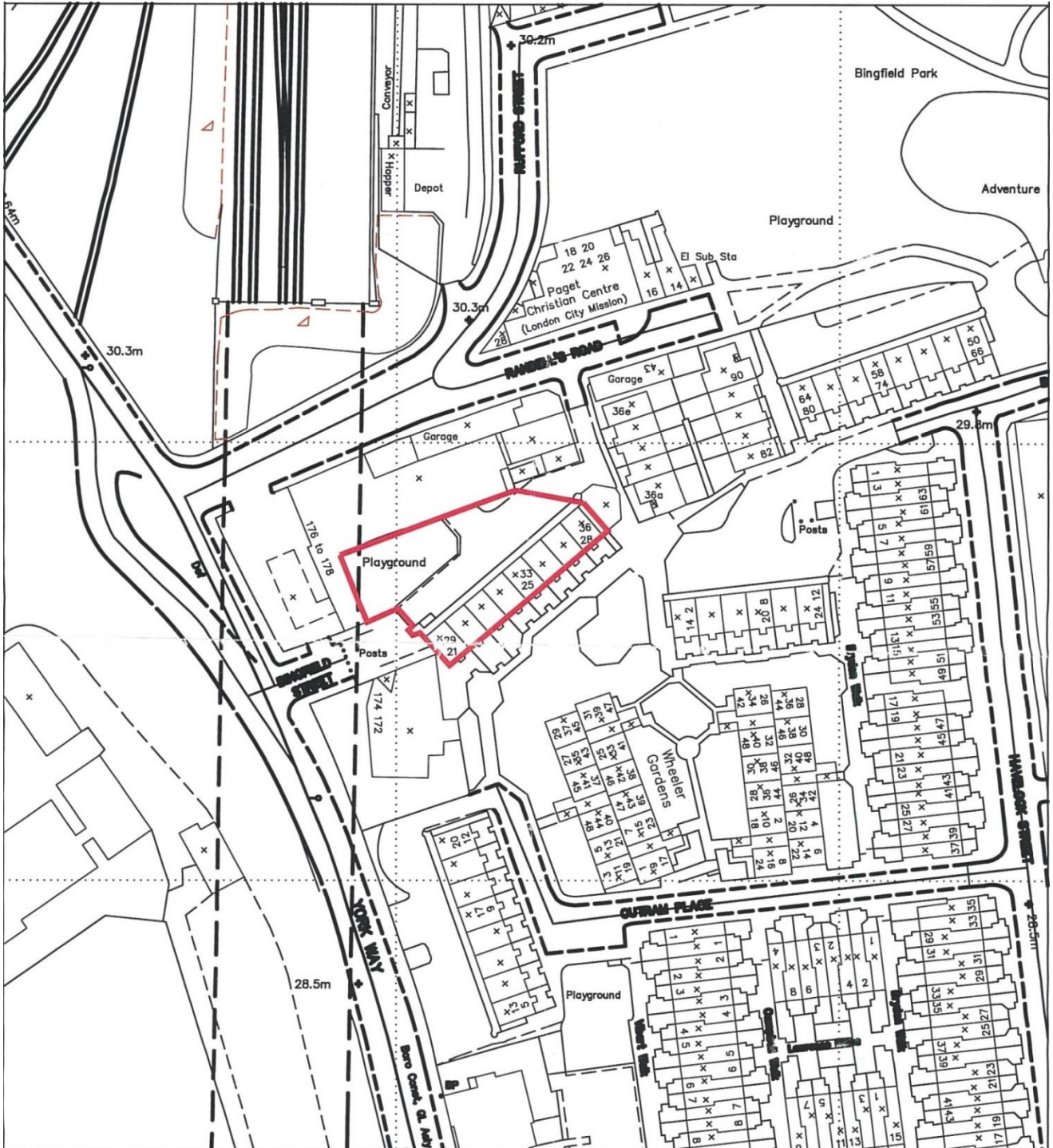
Case Officer	David Nip
Applicant	Mr John Mootealoo, London Borough of Islington, Mechanised Services Department
Agent	N/A

### 1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)





### 3. PHOTOS OF SITE/STREET



Image 1: View of office space (previous undercroft)



Image 2: View of storage space (previous undercroft)



Image 3: View of parking area (former playground)



Image 4: Improvement of play area at Dehli Outram Estate following previous permission





Image 5 : Improvement of play area at Dehli Outram Estate being made ready for new turfing in September 2014.

#### 4.0 SUMMARY

- 4.1 This application seeks full planning permission for the permanent retention of office space and the change of use of the former playground to provide parking for service vehicles used by the Council's Mechanised Services Department. The site has been operating in this manner 2009 and the application seeks to continue the use on a permanent basis.
- 4.2 A previous application (ref: P2013/3432/FUL) was submitted in 2013 and a temporary one-year permission was granted at Planning sub-committee B in January 2014. The granting of temporary consent allowed further assessment as to whether the site could be used for housing development in the long term.
- 4.3 This application was considered in the Planning Sub-Committee B on 18<sup>th</sup> December 2014, the Sub-Committee deferred the application to enable further research on the housing feasibility issue. Since then, a more detailed of housing feasibility study has been undertaken and overall, it is concluded that there is limited scope for residential development on the site which is acceptable in planning terms. The study explains that the site could not deliver the quality and quantity of social housing that the Council normally seeks in a new build programme. It is considered that the proposed development would not hinder any redevelopment opportunities in the future as the site falls under the Council's ownership.
- 4.4 As with the previous temporary permission, the loss of the existing open space is off-set by the extension and improvement of other play facilities within the Estate. The works have been carried out. The loss of the residential car parking within the undercroft area and the use of the site for the parking of Council vehicles would be in accordance with the Council's car free policy.
- 4.5 As with the previous permission ref:P2013/3432/FUL, the hours of operation proposed are 0800 to 1600 hours, and there would be a limited number of both employees and vehicles at any one time on the site. The works to the undercroft and CCTV column are acceptable and the physical works to the parking area fall within permitted development under Schedule 2, Part 12, Class A of the Town and Country planning (General Permitted Development) Order 2015.
- 4.6 The previous permission was subject to a Directors' Agreement to secure the improvement of the play area located to the south of 9-15 Delhi Street as a benefit for the community. This work has

now been carried out and therefore another Directors' Agreement is not required as the policy has been satisfied.

## **5.0 SITE AND SURROUNDING**

- 5.1 The site previously consisted of a rear undercroft below flats No. 29 to 36 Outram Place and a former playground area to the north of the undercroft, all set within the Council owned Dehli Outram Estate. The works have been undertaken, with Mechanised Services now occupying the site since 2009. The works enclosed the undercroft area to provide office space. The playground area had a vehicular access created, a surrounding fence erected and a light and CCTV camera on a pole erected. The current parking area was previously in use as a playground, but it is anecdotally understood not to have been used as a play space since 2004. The vehicular parking area also includes a number of temporary container structures.
- 5.2 No. 21-36 Outram Place consists of a four storey residential block incorporating an undercroft to the north. The playground is set to the south of a former petrol station, which is currently in use as a car sales outlet, and a two storey warehouse/office building. The site is accessed from a driveway leading onto Randell's Road to the north.
- 5.3 The site falls within the Kings Cross and Pentonville Road Core Strategy Area and the former playground area falls within site KC4 of the Site Allocations (June 2004).

## **6.0 PROPOSAL (in Detail)**

- 6.1 The proposal is to permanently retain the works to the site to provide office space and change the use the former playground to provide parking for service vehicles for the Mechanised Services provided to council estates.
- 6.2 The works to the office space consist of the infilling of 4 bays with facing brickwork, metal grill covered windows and steel doors; the infill of two bays with steel grilles/chequer plates and the partial infill of one bay with a secure weldmesh screen.
- 6.3 The works to create the parking area consist of the erection of a 2.8 metre high black painted metal fence around the south and east extent of the former playground, the creation of a vehicular crossover on the east side and the erection of a CCTV camera post and a security light on the eastern side of the site.

## **7.0 RELEVANT HISTORY:**

### **Planning Applications**

- 7.1 **P091512** - Construction of a service depot for central estate services - Withdrawn (20/03/2013).
- 7.2 **P2013/3432/FUL** - Provision of office space and parking for service vehicles for mechanised services provided to council estates. Approved with conditions (07/01/2014)

### **Enforcement:**

- 7.3 **E/2013/0473** – Unauthorised change of use and erection of fencing – Invite application (22/11/2013).

### **Pre-application Advice:**

- 7.4 No formal pre application advice has been sought.

## 8.0 CONSULTATION

### Public Consultation

- 8.1 Letters were sent to 34 occupants of adjoining and nearby properties on 28<sup>th</sup> October 2014. A site notice was displayed on 28<sup>th</sup> October 2014. The public consultation of the application therefore expired on 18th November 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report, no responses had been received from the public with regard to the application.

### Internal Consultees

- 8.3 **Planning Policy** – No response received
- 8.4 **Public Protection Division** – No objections to the CCTV, it is only focused on the site and no control by conditions you need to attach. Similarly with lighting, it is already in place and no complaints have been received to date. From a noise perspective there should be no issue subject to hours of operation restricted as per Planning Officer suggested times.
- 8.5 **Parks and Open Space** – No response received.
- 8.6 **Access and Inclusive Design Officer** – No response received.
- 8.7 **Spatial Planning and Transport (Transport Officer)** – No response received.
- 8.8 **Highways** – No response received.
- 8.9 **Housing Department** – The latest feasibility study suggests that the site does not afford a good opportunity to provide new homes for social rent. This is because the options presented would not deliver a quantum of units or quality of units (single aspect, north facing and small) that we would typically seek to deliver through the council new build programme. The site constraints also present challenges which could lead to unit costs being higher than average.

The site, however, could be revisited in the longer term should the supply of more suitable and better quality site opportunities be exhausted within the borough. A planning consent for the current/intended use would not preclude the consideration of future development options at a later date.

### External Consultees

- 8.10 **London Borough of Camden** – No response received
- 8.11 **Thornhill Square Association** – No response received

## 9.0 RELEVANT POLICIES

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

### National Guidance

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

9.2 The National Planning Practice Guidance is also a material consideration and has been taken into account as part of the assessment of these proposals.

### **Development Plan**

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

### **Designations**

9.4 The relevant designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013 are listed in Appendix 2.

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

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

## **10.0 ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land Use principle
- Housing Feasibility
- Neighbour Amenity
- Highways and Transportation
- Design

### **Land-use principle**

10.2 There are two distinct areas to the planning application, the former playground open space and the undercroft area.

10.3 The service vehicle parking area replaces a previous playground open space within Dehli Outram Estate Management to No.176-178 York Way. DM6.3 of the Development Management Policies sets out that development is not permitted on semi-private amenity spaces, including open space within housing estates, unless the loss of amenity space is compensated and the development has overriding planning benefits.

10.4 This open space has been in use as a service vehicle parking area since at least 2009 and the applicant has detailed that prior to this, the site was fenced off, secured and overgrown for a period of approximately six years. Funding has been secured to improve an existing play area to the south of 9-15 Dehli Street which will serve the local community significantly better than the previously vacant open space. The improvement works have been undertaken at the time of the temporary permission.

10.5 The provision of essential maintenance services is an ancillary function to the housing estates. In light of the fact that the playground has not been used since 2004, that planning permission was granted in January 2014 for the parking area, and an alternative playground has been improved within close proximity, and furthermore, the previous play space falls within Site KC4 of Islington's Local Plan: Site Allocations (2013), where it is stated as being disused and is designated to be redeveloped, the loss of this open space is considered acceptable, within the context of the secured improvements in an alternative site.

10.6 The office/storage space within the undercroft replaces a previous parking area. The loss of parking spaces is not resisted by the Council and it would be in accordance with the Council's car

free policy DM8.5. Furthermore, prior to its conversion in 2009 it was a known location for anti-social behaviour.

- 10.7 The previous permission was subject to a Directors' Agreement to secure the improvement of the play area located to the south of 9-15 Delhi Street, as a benefit for the community. This work has now been carried out and therefore another Directors' Agreement is not required as the policy has been satisfied.

### **Housing feasibility**

- 10.8 Following the deferral of the application in the last planning sub-committee, the applicant has provided an updated feasibility study which explored in further details of the opportunity of the site for housing development.
- 10.9 The size of the undercroft area for potential development is approximately 44m wide x 3.2m deep, the internal height of the undercroft is between 2.4-2.6m, however, the actual height of the internal room height is likely to be reduced with the installation of floor finishes and thermal insulation below the walkway. The estimate internal floor height is likely to be 2.175-2.375m, or 2.275-2.475m if the insulation is to be added on top of the existing first floor walkway, however, it will incur greater expense and disruption to the current residents.
- 10.10 The finished storey height is unlikely to comply with policy DM3.4 which requires a minimum floor to ceiling height of 2.6m.
- 10.11 The full length of the undercroft area (44m) is unlikely to be fully utilised due to obstructions and services routes, also, the seven intermediate brick loadbearing walls would further reduce the area available for housing. The total floor area of approximately 220sqm is unlikely to be able to provide more than 2 to 3 units if built entirely within the curtilage of the existing structure.
- 10.12 The site is single aspect facing north into the enclosed yard, with limited access to daylight; this makes the design of the scheme difficult. It is considered that the need of vehicular access for emergency vehicles and deliveries makes access to contiguous private amenity space difficult to achieve.
- 10.13 The study explored various options of residential development on site and considered that there are five possible options:
- 10.14 Option 1: 2 x 1-bed units

2 No units - each unit 50sqm to provide a 1 bed 2 person unit, with an improved amenity area of approximately 530sqm in total.

#### **Advantages:**

- Creates two residential ground floor units with compliant floor areas and capable of being accessible units.
- Potential for overlooking a greatly improved and re-claimed amenity landscaped area.
- Potential for some parking bays for disabled parking to accompany the units.
- Establishes some passive surveillance over the landscaped area.
- Greatly improves the aspect to the four existing estate houses off Randall's Road at the eastern end of the site.
- Includes a turning area for emergency vehicles and deliveries and possible disabled vehicles.

#### **Disadvantages**

- Only two units created.
- Units are single aspect.
- Potential for some privacy problems if landscaped area is used excessively as a thoroughfare by residents gaining access to the upper walkway.
- Loss of existing workshops/offices.
- Units somewhat isolated from the rest of the estate.

- They face north with very little prospect of receiving sunlight.

#### 10.15 Option 2: 2 x 2-bed units

2 No units – each 64sqm to provide a 2 Bed 3 person unit., with an amenity area of approximately 530sqm in total.

##### **Advantages:**

- Creates two residential ground floor units with compliant floor areas and capable of being accessible units.
- Potential for overlooking a greatly improved and re-claimed amenity landscaped area.
- Potential for some parking bays for disabled parking to accompany the units.
- Establishes some passive surveillance over the landscaped area.
- Greatly improves the aspect to the four existing estate houses off Randall's Road at the eastern end of the site.
- Includes a turning area for emergency vehicles and deliveries and possible disabled vehicles.
- Includes an outside 2m wide garden ('defendable space') to each unit onto the landscaped courtyard.

##### **Disadvantages**

- Only two units created.
- Units are single aspect.
- Potential for some privacy problems if landscaped area is used excessively as a thoroughfare by residents gaining access to the upper walkway.
- Loss of existing workshops/offices.
- Units somewhat isolated from the rest of the estate.
- They face north with very little prospect of receiving sunlight.
- The rear corridor rear to gain access to the double bedroom has no natural lighting and is quite long.

#### 10.16 Option 3: 3 x 1-bed units

3 No units – each 50sqm to provide a 1 Bed 2 person unit, with an improved amenity area of approximately 530sqm in total.

##### **Advantages:**

- Creates four residential ground floor units with compliant floor areas and capable of being accessible units.
- Potential for overlooking a greatly improved and re-claimed amenity landscaped area. Creates a degree of double aspect.
- Potential for some parking bays for disabled parking to accompany the units.
- Establishes some passive surveillance over the landscaped area.
- Greatly improves the aspect to the four existing estate houses off Randall's Road at the eastern end of the site.
- Includes a turning area for emergency vehicles and deliveries and possible disabled vehicles.
- Includes an outside 1m wide garden ('defendable space') to each unit onto the landscaped courtyard.

##### **Disadvantages**

- The four units created may be marginal in development terms.
- Necessitates building additional bays projecting 1m beyond the face of the existing balustrades to the walkway to extend the depth of the bay windows to create adequate floor area.
- Units are all single aspect.
- Potential for some privacy problems if landscaped area is used excessively as a thoroughfare by residents gaining access to the upper walkway.
- Loss of existing workshops/offices.



- Units somewhat isolated from the rest of the estate.
- They face north with very little prospect of receiving sunlight.

#### 10.17 Option 4: 4 x 1-bed units

4 No units – each 50sqm to provide a 1 Bed 2 person unit, with an improved amenity area of approximately 530sqm in total.

##### **Advantages:**

- Creates four residential ground floor units with compliant floor areas and capable of being accessible units.
- Potential for overlooking a greatly improved and re-claimed amenity landscaped area.
- Potential for some parking bays for disabled parking to accompany the units.
- Establishes some passive surveillance over the landscaped area.
- Greatly improves the aspect to the four existing estate houses off Randall's Road at the eastern end of the site.
- Includes a turning area for emergency vehicles and deliveries and possible disabled vehicles.
- Includes an outside 2m wide garden ('defendable space') to each unit onto the landscaped courtyard & provides degree of double aspect.

##### **Disadvantages**

- The four units created may be marginal in development terms.
- Necessitates building additional bays projecting 2m beyond the face of the existing balustrades to the walkway to extend the depth of the bay windows to create adequate floor area.
- Potential for some privacy problems if landscaped area is used excessively as a thoroughfare by residents gaining access to the upper walkway.
- Loss of existing workshops/offices.
- Units somewhat isolated from the rest of the estate.
- They face north with very little prospect of receiving sunlight.

#### 10.18 Option 5: 2 x 2-bed units and 2 x 3-bed units

2 No units – each unit 72sqm to provide a 2 Bed 4 person unit

3 No units - each unit 84sqm to provide a 3 Bed 5 person unit

Reinstated and improved amenity area of approximately 306sqm in total.

##### **Advantages:**

- Creates two single storey residential ground floor units and two double aspect houses with compliant floor areas all capable of being accessible units.
- All flats and houses are double-aspect.
- There is natural overlooking (surveillance) of a greatly improved and re-claimed amenity and /or landscaped play area.
- Potential for some parking bays for disabled parking to accompany the units.
- Greatly improves the aspect to the four existing estate houses off Randall's Road at the eastern end of the site, which look into the new courtyard.
- Includes a turning area for emergency vehicles and deliveries and possible disabled vehicles.
- Includes an outside 2m wide garden ('defendable space') to each single storey unit onto the landscaped courtyard.
- Units are integrated with the rest of the estate. Living rooms receive west-light.

##### **Disadvantages**

- Necessitates building additional bays projecting 2m beyond the face of the existing balustrades to the walkway to extend the depth of the bay windows to create adequate floor area.

- Potential for some privacy problems if landscaped area is used excessively as it is a thoroughfare by residents gaining access to the upper walkway.
- Loss of existing workshops/offices.
- Staircases to the first floor walkway may have to be improved.
- Site options for any later development opportunities are fortified.

- 10.19 The study concluded that option 1 and 2 will not provide sufficient overlooking and passive surveillance to the public area of the site and is likely to attract anti-social behaviour due to its isolated location.
- 10.20 Option 3, 4 and 5 would be better alternatives in terms of its effect on environmental improvement and better defined private and public space. In particular the study suggests that option 5 would provide long term benefits to the existing residents in the estate and would provide more housing units and bed spaces on the site.
- 10.21 The study continues that there is a potential to combine the site and the adjoining Delhi Outram site to provide a development area of 6500sqm, equivalent to approximately 80 No of 2 bed 4 person units. The study suggests that it is likely that the affordable housing provision would exceed the 4 potential units identified in option 5.
- 10.22 The Council's Housing Team has commented on the findings of the study and the feasibility issue, they suggested that while there are some opportunities to redevelop the area with residential use, the site itself does not afford a good opportunity to provide homes for social rent and would not deliver a quantum or quality of units that the Council would typically seek to deliver through the new build programme. The site constraints also could lead to unit costs being higher than average.
- 10.23 It is considered that the proposal for the retention of the service vehicle parking space and the office use would not preclude any future development options in the future. It is satisfied by the Planning and Housing Officers that the potential for residential development would not be undermined by the proposed use in the long term as the site remains under the Council's ownership.

### **Neighbouring Amenity**

- 10.24 Policies DM2.1, 2.2 and 6.3 of the development plan seek to protect residential amenity when considering development proposals. The office/storage space has been created from the infill of the undercroft areas and the works to the playground consist of small scale fences and columns and lights. As such the main amenity consideration relates to potential disturbance from the use.
- 10.25 The site has 18 full time employees, parking for 14 vehicles and the hours of operation have been conditioned previously to be between 0800 and 1600 hours Monday to Friday. Due to the limited office space at the site and the nature of mechanised services provision, the numbers of employees at the site at any one time is limited. Whilst there is a peak of employees at the start and end of the working day, this is for a limited time and within normal working hours. It is noted that the Public Protection Noise Team have not raised any objection to the use of the site.
- 10.26 With regard to potential disturbance from vehicle movements and repair works at the site, the number of vehicles at the site is limited to 14 and with regard to repairs being undertaken within the site, the site would be conditioned to be used for parking only.
- 10.27 With regards to use of the external lighting these have been installed under the previous permission and these share the same poles as the CCTV cameras facing onto the parking area within the former playground, this car parking sits adjacent to commercial properties. They are set over 15 metres away and set below the first floor habitable rooms of the residential buildings of 21-36 Outram Place, Public Protection has no objection to the lighting.

- 10.28 Subject to continued conditions restricting the hours of use, the number of vehicles at the site and the use of the former playground for solely parking use for the mechanised services vehicles and employees, the office and vehicle parking use of the site is considered to be in accordance with policy DM2.1 of the Development Management Policies and policy 7.15 of the London Plan with regard to neighbour amenity.

### **Highways and Transportation**

- 10.29 Policy DM8.5 of the Development Management Policies states that non-residential parking will only be allowed where this is essential for operational requirements and therefore integral to the nature of the business or service. Furthermore, any parking should be off-street and located to be accessible and convenient in relation to the development.
- 10.30 Mechanised Services, by its very nature, requires vehicles for its daily operation. Therefore the continued parking of these vehicles is integral to operational requirements and service provision. The parking provision is off-street and is located in close proximity to the offices, and was previously granted permission in January 2014.
- 10.31 With regard to parking and manoeuvring, the site is located within a cul-de-sac with a turning 'T' which previously provided sufficient turning space for vehicles parking within the undercroft area. Furthermore, there is sufficient space within the parking area for the manoeuvring of vehicles, whilst the Junction with Randell's Road is of a sufficient size to allow vehicle to access and egress the site.
- 10.32 The site is located within close proximity to Kings Cross/St Pancras Railway Station and a number of bus routes whilst the store areas provide sufficient space for cycle parking.
- 10.33 The parking space continues to be considered to be in accordance with Development Management policies DM8.2, DM8.3, DM8.4 and DM8.5.

### **Design**

- 10.34 The built up wall sections and steel walled bays which create the offices incorporate regular spacing and are of a small scale, facing onto the service vehicle parking area, which forms the end part of a cul-de-sac. The fenced area is set back from the rear elevation of the undercroft area and due to its open nature is not intrusive within the locality. The infilled bays provide an active frontage to a previously open and inactive space. By reason of this, the regular bay spacing and the simple form of the development, the office space is considered to be acceptable.
- 10.35 The CCTV column which forms part of the application has already been installed on site under previous temporary consent, and was deemed acceptable in design terms.
- 10.36 The 2.8 metre high black painted metal fence, vehicular crossover and security light which were erected at the site would fall within the provisions of Schedule 2, Part 12, Class A of the Town and Country planning (General Permitted Development) Order 2015, would therefore do not require express planning permission from the Council.

## **11.0 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The development provides a suitable parking and office space for Mechanised Services Department and does not detrimentally impact upon the amenity of the neighbouring occupiers and has secured improvements to a nearby play space area. The housing feasibility study has been assessed and it is concluded that the site has limited scope to achieve an ideal quality residential development with social rent units. Furthermore, this proposal would not hinder any future housing option for the site as it remains under Council's ownership.

- 11.2 As such, the development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

**Conclusion**

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

## 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>Approved plans list</b>
	<p>CONDITION: The development hereby permitted shall be retained in accordance with the following approved plans: Location plan DO/001/P, Existing plan and elevation to estate with drainage layout, LS006 Rev A, Planning Statement, email dated 12/11/2014, play area improvements statement dated 25/9/14 and Appraisal and Development Potential Study ref: BFF/1307.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>2</b>	<b>Hours of Operations</b>
	<p>CONDITION: The Office space and service vehicle parking area for services vehicles operating as part of the Mechanised Services Department hereby approved shall only operate between the hours of 0800 and 1600 Monday to Friday and not at all on any other day.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p>
<b>3</b>	<b>Service Vehicle Parking</b>
	<p>CONDITION: The service vehicle parking area hereby approved shall only be used for the parking of vehicles and shall not be used as an area for repair works to be undertaken.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p>
<b>4</b>	<b>Number of Vehicles</b>
	<p>CONDITION: The service vehicle parking area hereby approved shall have a maximum of 14 vehicles parked at any one time.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</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>Verbal pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>

## APPENDIX 2: RELEVANT POLICIES

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

### National Guidance

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

The National Planning Practice Guidance is also a material consideration and has been taken into account as part of the assessment of these proposals.

### Development Plan

The Development Plan is comprised of the London Plan 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

3 London's people Policy 3.16 Protection and enhancement of social infrastructure	Policy 6.12 Road network capacity Policy 6.13 Parking
4 London's economy Policy 4.1 Developing London's economy Policy 4.2 Offices	7 London's living places and spaces Policy 7.4 Local character Policy 7.5 Public realm Policy 7.6 Architecture Policy 7.15 Reducing noise and enhancing soundscapes
6 London's transport Policy 6.3 Assessing effects of development on transport capacity	Policy 7.18 Protecting local open space and addressing local deficiency

#### B) Islington Core Strategy 2011

Spatial Strategy  
Policy CS6 (King's Cross)  
Policy CS8 (Enhancing Islington's Character)

Strategic Policies  
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)  
Policy CS13 (Employment Spaces)  
Policy CS15 (Open Space and Green Infrastructure)  
Policy CS16 (Play Space)  
Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation  
Policy CS18 (Delivery and Infrastructure)

#### C) Development Management Policies June 2013

Design and Heritage DM2.1 Design DM2.2 Inclusive Design	Health and Open Space DM6.3 Protecting open space
Shops, culture and services DM4.12 Social and strategic infrastructure and cultural facilities	Transport DM8.2 Managing transport impacts DM8.4 Walking and Cycling DM8.5 Vehicle parking DM8.6 Delivery and servicing for new

Employment  
DM5.1 New business floorspace

developments

#### **D) Site Allocations June 2013**

**SA1** Proposals within allocated sites

**KC4** 176-178 York Way

#### **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:

##### **Islington Local Plan**

- Kings Cross and Pentonville Road Core Strategy Area
- Site allocation KC4 (Playground area only)

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

The following SPGs and/or SPDs are relevant:

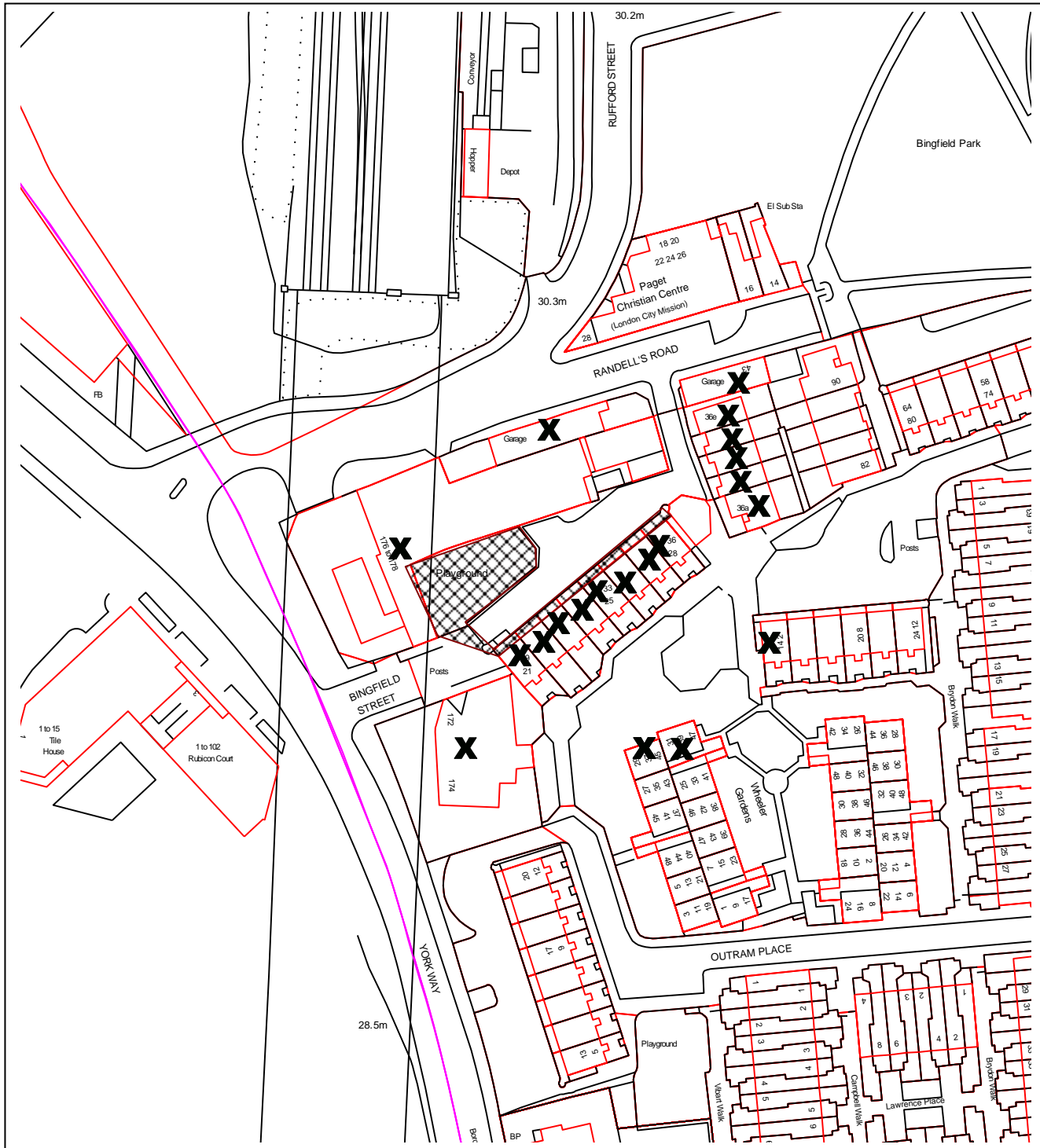
##### **Islington Local Plan**

Urban Design Guide

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# Islington GIS Print Template



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P2014/4049/FUL

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## PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB-COMMITTEE B</b>		
Date:	21 <sup>st</sup> May 2015	NON-EXEMPT

Application number	P2015/1156/FUL
Application type	Full Planning Application
Ward	Tollington Ward
Listed building	Not listed
Conservation area	Not in a conservation area
Development Plan Context	- Mayors Protected Vista - iCycle Routes (local)
Licensing Implications	None
Site Address	Lower Maisonette, 68 Hanley Road, London, N43DR
Proposal	Erection of single storey side/rear extension at lower ground floor level and installation of sliding folding doors.

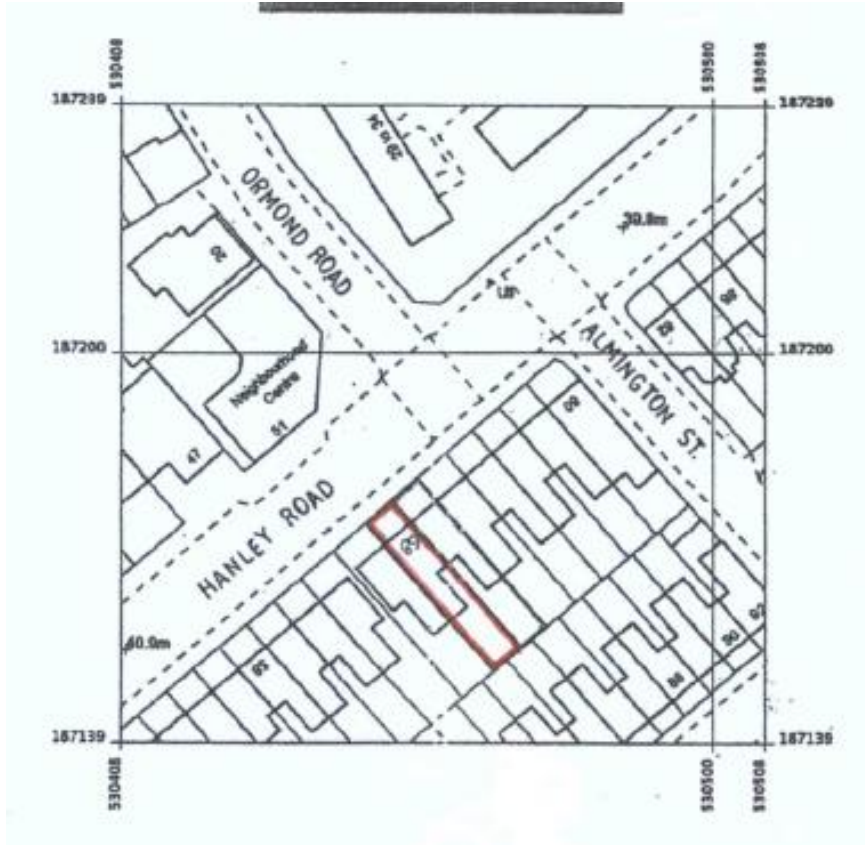
Case Officer	Joe Aggar
Applicant	Julvina Singh
Agent	Colin Hawkins

### 1 RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

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

2. SITE PLAN (site outlined in black)



### 3. PHOTOS OF SITE/STREET



Image 1: Aerial view



Image 2: View from rear of 68 Hanley Road





Image 3: View looking to the rear of 70 Hanley Road



Image 4: View looking west along the rear terrace of Hanley Road

## **4 SUMMARY**

- 4.1 The proposal is to erect a single storey, flat roof extension at the rear of 68 Hanley Road, which is a mid-terraced house that lies within a predominantly residential area. The new addition would infill the narrow recess of this 'L' shaped building. The proposal would come in line with the existing rear building line and abut an extension that is similar in massing and design at no. 70 Hanley Road. The window and door to the two storey outrigger is proposed to be replaced with sliding folding doors.
- 4.2 The proposed rear extension and associated alterations would not detract from the character and appearance of the application property and wider terrace and would not detrimentally impact upon neighbour amenity.
- 4.3 The application is therefore recommended for approval subject to conditions.

## **5 SITE AND SURROUNDING**

- 5.1 The site is located on the southern side of Hanley Road. The property is split into two maisonettes. The subject property covers the lower ground and upper ground floors. The property is located mid terrace is three storeys in height with a two storey outrigger with pitched roof.
- 5.2 The properties surrounding the site on Hanley Road comprise of traditional Victorian terraces, three storeys in height. The immediate area is predominantly residential in character.
- 5.3 The site is not located within a Conservation Area, nor is the property statutorily or locally listed.

## **6 PROPOSAL (in Detail)**

- 6.1 The proposal consists of the erection single storey, rear infill extension. The proposal would project from the rear elevation of the property and come in line with the existing two storey outrigger. The extension would have a flat roof with angled parapet. The new addition would infill the narrow recess of this 'L' shaped building. The proposal also includes the insertion of sliding folding doors in the lower ground floor elevation of the two storey outrigger
- 6.2 The application has been called to the planning sub-committee by Councillor Watts and Councillor Kaseki.

## **7 RELEVANT HISTORY**

### **Planning Applications**

- 7.1 72 Hanley Road, planning application re: P2015/1162/FUL for the '*Erection of a single storey side/rear extension at the lower ground floor level*' is under consideration.
- 7.2 70 Hanley Road, planning application re: P2015/1162/FUL for the '*Variation of condition 2 of planning permission P121438 dated 23/10/2012*' was GRANTED 07/08/2014.

7.3 68 Hanley Road, planning application re: P2014/0721/FUL for the ‘*The enlargement of the front basement and the creation of a basement under the rear addition together with new lightwells and associated railings and steps to the front and rear, in connection with the formation of a three bedroom maisonette*’ was approved 13/05/2014.

7.4 70, Hanley Road, planning application ref: P121438 for a ‘Alterations and extension to the three existing residential units including a rebuilt full width rear extension at basement and ground floors for the lower maisonette; a rebuilt full width rear extension at first floor level for the first floor flat; a rebuilt half rear extension at second floor level for the upper maisonette; a roof extension with dormer window to the rear and three front rooflights; a rear roof terrace at third floor level; lightwell to the front area; rear patio and lightwell.’ was GRANTED 23/10/2012.

#### **Enforcement**

7.5 None

#### **Pre Application Advice**

7.6 No history.

### **8 CONSULTATION**

#### **Public Consultation**

8.1 Letters were sent to occupants of adjoining and nearby properties on the 09/04/2015. These expired on the 30/04/2015. At the time of the writing of this report no responses had been received from the public with regard to the application.

#### **Internal Consultees**

8.4 Design and Conservation: No objection

#### **External Consultees**

8.5 None

### **9 RELEVANT POLICIES**

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

#### **National Guidance**

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

9.3 The National Planning Practice Guidance 2014 is material consideration in the assessment of and has been taken into account as part of the assessment of these proposals.



### **Development Plan**

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

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

- 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:

- Design and Appearance
- Neighbouring Amenity

### **Design and Appearance of the Conservation Area**

- 10.2 Hanley Road is comprised of attractive brick-built Victorian terraces, which are reasonably well preserved. The mid-terraced property is three storeys, and has a two-storey outrigger to the rear. The proposal is to extend at the side of the outrigger, up to the shared boundary with the neighbouring property, No 70 Hanley Road. The single storey extension, would essentially infill the 'L shape' of the existing building. The proposed extension would not project beyond the outrigger's rear wall.
- 10.3 The Islington Urban Design Guide, 2.5, states rear elevations 'generally have less formality than the more ordered front elevations. This reflects the fact they fulfil a private rather than a public function. For these reasons, it is appropriate that they normally have some freedom to adapt / extend to the occupier's requirements.' Within this particular terrace, the adjoining property No 70. presently has a single storey rear infill extension. A number of properties in this particular terrace have rear ground floor extensions.
- 10.4 The proposed single storey rear extension would maintain a sense of subservience to the main building. Taking into account the alterations which already exist within the terrace the proposal is not seen to cause disruption in terms of its visual appearance
- 10.5 The extension would be acceptable in terms of size (being subordinate to the mass and height of the main host building), the design and materials would be sympathetic to the appearance of the host building and preserve the integrity of the terrace.
- 10.6 The design of the extension is modest and designed to be in keeping with the host building. It would clearly be subservient in scale to the main dwelling. In view of its secluded position, the extension would have no discernible effect on the perceived visual qualities of the rear of the terrace. Accordingly, there would be no conflict with policies CS8 and CS9 of the Islington Core Strategy, policy DM2.1 of the Development Management Policies and guidance contained within the Islington Urban Design Guide.
- 10.7 The proposal would not have a harmful impact on the house or the wider terrace in accordance with CS9 (Protecting and Enhancing Islington's Built and Historic

Environment) of Islington's Core Strategy and DM2.1 and Islington Urban Design Guide 2006.

### **Neighbour Amenity**

- 10.8 There is a proposed infill extension at no.70 Hanley Road. The proposed single storey rear infill extension at no.68 would come in line with this rear addition. The resultant massing and form would not result in adverse loss of outlook, light or undue sense of enclosure based on existing arrangement. Therefore the proposal would comply with policy DM2.1 of the Development Management Policies.

### **Other Matters**

- 10.9 Councillors have raised the issue that the leaseholder whose property this relates to may be unaware of the application. Certificate B has been signed on the application form and notified accordingly by the applicants; the occupiers of the flats of no.68 Hanley Road were also consulted as part of neighbour consultations.

## **11 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The proposed rear infill extension and alteration to the ground floor fenestration is considered to be acceptable with regards to design and impact on neighbour amenity.
- 11.2 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

### **Conclusion**

- 11.3 It is recommended that planning permission be granted subject to conditions 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 permitted shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan; 827/01; 827/02; 827/03; 827/04; 827/05; 827/06</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials</b>
	<p>CONDITION: 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>

#### 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>Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant.</p> <p>The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in a timely manner in accordance with the requirements of the NPPF.</p>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

The Development Plan is comprised of the London Plan 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**

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

7.4 Local character

7.6 Architecture

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

##### Spatial Strategy

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

##### Strategic Policies

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

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

**DM2.1** Design

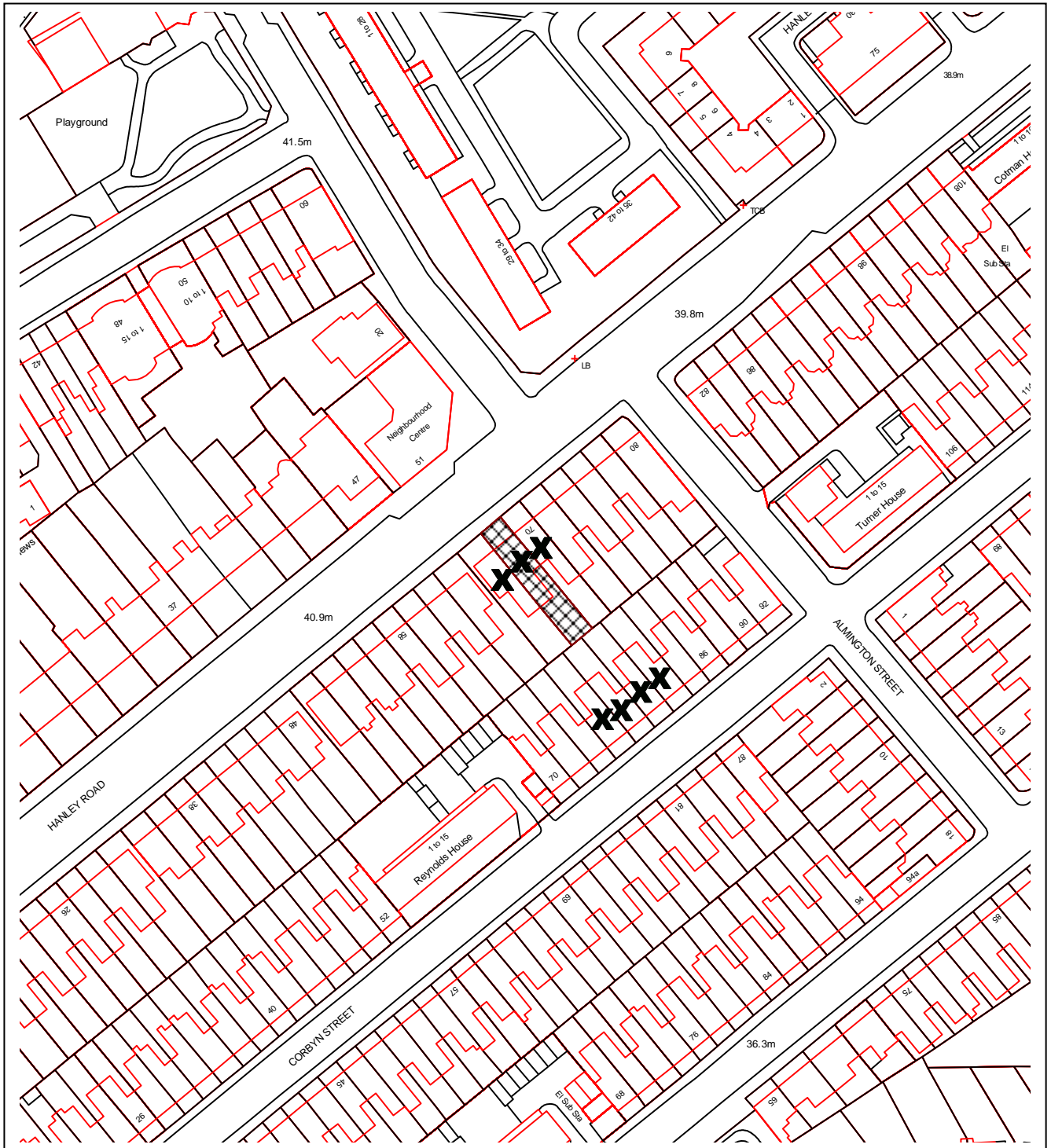
#### **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:



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P2015/1156/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 B</b>		
<b>Date:</b>	21 <sup>st</sup> May 2015	<b>NON-EXEMPT</b>

Application number	P2015/0589/FUL
Application type	Full Planning (Householder)
Ward	Highbury East
Listed building	Not Listed
Conservation area	Not in a Conservation Area
Development Plan Context	Within 50m of Highbury New Park Conservation Area Within 50m of Aberdeen Park Conservation Area
Licensing Implications	N/A
Site Address	7 Aberdeen Lane London N5 2EJ
Proposal	Creation of a new roof terrace to existing flat roof of property including installation associated frameless glass balustrade to front elevation and planters to the rear, concealed access hatch, new surfacing, benches and planters.

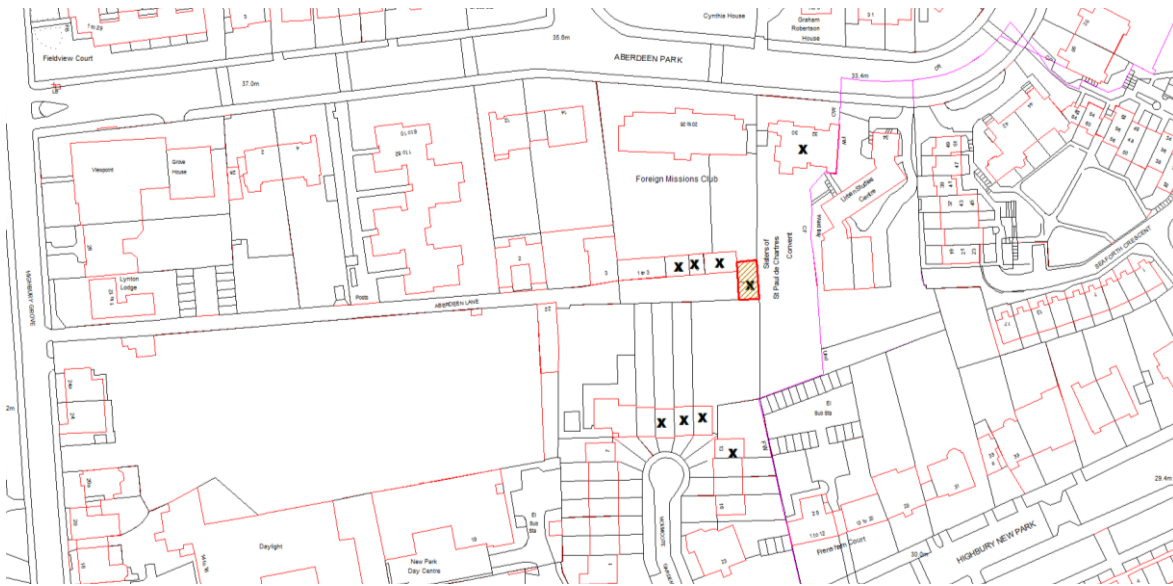
Case Officer	Sandra Chivero
Applicant	Mr James Sun
Agent	nim tim architects

### 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**



Image 1: Aerial view of the application site



Image 2: View from the courtyard



Image 3: View from the application site

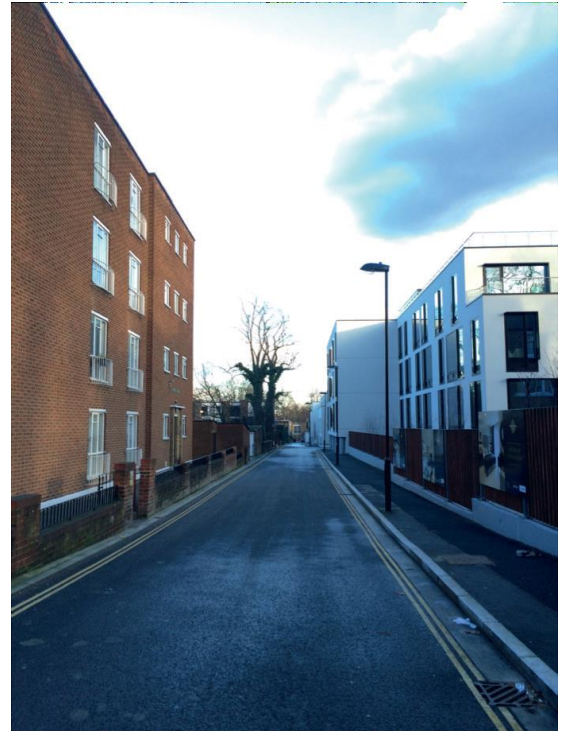


Image 4:View from Aberdeen Lane

Image 5:View from Highbury Grove

#### 4. SUMMARY

- 4.1 This application follows the refusal and subsequent dismissal by the Planning Inspectorate of a previous application for the construction of a new second floor extension on existing flat roof, creation of a roof terrace with associated railings and fixed planters including provision of a sedum (green) roof to remaining flat roof area.
- 4.2 It is proposed to create a roof terrace to the existing flat roof of the property including installation of associated frameless glass balustrade to the front elevation and planters to the rear, concealed hatch access to roof, new surfacing, benches and planters. The principle of a roof terrace is considered acceptable. Amended drawings were received during the application process showing the terrace set back further from the front building line. This is considered to minimise the visibility of the balustrade from long views. Overall, due to materials, design and appearance the proposed terrace and associated balustrades would not significantly harm the architectural character of the building and unity of the mews houses. The proposal is also considered not to significantly harm the character and appearance of the adjoining conservation areas.
- 4.3 The proposal is considered not to exacerbate the degree of overlooking to no. 6 Aberdeen Lane. In addition, there is no obstruction directly facing the front windows to no. 6. It is therefore considered that there would be no material loss of sunlight and no material loss of outlook to this property. The windows to Highbury Centre, 20-26 Aberdeen Park, nos. 10 and 12 Holmcote Gardens are located more 18m away. It is therefore considered that the proposal would not result in harmful overlooking to these properties
- 4.4 The proposal relates to an existing residential property and is therefore considered not to result in unreasonable noise disturbance.

## **5. SITE AND SURROUNDING**

- 5.1 The application property is a two-storey house that forms part of a mews development, at the west of the Aberdeen Park Conservation Area. The house is positioned on the west side of the Sisters of St Paul de Chartres Convent. The property stands out from neighbouring terrace houses along Aberdeen Lane, by reason of its position at the easternmost location of the mews, and the flat roof profile of the building, which is materially different than the low-pitched roofs on neighbouring properties at the east.
- 5.2 The surrounding area is residential in character and the property is not positioned within a conservation area.

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

- 6.1 Creation of a roof terrace to the existing flat roof of property and infilling of the gap above the large window at first floor level, including installation of associated frameless glass balustrading to the front building lines and side building lines and planters to the rear, concealed access hatch, new surfacing, benches and planters.
- 6.2 The balustrading would be 1m high and set in from the front building line by 0.8m and 2.8m where it is positioned behind the sliding rooflight and access stair. The planters to the rear building would also be 1m high. Whilst the balustrading to the southern building line would be positioned just behind the parapet line, the planters would be positioned at a distance in excess of 1m.

## **7. RELEVANT HISTORY:**

### **Planning Applications:**

- 7.1 P2013/4153/FUL - Construction of a new second floor extension on existing flat roof, creation of a roof terrace with associated railings and fixed planters including provision of a sedum (green) roof to remaining flat roof area. Refused.
- 7.2 P072352 - Construction of new room on roof of existing two-storey house, including new roof terrace, green roof and associated screening. roofing over of rear balcony. Approved.
- 7.3 P021722 - Erection of metal and glass panels and timber pergola at roof level and spiral staircase at first floor in connection with use of roof as a terrace. Approved.
- 7.4 980018 - Redevelopment to provide four houses including raising height of boundary wall. Approved.

### **Enforcement:**

- 7.5 None

### **Pre Application Advice:**

- 7.6 **Q2014/2258/HH** - Pre application Advice in relation to the creation of a roof terrace and installation of associated balustrading, planters and benching. Amendments were suggested.



## 8. CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of 9 adjoining and nearby properties at Aberdeen Park, Aberdeen Lane and Holmcote Gardens on 17 February 2015. The public consultation of the application therefore expired on 11 March 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 writing this report a total of 5 objections and 1 letter of support 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):
- Overlooking and loss of privacy (Paragraphs 10.9, 10.10, 10.12)
  - Noise disturbance (Paragraph 10.13)
  - Diminished view, reduction in skyline, reduction in hours of direct sunlight (Paragraph 10.11)
  - Scale (Paragraph 10.4)
  - Proposal at odds with original design (Paragraphs 10.4 to 10.7)
  - Negative change aesthetically (Paragraphs 10.4 to 10.7)
  - Cluttered visual and incongruous features (Paragraphs 10.4 to 10.7)
  - Harm to the character and appearance of the adjoining CA (Paragraph 10.4 to 10.7)
  - No guarantee that current or future occupiers would adhere to this specific design (Paragraph 10.14)
  - No. 7 already has 3 outdoor spaces (Paragraph 10.15)

### Internal Consultees

- 8.3 **Design and Conservation Officer:** The proposed terrace at roof level and associated works are considered acceptable in principle. It is further stated that the proposed design which has been agreed following lengthy pre-application discussions is also considered acceptable.

## 9. RELEVANT POLICIES

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

### National Guidance

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

### Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.
- 9.3 The National Planning Practice Guidance 2014 is material consideration in the assessment of and has been taken into account as part of the assessment of these proposals.

## **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:

- None

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

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

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Previous appeal decision
- Design and Visual Impact of the Development
- Neighbouring Amenity

## **Previous Appeal Decision**

10.2 The current application follows on from the previous refused permission, that was dismissed at appeal, for the construction of a second floor extension on the existing flat roof, creation of a roof terrace with associated fixed planters including provision of a sedum (green) room to the remaining flat roof area. The current scheme is to utilise an existing flat roof area and provide screening, the principle of the roof terrace was considered acceptable under the appeal decision.

## **Design, Conservation and Heritage Considerations**

10.3 It is proposed to create a roof terrace to the existing flat roof of the property including installation of associated frameless glass balustrade to front elevation and planters to the rear, concealed access hatch, new surfacing, benches and planters following a previous refusal and dismissed appeal on the site

10.4 The provision of a terrace at roof level and its scale is considered acceptable in principle at this location. The design, height and materials (associated glazed balustrade to the front elevation and polished steel balustrade to the rear and side elevation) are considered not to harm the architectural character and design of the original building or undermine the symmetry of the mews houses the application site forms a part of. The planting is considered to screen any activity or clutter on the roof. Amended drawings have been received showing the balustrade, planting and benching set further back from the front building by 0.8m. This is considered to minimise its visibility from the mews and views along Aberdeen Lane.

10.5 The proposed access hatch would incorporate a sliding roof which projects 0.3m and would be positioned behind the parapet wall and behind the roof to no. 6 Aberdeen Lane. The access hatch is also considered acceptable in terms of its height above the roof level, materials and positioning. The hatch will not be visible from within the mews and would therefore minimise any visual impact.

10.6 The infilling of the gap above the large window at first floor level (above the main entrance) to be inline with the rest of the parapet is considered acceptable. A condition

has been attached requiring the facing materials to match the existing building in terms of colour, texture, appearance and architectural detailing and shall be maintained as such thereafter. This is considered to ensure that the appearance of the building is acceptable.

- 10.7 Overall, the proposal is considered not to significantly impact on the architectural character and unity of the mews houses the application the site belongs to and would not have a detrimental impact on the character and appearance of the adjoining conservation area.
- 10.8 The proposal also accords with the policy DM2.1 of the Development Management Plan which requires all forms of development to be of high quality and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.

### **Neighbouring Amenity**

- 10.9 Concerns have been raised regarding overlooking to the neighbouring property at no. 6. Attention is brought to the Planning Inspector's report on the previous refused scheme which stated that *from the proposed roof terrace, it would be possible to look down at the first floor window of the adjoining property no. 6 Aberdeen lane. However, the same windows is already directly overlooked, at close range, from the appeal property's first floor lounge/ dining area, which is at the same level. From the new roof terrace, the view would be more limited in extend, because of the downward angle.* The Inspector therefore concluded that the appeal proposal would not cause any loss of privacy to no. 6's occupant. Similarly to the current proposal, the appeal scheme shows the terrace positioned behind the front building; the current proposal is located on the existing flat roof a storey lower than that proposed under the appealed scheme. In this respect, it would not conflict with relevant policies, including those provisions of Policy DM2.1 that deal specifically with the effects of development on adjoining occupier.
- 10.10 It was observed on site as highlighted in the Planning Inspector's report that there is overlooking at close range but this is at an angle. It was also observed that the neighbour at no. 6 has put measures in place to minimise overlooking including blinds and placing sofas away from the windows. It is considered that a terrace in a set back position would not exacerbate the existing degree of overlooking to warrant a refusal of the application.
- 10.11 Further concerns were raised regarding diminished views, reduction in skyline and reduction in hours of direct sunlight to no. 6 Aberdeen Lane. It is considered that there would be no material loss of sunlight since as there is no obstruction directly facing the front windows to no. 6 Aberdeen Lane, there may be marginal loss of easterly sunlight but overall there would be no material sunlight loss as there is no obstruction to the south or southwest. Due to the juxtaposition of the buildings there would be no material loss of outlook to no. 6 Aberdeen Lane. In addition, the balustrading, planting and benching has been set further away from the building line (0.8m), this is considered to minimise its visibility from the front windows at no. 6. It should be noted that there are no policies protecting loss of privacy to terraces.
- 10.12 Concerns have also been raised regarding overlooking and loss of privacy to the Highbury Centre, 20-26 Aberdeen Park, and nos. 10 and 12 Holmcote Gardens. There is already a high degree of overlooking to the gardens to these properties and the tennis court to the Highbury Centre, 20-26 Aberdeen Park; the new terrace is not considered to exacerbate the degree of overlooking. The windows to Highbury Centre, 20-26 Aberdeen Park, nos. 10 and 12 Holmcote Gardens are located more 18m away. It is

therefore considered that the proposal would not result in harmful overlooking to these properties.

- 10.13 Concerns have been raised regarding the new terrace resulting in noise disturbance to neighbouring properties. The proposal relates to an existing residential property and is therefore considered not to result in unreasonable noise disturbance. The terrace is part of a residential dwelling and as such has a domestic use. Should there be excessive noise generated from such a use, Public Protection has powers to deal with noise nuisance.

### **Other Matters**

- 10.14 Concerns were raised regarding no guarantee that current or future occupiers would adhere to this specific design. A condition has been attached to the permission requiring the balustrade, planting and benching to remain in situ.
- 10.15 Further concerns have been raised regarding applications site already having 3 outdoor amenity spaces including a section to the mews. The space to the mews is not regarded as private outdoor amenity space. Whilst the applicant has two other small private outdoor spaces, the provision of additional outdoor amenity space is considered acceptable in principle.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 Overall, due to materials, design and appearance the proposed terrace, access hatch and associated balustrade would not significantly harm the architectural character of the building and unity of the mews houses. The proposal is also considered not to significantly harm the character and appearance adjoining conservation area.
- 11.2 The proposed works are considered not to prejudice the residential amenity of neighbouring properties including the neighbouring property at no. 6 Aberdeen Lane, Highbury Centre, 20-26 Aberdeen Park, nos. 10 and 12 Holmcote Gardens.

### **Conclusion**

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



## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

1	Commencement
	<p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>7AL/GA00, 7AL/GA10, 7AL/GA11, 7AL/GA12, 7AL/GA20Rev. A, 7AL/GA21, 7AL/GA22Rev.A, Design and Access Statement – 10 February 2015, 7AL; Response to Consultation Comments 20 April 2015;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>MATERIALS TO MATCH (COMPLIANCE): The facing materials of infilling of gap above the large window at first floor level hereby approved 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	Balustrading, Planting and Benching
	<p>CONDITION: The balustrade, planting and benching on the drawings hereby approved shall be installed prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To maintain privacy levels to the neighbouring properties.</p>

#### List of Informatives:

	Positive Statement
1	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>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>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **1. National Guidance**

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

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

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

### **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**

##### 7 - London's living places and spaces:

7.4 Local character

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 accommodation

## RELEVANT POLICIES

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

The following SPGs and/or SPDs are relevant:

- Urban Design Guide

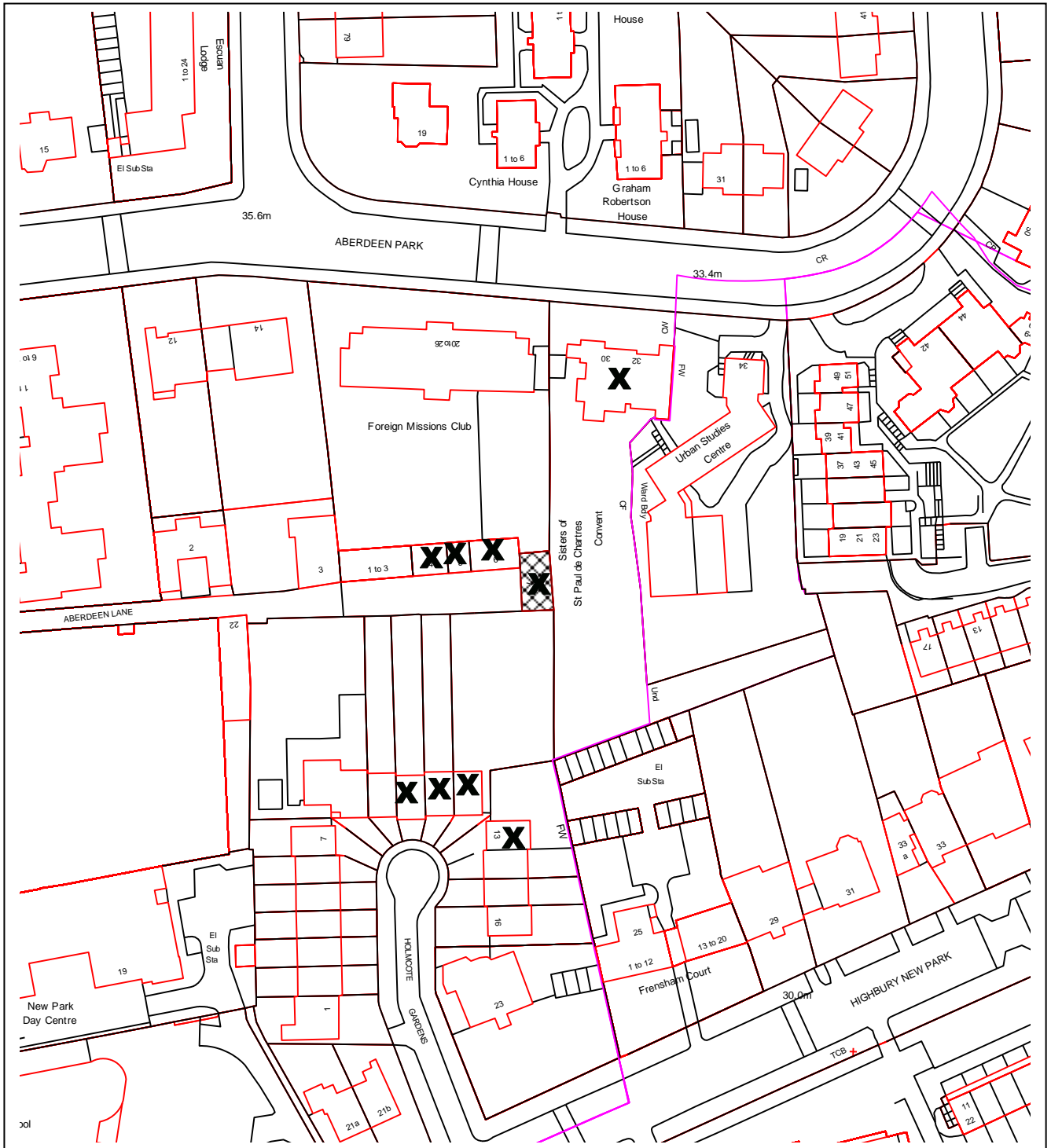
### 4. **Designations**

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:

- None

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# ISLINGTON GIS Print



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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 B</b>		
<b>Date:</b>	21 <sup>st</sup> May 2015	<b>NON-EXEMPT</b>

Application number	P2014/3961/FUL
Application type	Full Planning (Council's Own)
Ward	Mildmay
Listed Building	Not listed
Conservation Area	Not in a conservation area
Licensing Implications Proposal	None
Site Address	Ground floor, Holiday House, 2 Mildmay Street, London, N1 4NF
Proposal	Conversion of disused spaces in the ground floor of Holiday House into 2no. flats (1x 1bed flat and 1x2bedroom flat) including external alterations to the west elevation and the creation of garden areas including the erection of garden walls.

Case Officer	Stefan Sanctuary
Applicant	Islington Council
Agent	Mr Paul Tobin

### 1. RECOMMENDATION

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

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

**2. SITE PLAN (SITE OUTLINED IN BLACK)**



**3. PHOTOS OF SITE/STREET**

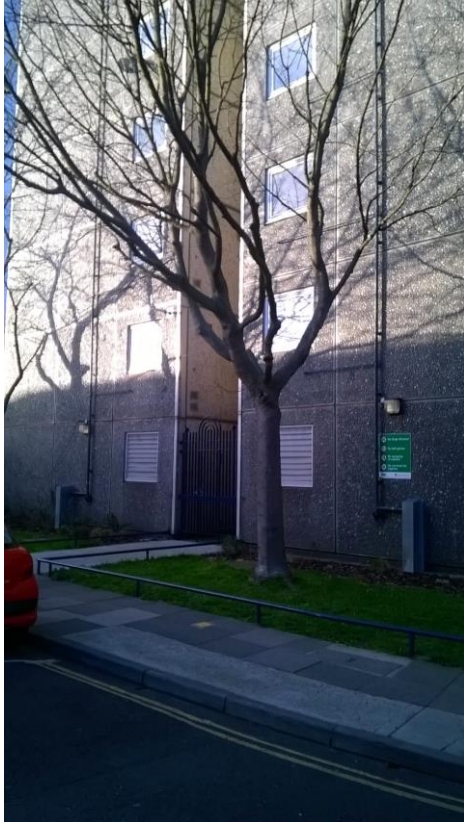


View 1: Birdseye view of Haliday House





*View 2: Aerial view of Haliday House*



*View 3: Subject site Side and Front Elevations*



*View 4: Rear Elevation of site*

#### **4. SUMMARY**

- 4.1 The application was presented to Planning Sub-Committee B on the 19<sup>th</sup> March 2015 but was deferred in order for the applicant to submit corrected / accurate drawings. The drawings have now been corrected and the proposed development has been accurately presented.
- 4.2 The application seeks permission to convert the disused spaces in the ground floor of Holiday House into two new dwellings, comprising one 1-bed flat and one 2-bed flat. The proposal also includes external alterations to the north-western elevation at ground floor level to facilitate the conversion. Finally, the application proposes to create two private gardens with associated garden walls on a section of the existing car parking area. The subject site is residential in nature and the proposal for two additional dwellings is considered to be acceptable in principle.
- 4.3 The main considerations are the impact of the development on the character and appearance of the area, the residential amenity of the neighbouring occupiers as well as the quality of accommodation and amenity of future residents. The impact of the loss of existing car parking space will also need to be considered.
- 4.4 Given the nature of the conversion, it is not considered that the development would harm the amenity of adjoining neighbours in terms of loss of light, overlooking or sense of enclosure. Moreover, the internal layout of the proposed flats meets modern standards and the private amenity space is provided in accordance with Council objectives and planning policies.
- 4.5 The redevelopment results in the loss of some of the existing car parking and the future occupiers of the proposed dwellings will have their right to obtain car parking permits removed (except for parking needed to meet the needs of

disabled people). This is in accordance with Islington Core Strategy policy CS10 Section H, which identifies that all new development shall be car free. The site also has sufficient space for cycle storage though further details would be required by condition.

- 4.6 The new residential units will be solely used for social housing, secured by Directors' Agreement. In summary, the proposal is considered to be acceptable and to be broadly in accordance with the Development Plan policies.

## **5. SITE AND SURROUNDING**

- 5.1 The application site is situated on the northern side of Mildmay Street and the western side of Mildmay Park. The site includes a 13-storey residential tower known as Haliday House. The building itself is a Council block from 1972 and is clad in structural concrete panels, which are faced with exposed aggregate concrete.
- 5.2 Haliday House is set within a modest landscaped garden and on its north-western side the site includes a car parking area. The ground floor of the building currently contains a one-bed flat, a caretaker's lodge, a boiler room and a refuse store, which opens out onto the car park to the rear.
- 5.3 The area is residential in character, though adjoining the site immediately to the north is the Mildmay Library. To the west and south-west of the site are the two-storey residential properties of Mildmay Street while to the south of the site are the residential Victorian terraces of Balls Pond Road. To the east of the site, on the other side of Mildmay Park, is a four-storey residential apartment building known as Hadleigh House.
- 5.4 The application property is not a listed building nor does it lie within a Conservation Area.

## **6. PROPOSAL (in Detail)**

- 6.1 The application seeks permission to convert the disused spaces in the ground floor of Haliday House into two new dwellings, comprising one 1-bed flat and one 2-bed flat. The proposal also includes external alterations to the north-western elevation at ground floor level to facilitate the conversion. Finally, the application proposes to create two private gardens with associated garden walls on a section of the existing car parking area.
- 6.2 Access to the proposed dwellings would be from existing side entrances from Mildmay Street and Mildmay Park. The proposed dwellings would each have separate front doors either side of the existing lifts and entrance lobby. The one-bed dwelling consists of a large open plan living / dining room, a separate kitchen, bedroom and bathroom as well as a private garden of some 39.5 sqm in size. The two-bed dwelling has a similar layout, though is more generously-proportioned with a larger private garden of some 66.3 sqm.

- 6.3 The new dwellings would have aspect to the north-west with new double glazed windows and patio doors providing access to the proposed gardens. A second aspect would be provided to each of the new dwellings with a separate window in the south-western and north-eastern elevations respectively.

## **7. RELEVANT HISTORY**

### **Planning Applications:**

- 7.1 On the 31<sup>st</sup> January 2008, permission was granted for the replacement of single glazed windows with double glazed UPVC windows on 1-73 Haliday House under planning application reference P072572.
- 7.2 On the 3<sup>rd</sup> January 2013, permission was granted for landscape improvements to the open spaces that form part of John Kennedy Court, Mildmay Street and Haliday House housing estates under planning application reference P111661.
- 7.3 On the 30<sup>th</sup> September 2014, permission was granted for the over-cladding of external walls with insulated cladding under planning application reference P2013/4635/FUL.

### **Enforcement:**

- 7.4 None

### **Pre- Application Advice:**

- 7.5 None

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 A total of 98 letters were sent to occupants of adjoining and nearby properties on Mildmay Street, Balls Pond Road and Haliday House on the 28<sup>th</sup> October 2014. A site notice was also displayed. The public consultation of the application therefore expired on 20<sup>th</sup> November 2014 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, 3 letters of objection were received. The following objection issues were raised (and the paragraph numbers responding to the issues in brackets).
- (i) the proposal would result in the loss of disabled parking bays which is unacceptable; (paragraph 10.21)

- (ii) the development would result in a loss of overall parking space, thereby reducing the accessibility and mobility of existing residents; (paragraph 10.17)
- (iii) The proposed new dwellings would not be safe and secure accommodation due to their ground floor location and the security situation around Holiday House (paragraph 10.14).

### **Internal consultees**

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

- all level changes on common and private entrances should be removed and level access should be provided on all dwellings (level access is now provided);
- the door and corridor widths of the proposed dwellings are not in accordance with policy and would not be accessible to wheelchair users (door widths are now all 900mm and policy compliant);
- the space and organisation of the bathroom facilities does not enable their use by wheelchair users (the proposal has now been amended to enable better access arrangements).

8.4 **Transport Officer:** The following comments were made:

- the development would need to include convenient, adequately-lit and accessible cycle parking (secured by condition);
- the proposal does not propose any additional on-site car parking which is supported by policy.

8.5 **Design & Conservation:** No objections were raised

## **9. RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**



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

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

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

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land use;
- Design and appearance;
- Neighbouring amenity impacts;
- Quality of resulting accommodation and dwelling mix;
- Transport and highways;
- Accessibility;
- Landscaping

### **Land use**

10.2 The site is within a residential area with a mixture of terrace dwellings and apartment buildings characterising the immediate vicinity. The 13-storey subject building, Haliday House, contains residential dwellings and ancillary uses associated with the residential use. The new dwellings would be created in currently underused spaces associated with Haliday House and thus the existing residential use would be maintained.

10.3 The principle of the proposal is considered acceptable subject to complying with the remaining planning issues addressed in the subsequent sections of this report. In this respect the proposal complies with Policies 3.3 (Increasing housing supply) and 3.4 (Optimising housing potential) of the London Plan 2015, Policy CS12 (Meeting the housing challenge) of the Islington's Core Strategy 2011, Policy DM3.1 (Mix of housing sizes) of the Development Management Policies.

### **Design and Appearance**

10.4 Islington's Planning Policies and Guidance encourage high quality design, which complements the character of an area. In particular, Policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be of high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.

- 10.5 The site is situated within a predominately residential area outside any designated Conservation Areas. Mildmay Street and Mildmay Park is mainly characterised by low-rise residential development. In this context, the subject building, at 13 storeys in height, is an unusually tall yet unremarkable building. The proposal to provide private gardens on the existing car parking area and to create new windows and doors at ground floor level of the western elevation of this building to facilitate the conversion is not considered to be a significant physical change in this urban context. The proposed change of use of the ground floor would not prevent the recently granted permission for recladding of the tower to be amended nor would it prevent its implementation.
- 10.6 The new garden walls are proposed to match the existing brickwork on ground floor level while the approval of all new materials will be subject to condition to ensure the final appearance is of high quality and compatible with the existing and proposed recladding materials. Given this, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character), 7.6 (Architecture) of the London Plan 2011, CS8 (Enhancing Islington's character) of the Core Strategy 2011 as well as Development Management Policy DM2.1.

#### **Neighbouring Amenity**

- 10.7 The proposal does not involve any physical extensions to the building apart from the erection of garden walls. Given their height and distance from surrounding neighbouring properties, the garden walls would not result in any impacts on neighbouring residential amenity in terms of loss of sunlight, daylight or sense of enclosure.
- 10.8 Moreover the new windows and doors proposed on the western elevation are all located behind the proposed garden walls and would not result in any additional overlooking or loss of privacy. The provision of two new dwellings at ground floor is not considered to result in any other nuisances such as noise and there have been no objections from neighbouring residents in this regard.
- 10.9 Overall, the proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies 2013.

#### **Quality of resulting accommodation and dwelling mix**

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

borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes.

- 10.12 The proposed development consists of one 2-bed unit and one 1-bed unit. It is noted that the physical constraints of the site do not facilitate the creation of good sized larger family units. However the proposed units are well laid out and would form attractive and high quality internal living environments with generous private amenity space. Both units will have good access to light/daylight and will create spacious internal layouts.
- 10.13 Looking at the proposed dwellings in more detail, the proposed 1-bed unit would have a floor area of 51.5 sqm with rooms that exceed the internal space standards set within Islington's Development Management Policies. This unit also has a generous storage area and a private garden of some 40sqm. The proposed 2-bed unit on the other hand has a floor area of 68.4sqm, an internal layout that meets Islington's housing space standards, and a proposed garden area of some 66.3sqm.
- 10.14 The proposed one-bed flat would be located directly adjacent to the existing refuse storage, which has the potential of giving rise to bad smells and odours. While there is no history of existing residents complaining about the refuse storage area, this could result in a detrimental impact on the amenity of future residents. The proposal thus includes a 2.4 brick wall between the new dwelling and the refuse store and additional climbers planted above. This would simultaneously ensure a more safe and secure residential accommodation for future residents. Should permission be granted, precise details of the boundary treatment would be required by condition prior to implementation to ensure that potentially bad smells are suitably mitigated against.
- 10.15 The proposal would comply with policy DM3.5 of the Development Management Policies. Given the generous sizes of the units, including dual aspect design and overall layout, the proposal would provide a satisfactory living environment for future occupiers of the units and therefore comply with policy DM3.4 (Housing Standards) of the Development Management Policies Plan 2013.

### **Highways and Transportation**

- 10.16 The development would be car free, as required by Core Strategy Policy CS10 and as per proposed condition 8 to the recommendation B, which restricts future of occupiers of residential units from obtaining a residents permit. This will ensure adequate provision of spaces for existing users.
- 10.17 The development would also involve removing 5 existing car parking spaces, which are currently associated with Holiday House. Local residents have objected to the proposal on the basis that car parking spaces will be lost. However, it has been confirmed that a sufficient number of car parking spaces would be retained. Given the Council's transport policies, which are directed



towards more sustainable modes of travel (cycle, walking, public transport), the loss of these spaces is considered acceptable. Furthermore, the provision of two social housing residential units would fully outweigh the loss of car parking spaces and add to the Council's social housing stock.

- 10.18 As per policy DM8.4 of the Development Management Policies, the proposal would be required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. For residential units, it would require 1 cycle space per bedroom. The proposal would therefore need to provide 3 cycle spaces in total within a secure location. A condition can be attached requesting these details prior to the commencement of the development.

### **Accessibility**

- 10.19 Proposals for residential development need to respond to London Plan Policy 3.8 and 7.2 which require for all new housing to be built to 'The Lifetime Homes' standard and to achieve the highest standards of accessible and inclusive design. Islington's Core Strategy Policy CS12 requires for all housing to comply with 'flexible homes' standards as set out within the Accessible Housing SPD.
- 10.20 The applicants have worked together closely with LBI access officers to achieve an accessible and inclusive layout. The application proposes level access to both of the proposed new units. The widths of corridor and doors proposed also comply with our minimum standards and would ensure ease of movement within the dwellings. The internal arrangements meet flexible homes standards and the bathrooms would be wheelchair adaptable. The proposal is in accordance with policy and meets inclusive design standards.
- 10.21 Objections have been raised by residents regarding the loss of disabled parking bays. However, the proposal would not result in a loss of designated wheelchair parking bays and a significant number of parking would be retained. The two proposed units would be Lifetimes Homes and not wheelchair accessible units and thus there is no requirement for them to be provided wheelchair parking bays. The onus would be on Islington Housing as landlord to provide wheelchair accessible bays as and when the need arises.

### **Landscaping**

- 10.22 Given that the site is presently predominately hard landscaping, the inclusion of garden area and landscaping is a considerable benefit. The proposed one-bed flat would be located directly adjacent to the existing refuse storage area and could thus give rise to smells and odours and a consequent loss of amenity to future residents. The landscaping scheme for this dwelling has the potential to provide additional screening to ensure that residential amenity is maintained. A suitably-worded condition has been proposed (condition 4) to protect residential amenity.

10.23 As such, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

### **Other matters**

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

## **11 SUMMARY AND CONCLUSION**

### **Summary**

11.1 The proposal is considered to be a well-considered and sustainable use of space and would provide good quality residential accommodation for future residents.

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 Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Director level agreement between the Service Director of the Council’s Housing and Adult Services department and relevant officers in the local planning authority in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or in their absence the Deputy Head of Service:

1. Securing the Provision of two residential units for social housing

## RECOMMENDATION B

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

### List of Conditions:

1	<p><b>Commencement (Compliance)</b></p> <p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p><b>Approved Plans List: (Compliance)</b></p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: HHN-00; HHN-02; HHN-03; HHN-04; HHN-06-A; HHN-07; HHN-08; Design Statement dated August 2014.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Materials and Samples</b></p> <p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site. These shall include:</p> <p>a) Samples of all facing brickwork types, including mortar and pointing.  b) Window and door treatment (including sections and reveals);  c) details (including sections and reveals) and sample of window frames showing colour and texture  d) any other materials to be used</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change</p>

	<p>therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<b>Boundary Treatment</b>
	<p>CONDITION: Detailed drawings of the rear and side boundary walls at scale 1:20 or similar shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In the interests of providing a good level of amenity to future residents and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>5</b>	<b>Cycle Parking Provision (Compliance)</b>
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The storage shall be covered, secure and provide for no less than 1 cycle spaces per bedroom. The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>6</b>	<b>Accessible Homes Standards (Compliance)</b>
	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
<b>7.</b>	<b>Landscaping</b>
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) a biodiversity statement detailing how the landscaping scheme maximises biodiversity;</li> <li>b) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>c) proposed trees: their location, species and size;</li> <li>d) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> </ul>

	<p>e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>f) hard landscaping; and</p> <p>g) any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
8.	<p><b>Car free development</b></p>
	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>i) In the case of disabled persons;</p> <p>ii) In the case of units designated in this planning permission as "non car free"; or</p> <p>iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>
9.	<p><b>Noise Control Measures</b></p>
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <ul style="list-style-type: none"> <li>- Bedrooms (23.00-07.00 hrs) 30 dB <math>L_{Aeq,8\text{ hour}}</math> and 45 dB <math>L_{max\text{ (fast)}}</math></li> <li>- Living Rooms (07.00-23.00 hrs) 35 dB <math>L_{Aeq, 16\text{ hour}}</math></li> <li>- Dining rooms (07.00 –23.00 hrs) 40 dB <math>L_{Aeq, 16\text{ hour}}</math></li> </ul> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: To secure an appropriate internal residential environment for future</p>

	residents.
10.	<b>Construction Controls</b>
	<p>CONDITION: During the demolition and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:</p> <p>1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site.</p> <p>2 The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday- Fridays, 08.00- 13.00 Saturdays and at no time during Sundays or public holidays.</p> <p>3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.</p> <p>REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>

**List of Informatives:**

	<b>Positive statement</b>
1.	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
	<b>Community Infrastructure Levy (CIL)</b>
2.	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <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. 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/">www.planningportal.gov.uk/planning/applications/howtoapply/</a></p>

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

## APPENDIX 2: RELEVANT POLICIES

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

### 1 National Guidance

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

Since March 2014 planning practice guidance for England has been published online. Since this time a number of Ministerial Statements relevant to planning have been published. However, none are considered relevant to this application.

### 2. Development Plan

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

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

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

Policy 1.1 Delivering the strategic vision and objectives for London

##### **2 London's places**

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.15 Coordination of housing development and investment

##### **5 London's response to climate change**

Policy 5.3 Sustainable design and construction

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

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

##### **8 Implementation, monitoring and review**

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

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

##### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

##### **Strategic Policies**

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

Policy CS10 (Sustainable Design)



**C) Development Management Policies June 2013**

**Design and Heritage**

DM2.1 Design

DM2.2 Inclusive Design

**Housing**

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

**Health and open space**

DM6.5 Landscaping, trees and biodiversity

**Energy and Environmental Standards**

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

**Transport**

DM8.5 Vehicle parking

**Infrastructure**

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

**Islington Local Plan**

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

**London Plan**

Accessible London: Achieving and

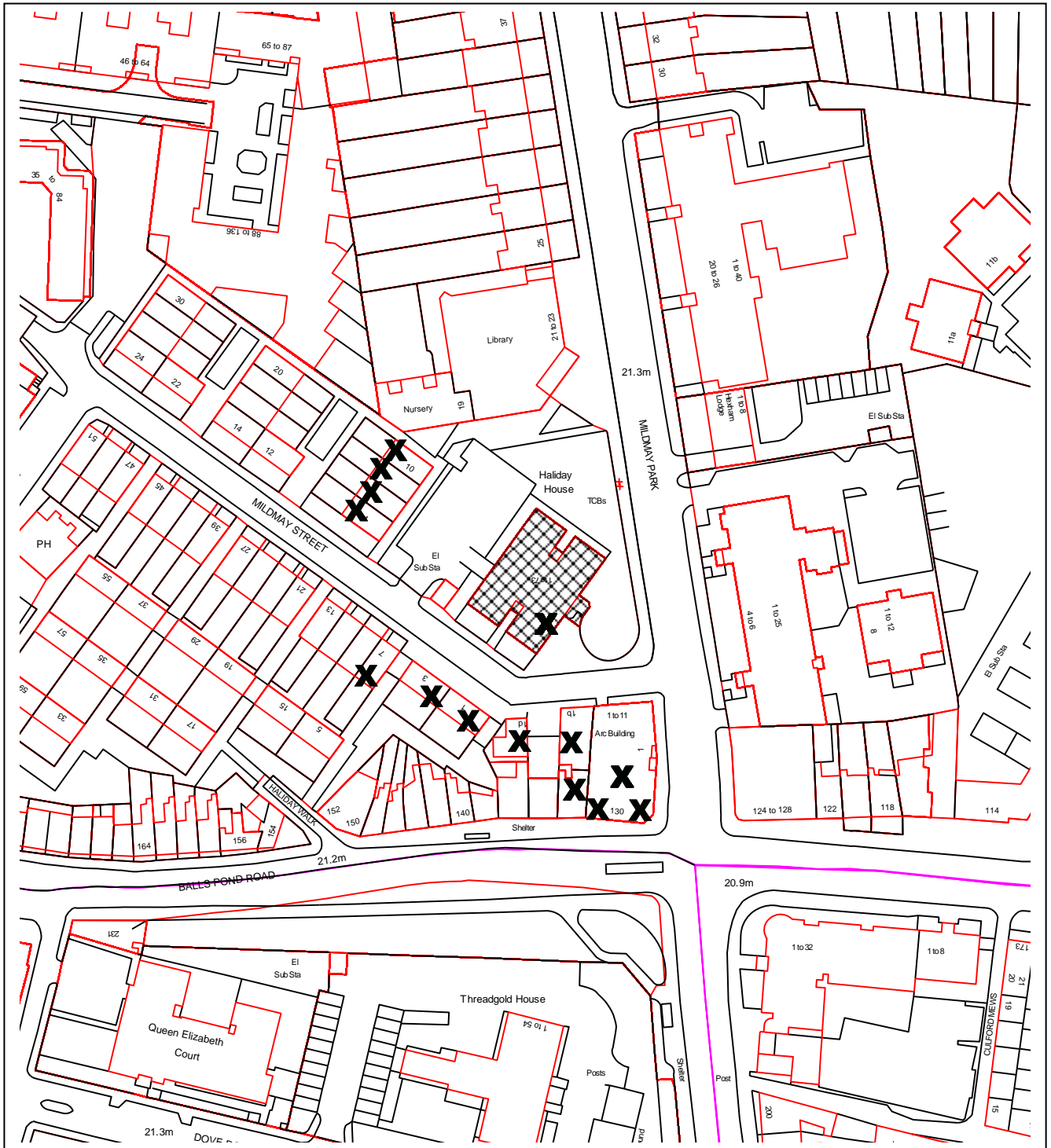
Inclusive Environment

Housing

Sustainable Design & Construction

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# Islington GIS Print



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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 B</b>		
<b>Date:</b>	21 <sup>st</sup> May 2015	<b>NON-EXEMPT</b>

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

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

### 1. RECOMMENDATION

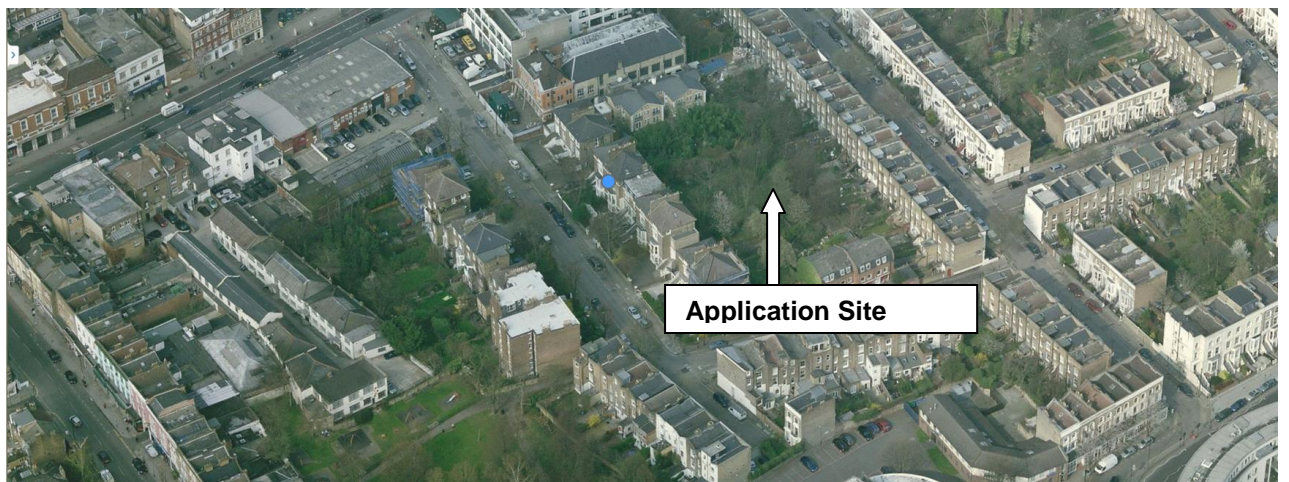
The Committee is asked to resolve to **GRANT** planning permission subject to:

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

**2 SITE PLAN (SITE OUTLINED IN BLACK)**



**3 PHOTOS OF SITE/STREET**

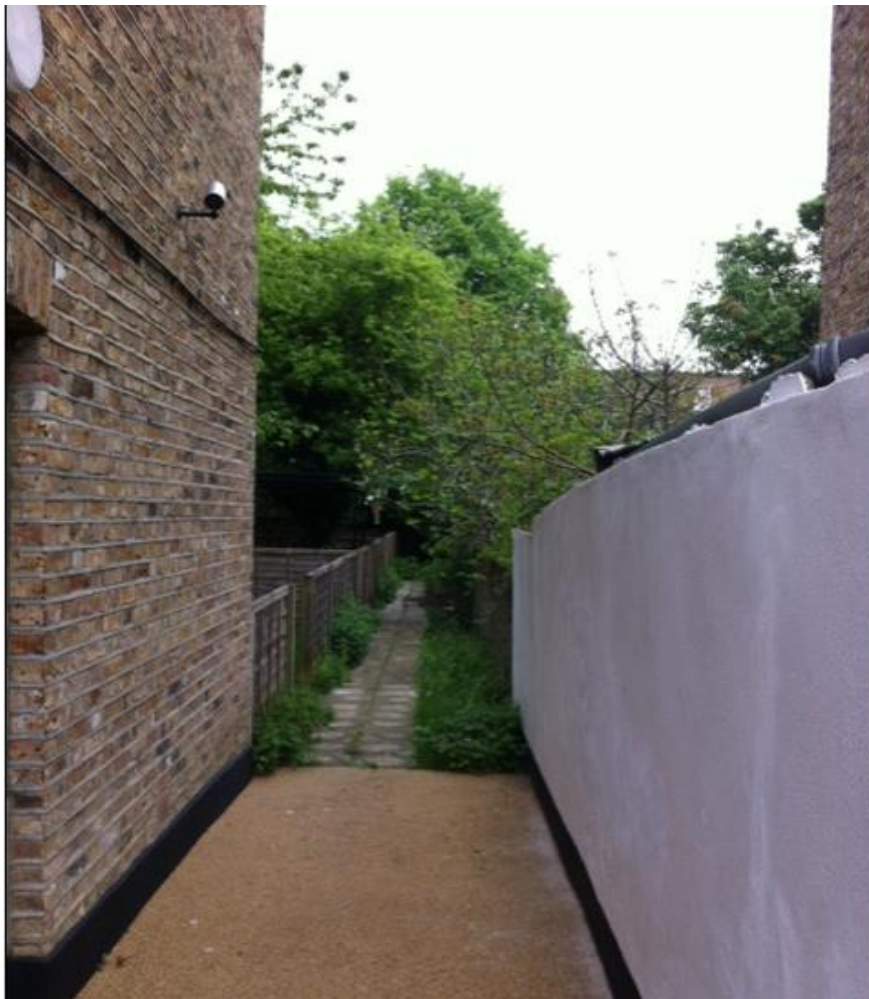


**Image 1:** Aerial view of SU





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



**Image 3:** Access lane to the site



**Image 4:** Existing site with protected trees along rear boundary

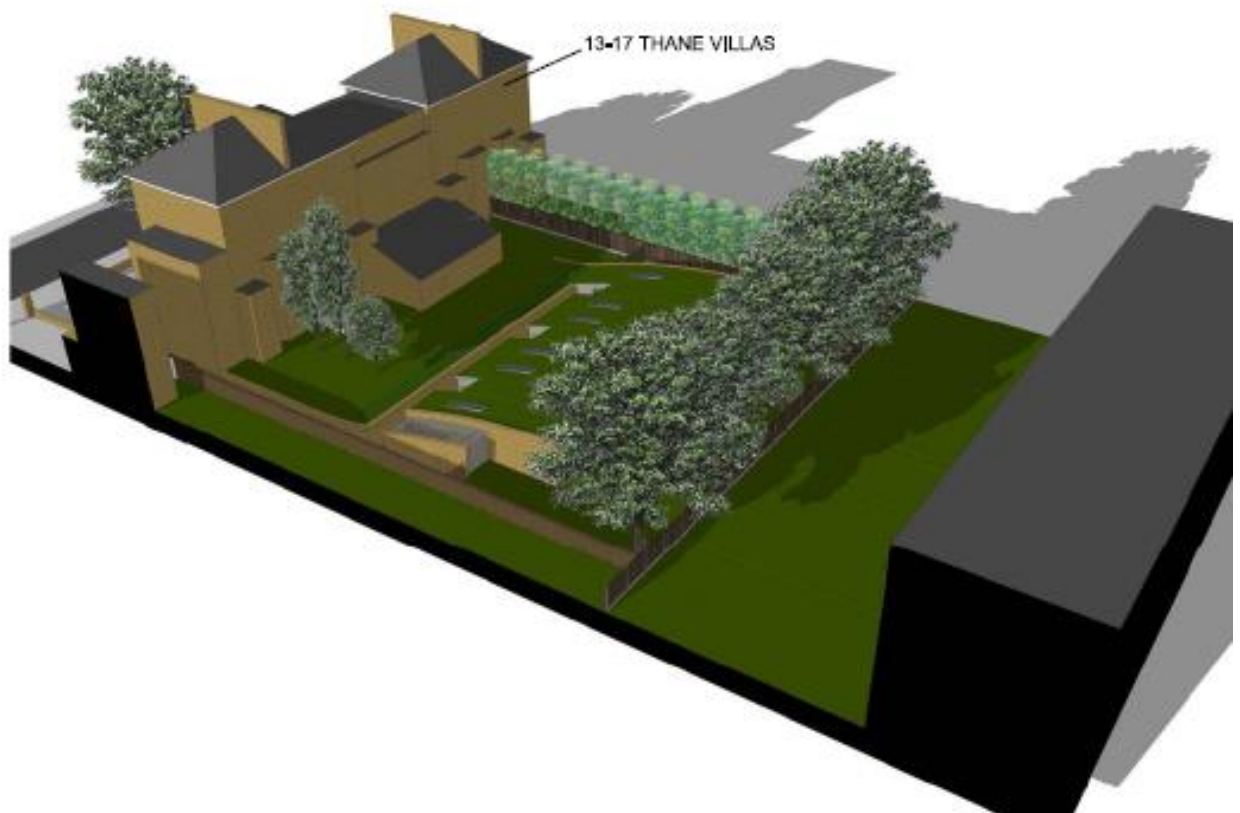


**Image 5:** Application site with boundary fence subdividing plot with rear garden of Nos.13-19 Thane Villas





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



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

## **4 SUMMARY**

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

## **5 SITE AND SURROUNDING**

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

## **6 PROPOSAL (in Detail)**

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

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

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

## 7. RELEVANT HISTORY

### Planning Applications:

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

### Enforcement:

- 7.4 None

### Pre-application:

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

## 8 CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on the 21<sup>st</sup> March 2014 and following the receipt of amended plans (reducing the scheme by 1 unit) follow up consultation letters were sent on the 15<sup>th</sup> May 2014 providing residents with opportunity to comment on the proposed scheme. A Site Notice was also displayed to the front of 13-17 Thane Villas given member of the local community the opportunity to comment on the proposal.
- 8.2 Four letters of objection were received. The issues raised are summarised below (with paragraph numbers stated in brackets stating where the issue is addressed)

- Undesirable infill development – too crowded and cramped ( 10.6 - 10.9)
- Houses appear to fall below habitable room standards (10.13)
- Density of the development is excessive (10.9)
- It does not compliment the adjacent Conservation Area (10.22)
- Proximity of the development to the boundary of No.19 Thane Villas (10.17)
- Impact on the trees (8.9)
- Blocking of sunlight and privacy (10.17)
- Concerns regarding use of the green roof as a terrace area and attract pests (10.23)
- Concerns for Fire Brigade access (8.11)
- Waste storage not adequate (8.10)
- Insufficient provision for dealing with ground and waste water (8.5)
- It would not add to local amenity of the occupants of Thane Villas (10.17)
- Car parking concerns (10.19)
- Issues for school places (10.24)
- Concerns of noise during the construction phase (10.25)
- Increased opportunities for burglary due to access arrangements (8.12)

### **Internal Consultees**

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

8.4 **Planning Policy:** Concerns raised regarding loss of private garden space. Amended plans reduced the development by 1 unit, increasing the garden space by an addition 100m<sup>2</sup>. Updated floorspace figures for the developed versus undeveloped sections elements of the site would be useful. It is still considered to be a significant amount of the private open space being developed.

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

8.5 **Sustainability Officer:** Flood alleviation/SuDS – The information presented is indicative only, but demonstrates that flood alleviation impact can be minimised through the design. This would need to be secured through a dischargeable conditions with details to be agreed, as the drainage layout proposed is only ‘possible SuDS layout’ Ecological connectivity – should be built into/demonstrated through the detailed landscape design. DESIGN: Code pre-assessment report submitted, achieving sustainability code level 4. The other design concerns are now broadly addressed

- 8.6 **Access Officer:** Initial scheme did not meet the accessible design standards. The revised information shows the omission of one unit with a fully flexible home now proposed and 2 accessible dwellings. Acceptable subject to condition.
- 8.7 **Transport Planning:** Cycle storage provided in accordance with transport policies. The scheme shall not be eligible for parking permits.
- 8.8 **Acoustic Officer:** No objections
- 8.9 **Tree Officer:** No objection subject to conditions protecting trees and landscaping plan.
- 8.10 **Refuse and Recycling:** No objection subject to a condition requiring further details for approval. The bin storage area is too far from the collection vehicle waiting point; therefore provisions to have these bins moved to a more convenient location on collection day is required.

### **External Consultees**

- 8.11 **Fire Department:** Recommends that there should be fire brigade access to the perimeter of the building and sufficient hydrants and water mains in the vicinity. Sprinklers are recommended for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier.
- 8.12 **Police:** No objection surveillance from the existing rear elevation on Nos.13-17 Thane Villas reduces risk of crime.
- 8.13 **Environment Agency:** The main flood risk issue at this site is management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere. Surface water runoff rates and volumes from the site must be managed in accordance with the London Plan (July 2011) which sets higher standards than the NPPF for the control of surface water run-off.

## **9 RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

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

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

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

## **10 ASSESSMENT**

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

### **Principle of the development**

- 10.2 The application is a residential development within a predominately residential area. It would involve the erection of 3 self-contained single storey dwellings to the rear of 13 – 17 Thane Villas together with associated refuse and cycle storage and garden area. It would be accessed via a pathway along the southern boundary adjoining 19 Thane Villas and is designed to integrate with rear garden setting to minimise amenity impacts on the existing dwellings. Amended plans have been provided during the processing of the application which has reduced the size of the proposed development, omitted one unit and increased the level of open space by 100m<sup>2</sup>.
- 10.3 The key policy consideration is DM6.3 of the development management policies which seeks to protect private open space. Concerns were raised by the Planning Policy team that the scheme would lead to a loss of private open space without justification; being a key consideration of this policy. The other key considerations for this policy are whether there would be a significant

impact on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and flood alleviation. The amended proposal satisfactorily addresses these issues as discussed later in the report.

- 10.4 The policy states that the development should retain the open aspect of the site. The revised scheme has been set in from the boundaries thereby increasing the level of the green space surrounding the site. The scheme is single storey with a vegetated retaining wall directly in front of the development and a low, sloped green roof feature and with protected trees behind, which provides an open aspect with a significant amount of green space retained. This element has been described by the applicant as a 'Ha-Ha' style wall.
- 10.5 Historically the properties along this part of Thane Villas had large deep gardens that were proportionate to the scale of the buildings. Overtime, these large gardens have been eroded with similar backland developments occurring to the rear of 7, 9 and 21 Thane Villas, which has already broken consistency of this character. Whilst the nearby backland developments have been typically 2-3 stories in height, the proposed development would not add significant bulk to the rear of Thaness Villas given its emphasis on a green design and the single storey height. As several of the existing gardens along Thane Villas have already been reduced with development (with smaller garden plots sizes evident to the north and south), it would not significantly impact on the character and appearance of this part of Thane Villas.
- 10.6 The policy observations also make reference to the levels of development versus undeveloped areas. The proposed development would measure 390 squares metres in area. The garden areas to the rear and side would be retained measuring approximately 350 square metres. Further garden area serving the properties at Nos.13-17 Thane Villas would also be retained at 250 square metres in area and would sufficiently cater for the outdoor amenity-space requirements of the existing properties, which contain a mix of 1 bedroom, 2 bedroom and 3 bedroom flats.
- 10.7 In total 600 square metres of garden and amenity space would be retained serving the existing dwellings and proposed rear development. In terms of proportions, this would represent approximately 40% reduction in garden space which in theory could be allowed under permitted development if the development related to an outbuilding related to a domestic residential dwelling.
- 10.8 It is therefore considered that there would be sufficient open space retained following the proposed development. Furthermore, it is illustrated in the following sections of the report that the proposal would not result in significant impacts on amenity, character and appearance, biodiversity, ecological connectivity, cooling effect and/or flood alleviation effect.
- 10.9 Based on the additional information provided, the reduction of the scheme by one unit (to increase garden space), the low-scale and integrated design of the development and the existing backland units behind nearby properties



along Thanet Villas, it is considered that, in this instance, the proposal is acceptable in principle and complies with policy DM6.3 of the Development Management Policies.

### **Design, Character and appearance**

- 10.10 The proposal has been designed to blend into the surrounding green garden setting by use of a vegetated retaining wall and curved green-roof that would camouflage the development when viewed from the existing building at the front of the property. The proposal would be set off a distance of 8m from the rear wall of the existing building (4m from the rear wall of the existing rear extension to part of no.'s 13-15) and the ground would gently slope up to a vegetated retaining wall to form a soft barrier between the proposed development and the existing building. The retaining wall would conceal the walkway entrance to the proposed units and the proposed building shape would continue with the slope of the ground to a maximum of 3.5m in height. Emphasis has been placed on allowing the backland development to blend into the green environs and the TPO trees to the rear, which would be retained. Although the proposal would be close to the existing building and increase the level of the development in the rear garden, it would not constitute as an intrusive or dominant form of development because of its innovative green design and low rise height. It is therefore considered that the proposal would not cause unacceptable harm to the setting of the nearby locally listed building or harm the character and appearance of the property or surrounding properties.
- 10.11 The retained the TPO trees along the rear boundary of the site would assist to conceal the proposed development from the upper floors of the neighbouring properties to the rear (Berriman Road), which are 24m from the rear elevation of the proposal. The proposed development would also only be 1.5m higher than the retained rear boundary fence; the proposed development is set approximately 8.5m away from the rear boundary fence, and therefore it would not be overly intrusive when viewed from the neighbouring properties on Berriman Road to the rear. It would also not be visible from any public place and would not be highly visible from the street. As such, it is considered that the proposed development would not be harmful to the character of the area or harmful to the setting of the locally listed building when viewed from the neighbouring properties.
- 10.12 For the above reasons, it is considered that the application would respect the scale, form and character of the existing dwellings and the green character of the surrounding area. The design of the proposed development is acceptable and complies with Core Strategy policies CS and CS9, and Development Management policies DM2.1, DM2.3, & Islington's Urban Design Guidance 2006 because of its low rise curved form it would not appear dominant or incongruous from the surrounding properties.

### **Standard of accommodation**

- 10.13 The proposed self-contained residential units have been revised during the processing of this application to be 1 fully compliance flexible home and 2 further units. Each of the units would contain 3 bedrooms with a generous garden to the rear. The 2 x 3 bedroom 4 person units would have internal floor space of 77 square metres which would meet the criteria and include sufficient storage space. The larger 1x3 bedroom 5 person unit would have 90 square metres floor space which complies also with the internal floor space standards.
- 10.14 Despite its easterly orientation, which is restricted due to the orientation of the existing property, each unit would be dual aspect with a good internal layout. Each bedroom would meet the minimum floor space standards; while the living/kitchen and dining room combination would also meet the required 27 and 29 square metres for both types of units. The fully glazed living room would project onto the rear gardens and would give the perception of a larger living space given the size of garden to the rear of each unit.
- 10.15 It is considered that the proposal would provide a good internal living environments and space standards. Both double bedrooms would be a minimum of 12 metres and the open plan living space minimum 25 square metres. Overall, the general layout, room sizes and internal floor space (including private amenity space) would meet the recommended guidance set in DM3.4 & DM3.5 of the Development Management Plan and would provide satisfactory living condition for future occupiers of the dwelling.

### **Accessibility**

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

### **Neighbouring Amenity:**

- 10.17 The proposed development would be a single storey development and the revised layout with the omission of a 4<sup>th</sup> residential unit along the boundary with 19 Thane Villas reduces visual impact from this neighbouring dwelling. There would not be any direct overlooking due to the positioning of the windows and proposed retaining wall at the front of the proposed development. To the rear, the main living space projects onto a row of protected trees. Given the overall height of the development and the positioning, there would be no loss of amenity to the neighbouring properties. The proposal would not lead to a loss of light, overlooking or over dominance to the remaining adjoining properties.

- 10.18 The proposal would therefore not conflict with Policy DM2.1 of the Islington's Development Management Policies or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm on residential amenity.

**Highways and Transportation:**

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

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

- 10.20 The development would require a contribution towards affordable housing in the Borough, in line with policy CS12 of the Core Strategy and the Council's Supplementary Planning Document- 'Affordable housing- small sites' 2012.
- 10.21 However, a viability statement was submitted with the application with evidence within that the full contribution could not be afforded in this instance. However, this was assessed by an independent valuer who concluded that a full contribution of £150,000 would be required towards affordable housing. A Unilateral Agreement has been signed and agreed with a payment of £150,000 secured towards affordable housing. A further contribution of £4,500 has been secured towards carbon off-setting. Therefore, the proposal complies with policy CS12G of the Islington Core Strategy 2011 and the Islington Affordable Housing Small Sites Contributions SPD.

**Other issues**

- 10.22 An objection received raised concerns that the proposal would not compliment the adjacent Conservation Area; however the property is not located near any Conservation Areas and therefore would not impact on their setting.
- 10.23 Concern was also raised that the proposed green roof would attract pests and could be used as a roof terrace. Given the nature of green roofs and that it would not be used a storage area for waste it is unlikely that pests would be attracted to the roof area any more than a normal single storey roof. Furthermore, the roof would not have any direct access from the proposed dwellings and it is considered unlikely to become a desired area for use as a roof terrace given its curved shape and the provision of generous rear gardens to each unit. A condition is recommended to remove Permitted Development rights, which will assist to control any unauthorised use of the proposed roof.
- 10.24 Concern was also raised in regards to the proposal causing issues for school places; however the proposal is liable to the Community Infrastructure Levy, which can be used to pay for improvements to community infrastructure including schools.

10.25 Disturbance from construction of the proposed development is not a material planning consideration. However, a condition requiring the submission of a construction management statement for approval has been included, which amongst other things will assist to mitigate impacts on neighbouring properties. Furthermore, any noise or disturbance complaints received during construction of the proposal would be investigated by the Council's Environment Services team.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

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

### **Conclusion**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

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

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

### List of Conditions:

<b>Commencement (Compliance)</b>	
1	<p><b>3 YEAR CONSENT PERIOD:</b> The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p><b>REASON:</b> 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>Approved Plans List: (Compliance)</b>	
2	<p><b>DRAWING AND DOCUMENT NUMBERS:</b> The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[Site Location Plan, N7_13-17TV_EX00K, N7_13-17TV_EX02K, N7_13-17TV_PP01M, N7_13-17TV_PP02M (Roof level plan and concept diagrams), N7_13-17TV_PP02M (Sections AA BB,CC), N7_13-17TV_PP04M, N7_13-17TV_PP05M, N7_13-17TV_PP06M, N7_13-17TV_PP07M, N7_13-17TV_PP08M, N7_13-17TV_PP09M, N7_13-17TV_PP11, N7_13-17TV_PP12M, 01.090-serie, Design, Access and Impact Statement for Residential Development of the site to the rear of Nos.13-17 Thane Villas, Thane Villas Code for Sustainable Home Pre-Assessment Rev A (04/08/2014), Sustainable Drainage Assessment:13-17 Thane Villas ref: 62782r1SuDs July 2014, Oxford Green Roofs: Green Roof and Landscaping Guidance Document August 2014, Oxford Green Roofs: Green Roof and Landscaping Guidance Document Addendum A October 2014, Bioverse Patented Permeable Paving Brochure, Arboricultural Report: Tree Survey Arboricultural Impact Assessment &amp; Tree Protection Plan January 2014 (including Appendix B amended January 2015)</p> <p><b>REASON:</b> To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>Materials: (details)</b>	
3	<p><b>CONDITION:</b> Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) solid brickwork (including brick panels and mortar courses)</li> <li>b) timber cladding (brochure specifications)</li> </ul>

	<p>c) window treatment (materials and specifications);  d) roofing materials;  e) any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p><b>Accessible Homes Standards - (Compliance):</b></p> <p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
5	<p><b>Sustainable Urban Drainage System (Details)</b></p> <p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to maximise water quality, amenity and biodiversity benefits. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve no net increase in surface water run-off from the site post-development. The drainage system shall be installed /operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water.</p>
6	<p><b>Green/Brown Biodiversity Roofs (Compliance)</b></p> <p>CONDITION: The biodiversity (green/brown) roof(s) shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm);  b) laid out in accordance with details with Green Roof and Landscaping Guidance Document August 2014 hereby approved; and  c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

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

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



	have on residential amenity and the overall good design of the scheme.
<b>14</b>	<b>BREEAM</b>
	<p>CONDITION: The development shall achieve a BREEAM [Office/Retail/Schools/Bespoke/multi-residential rating (2008)/BREEAM New Construction rating (2011)] of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

**List of Informatives:**

	<b>Positive statement</b>
1.	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
	<b>CIL Informative (Granted)</b>
2.	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <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 payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a>. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/">http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</a>.</p>

	<b>Definitions</b>
3.	(Definition of 'Superstructure' and 'Practical Completion') A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
	<b>Foundations</b>
4.	The foundations of the new buildings must comply with the National House Building Council's Guidance NHBC Standards 2007, part 4.
	<b>Construction hours</b>
5.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations as well as Environment Health Regulations.</p> <p>Any construction works should take place within normal working day. The Pollution Control department lists the normal operating times below.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Delivery and operating times - the usual arrangements for noisy works are</p> <ul style="list-style-type: none"> <li>○ 8am –6pm Monday to Friday,</li> <li>○ 8am – 1pm Saturdays;</li> <li>○ no noisy work on Sundays or Public Holidays (unless by prior agreement in special circumstances)</li> </ul> </div>
	<b>Section 106 Agreement</b>
6.	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
	<b>Party Walls</b>
7.	You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act"). Environmental Legislations and the Equality Act.

## APPENDIX 2: RELEVANT POLICIES

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

### 1 National Guidance

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

### 2. Development Plan

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

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

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

Policy 1.1 Delivering the strategic vision and objectives for London

##### **2 London's places**

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.15 Coordination of housing development and investment

##### **5 London's response to climate change**

Policy 5.3 Sustainable design and construction

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

Policy 7.1 Building London's

neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

##### **8 Implementation, monitoring and review**

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

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

##### **Spatial Strategy**

Policy CS8 (Enhancing Islington's Character)

##### **Strategic Policies**

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

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

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

### **Design and Heritage**

DM2.1 Design

DM2.2 Inclusive Design

### **Housing**

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

### **Health and open space**

DM6.5 Landscaping, trees and biodiversity

### **Energy and Environmental Standards**

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

### **Transport**

DM8.4 Walking and cycling

DM8.5 Vehicle parking

### **Infrastructure**

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

Environmental Design

Small Sites Contribution

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106

Urban Design Guide

### **London Plan**

Accessible London: Achieving and

Inclusive Environment

Housing

Sustainable Design & Construction

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