



AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 1, Town Hall, Upper Street, N1 2UD on, **10 May 2016 at 7.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 29 April 2016

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

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

Committee Membership

Councillor Klute (Chair)
Councillor Nicholls (Vice-Chair)
Councillor Convery
Councillor Donovan
Councillor Picknell

Wards


- St Peter's;
- Junction;
- Caledonian;
- Clerkenwell;
- St Mary's;

Substitute Members

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

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

Quorum: 3 councillors



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

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business	1 - 2
6. Minutes of Previous Meeting	3 - 6
B. Consideration of Planning Applications	Page
1. 30 Richmond Crescent, N1 0LY	7 - 22

2.	4 Colony Mews, N1 4RB	23 - 48
3.	7 Loxford Gardens, N5 1FW	49 - 66
4.	Central Clock Tower, Caledonian Park, Market Road, N7 9DY	67 - 96
5.	Rear of 121, 121a Mildmay Road, N1 4PT	97 - 126

C. Consideration of other planning matters

D. Urgent non-exempt items

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

E. Exclusion of press and public

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

F. Confidential/exempt items

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee B, 28 June 2016

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

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Zoe Lewis/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

COMMITTEE AGENDA

1 30 Richmond Crescent, London, N1 0LY

**2 4 Colony Mews
London
N1 4RB**

3 7 Loxford Gardens, London N5 1FW

**4 Central Clock Tower , Caledonian Park, Market Road, London
N7 9DY**

5 Rear of 121, 121a, Mildmay Road Islington London N1 4PT

1 30 Richmond Crescent, London, N1 0LY

Ward: Barnsbury

Proposed Development: Demolition of the existing lower and upper ground floor extension and replace with a two-storey rear extension to the upper and lower ground floors of the property. This application may affect the character and appearance of the conservation area. Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended); section 73. RECONSUTLATION: AMENDED PLANS

Application Number: P2015/5076/FUL

Application Type: Full Planning Application

Case Officer: David Nip

Name of Applicant: Mr James Kirkman

Recommendation:

**2 4 Colony Mews
London
N1 4RB**

Ward: Mildmay

Proposed Development: Erection of a roof extension over existing first floor flat roof to form an additional living space at second floor level.

Application Number: P2016/1206/FUL

Application Type: Full Planning (Householder)

Case Officer: Thomas Broomhall

Name of Applicant: Mr & Mrs Paul & Emma Dickson

Recommendation:

3 7 Loxford Gardens, London N5 1FW

Ward: Highbury West

Proposed Development: Erection of ground floor rear extension.

Application Number: P2016/0010/FUL

Application Type: Full Planning Application

Case Officer: Duncan Ayles

Name of Applicant: Mr Lou Ran

Recommendation:

4 Central Clock Tower , Caledonian Park, Market Road, London N7 9DY

Ward: Holloway

Proposed Development: Listed building consent application in connection with - the restoration of the grade II* listed clocktower, parts of the grade II listed historic market railings and to provide a heritage centre in Caledonian Park. (Associated full planning application ref. P2016/0730/FUL also submitted.

Application Number: P2016/0736/LBC

Application Type: Listed Building (Council's Own)

Case Officer: Daniel Power

Name of Applicant: London Borough of Islington - Mr Christopher Hariades

Recommendation:

Ward: Holloway

Proposed Development: The proposed development is to restore the grade II* listed clocktower, parts of the grade II listed historic market railings and to provide a heritage centre in Caledonian Park. Listed Building Consent application P2016/0736/LBC also submitted.

Application Number: P2016/0730/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Daniel Power

Name of Applicant: London Borough of Islington - Mr Christopher Hariades

Recommendation:

5 Rear of 121, 121a, Mildmay Road Islington London N1 4PT

Ward: Mildmay

Proposed Development: Demolition of existing derelict outbuildings and erection of a new four-bedroom single family dwelling house including excavation of the site with associated landscaping and provision of wall hung cycle racks and refuse storage.

Application Number: P2015/2213/FUL

Application Type: Full Planning Application

Case Officer: Sandra Chivero

Name of Applicant: Mr Anthony Haden-West

Recommendation:

London Borough of Islington

Planning Sub Committee B - 14 March 2016

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 14 March 2016 at 7.30 pm.

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

Councillor Martin Klute in the Chair

198 **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.

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

There were no apologies for absence.

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

There were no substitute members.

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

There were no declarations of interest.

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

The order of business was B1, B4, B3, B6 and B5. The Sub-Committee noted that Item B2 had been deferred.

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

RESOLVED

That the minutes of the meeting held on the 25 January 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

204 **1 BARNSBURY STREET, N1 1PW (Item B1)**

Demolition of existing building and erection of a three storey building over basement comprising of showroom on lower ground and ground floor and 1no. 2 bedroom dwelling on upper floors. (Planning application number: P2015/3012/FUL).

In the discussion the following points were made:

- The sunken terrace had been set far enough back and was deep enough to prevent overlooking.
- The deep window reveals had been designed to better the current overlooking position and to set back the view of occupiers away from neighbouring properties.

RESOLVED:

That planning permission be granted subject to the conditions, informatives and Section 106 legal agreement Heads of Terms as set out in Appendix 1 of the report.

205 LAND AT TURK'S HEAD YARD, 75A TURNMILL STREET, EC1M 5SY (Item B2)

The Sub-Committee noted that this application had been deferred.

206 LONDON CANAL MUSEUM, NO 12-13 NEW WHARF ROAD, N1 9RT (Item B3)

Installation of one air conditioning unit at roof level and acoustic screen. (Planning application P2015/5323/FUL).

In the discussion the following points were made:-

- The acoustic survey was taken in August before the application was expected to be submitted.
- The acoustic survey was carried out in the area of the unit, on the specific equipment to be used and was based on the cumulative impact of the plant.
- The proposed noise condition stipulated that the rating level should be at 5dB below background noise level.
- The unit to be installed would provide air conditioning and heating to the building.
- Two existing items of plant remained on the roof area which were older and smaller but not expected to be greatly used.
- The operation of the unit would not be for 24 hours and would be switched off at closing time. This would generally be 5pm but the original planning consent allowed a number of private hire events which allowed operation to continue up until 1am on a number of evenings.
- The acoustic report had been assessed by the Council's Acoustic Officer and the Sub-Committee would need to base their decision on this rather than on anecdotal evidence.

Councillor Tim Nicholls proposed a motion regarding hours of operation which was seconded by Councillor Klute and carried.

RESOLVED

That planning permission be granted subject to the conditions and informatives detailed in the report and an additional condition replicating the hours of operation for the unit granted in the previous planning consent..

207 MUNICIPAL OFFICES, 222 UPPER STREET, N1 1XR (Item B4)

Provision of a permanent standby generator to service 222 Upper Street and installation of an associated flue, along with the relocation of cycle stands. (Planning application P2015/4616/FUL)

In the discussion the following points were made:-

- The generator would only operate in the case of a power network failure so was unlikely to be used very often and a strong noise condition provided noise mitigation.

RESOLVED

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

208 PAKEMAN PRIMARY SCHOOL, 21 PAKEMAN STREET, N7 6QN (Item B5)

Retention of new replacement higher fence on top of the boundary walls to Hornsey Road and adjacent to Emmanuel Church. (Planning application P2015/4521/FUL)

RESOLVED

That planning permission be granted subject to the condition and informative detailed in the report.

209 **YERBURY PRIMARY SCHOOL, 67 FOXHAM ROAD, N19 4RR (Item B6)**

Creation of a new visitor entrance gate in existing brick boundary wall fronting Foxham Road and formation of an associated new entrance door in place of existing window to the east elevation. (Planning application P2015/3606/FUL)

RESOLVED

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

The meeting ended at 8.20 pm

CHAIR

This page is intentionally left blank



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

PLANNING COMMITTEE REPORT

PLANNING SUB COMMITTEE B		AGENDA ITEM NO:
Date:	10 May 2016	NON-EXEMPT

Application number	P2015/5076/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	Not listed
Conservation area	Barnsbury
Licensing Implications	N/A
Site Address	30 Richmond Crescent, London, N1 0LY
Proposal	Demolition of the existing lower and upper ground floor extension and replace with a two-storey rear extension to the upper and lower ground floors of the property.

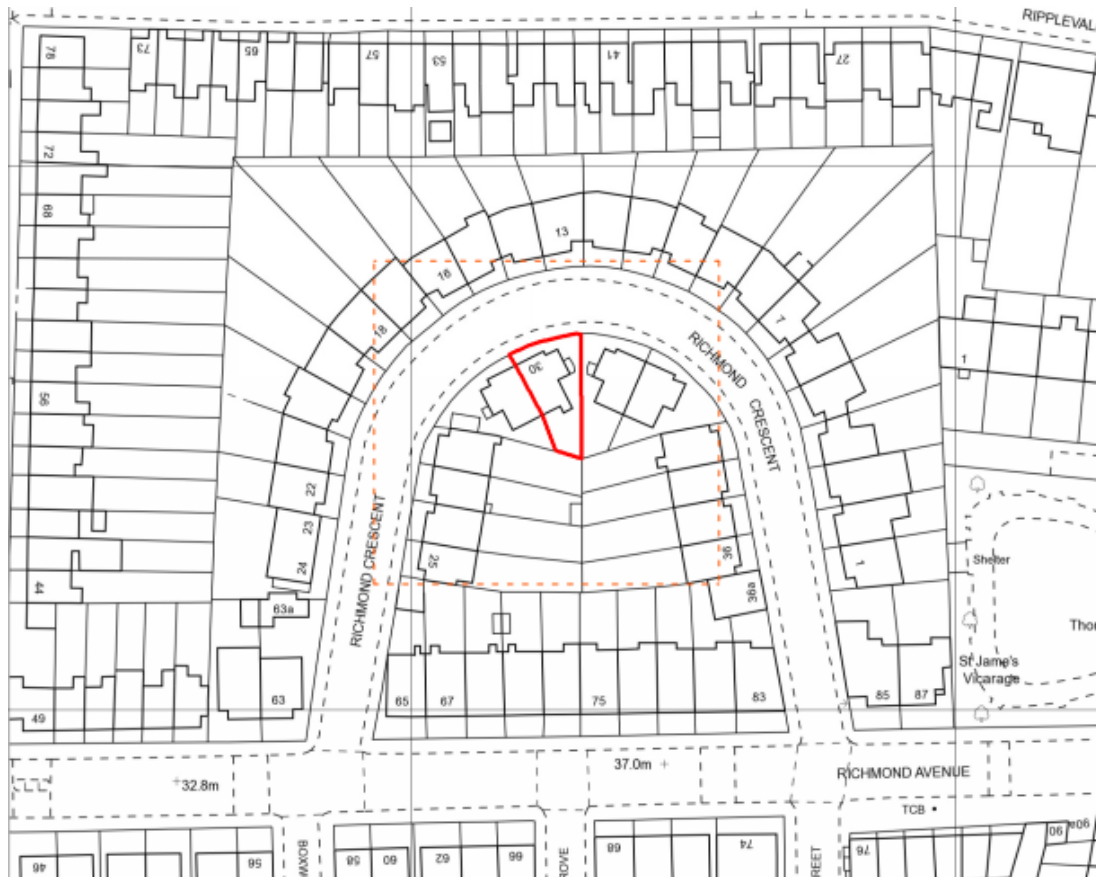
Case Officer	David Nip
Applicant	Mr James Kirkman
Agent	Alexander Martin Architects Limited, Mr A. Martin

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. The rear elevation of the property and No.31 Richmond Crescent.



Image 2. The rear elevation of the site and No.29 Richmond Crescent.



Image 3. View from the existing balcony at the site towards the existing rear balcony of No.29 Richmond Crescent.



Image 4. View from No.31 Richmond Crescent of rear elevation of the site including the existing four storey outrigger.

4. SUMMARY

- 4.1 Planning permission is sought for a replacement two storey rear extension to the lower maisonette on lower and upper ground floor level. The existing balcony would be replaced by a terrace with access stairs to the rear garden.
- 4.2 It is considered that the proposed development, due to its modest scale, massing and design, would be in keeping with the appearance of the host dwelling and would not detract from the character and appearance of the conservation area.
- 4.3 The depth of the proposal at upper ground floor level is limited; with a sufficient set back to the terrace, ensuring that the proposal would not cause significant harm to the living conditions of the adjoining neighbouring occupiers, particularly towards 29 and 31 Richmond Crescent in terms of outlook, privacy, sense of enclosure and access to daylight /sunlight.
- 4.4 Overall, it is considered that the proposal is acceptable and planning permission is recommended to be granted.

5. SITE AND SURROUNDING

- 5.1 The site comprises a four storey semi-detached property located on the south side of Richmond Crescent. The application site relates only to the maisonette across the lower and upper ground floor level. The existing property has a part two storey, part four storey projection to the rear.
- 5.2 The site is located in the Barnsbury Conservation Area. The surrounding area is predominately residential, characterised by mainly semi-detached and terraced properties. The street and building layout of this crescent means that the rear

gardens for the two semi-detached pairs (29-30 and 31-32) are relatively short compared to other properties within the locality.

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks permission for a two storey rear extension, alteration to the existing outrigger and a replacement terrace. On the lower ground floor, a small section of the garden would be excavated to facilitate the extension. On the upper ground floor, the existing balcony would be removed and replaced by a roof terrace projecting over the lower ground floor extension.
- 6.2 The lower ground floor extension measures 1.6m in depth. The half width extension on the upper ground floor measures 0.7m in depth. The proposed terrace is set back from the side boundary with 29 by 0.67m, and the depth of the terrace measures 0.6m.

Revisions

- 6.3 The proposal plans have been amended a number of times during the life of the application to address both officer and neighbour concerns. The amendments have comprised a reduction in depth of the upper ground floor, the relocation of the terrace and stairs, an elevation change to the outrigger window and clarification of boundary treatment.

7. RELEVANT HISTORY:

- 7.1 The following applications are considered relevant to the site and the proposal:

PLANNING APPLICATIONS:

- 7.2 30 Richmond Crescent

971935 - Replacement windows to rear of lower maisonette. **Approved 13/01/1998**

It is worth noting that there is no planning or enforcement history in relation to the existing four storey outrigger and roof development.

- 7.3 33 Richmond Crescent

P092072: Erection of a lower ground floor single storey extension with green roof and insertion of French doors at ground floor accessing a new small roof terrace: **Approved 11/12/2009**

- 7.4 22 Richmond Crescent

P2013/4434/FUL: Demolition of existing two storey rear extension and proposed construction of a new two-storey (Lower and Upper Ground Floor) rear extension as well as reconfiguration of existing 5 residential units with new external stairway in front lightwell providing access to flat 1 and 3 at lower ground floor: **Approved 13/01/2014**

ENFORCEMENT:

- 7.5 None.

PRE-APPLICATION ADVICE:

- 7.6 Pre-application advice ref: Q2015/4273/LBC. Concerns were raised particularly to the design and scale of the upper ground floor extension. The proposal has been revised to reduce the depth and alter the roof terrace.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 17 adjoining and nearby properties at Richmond Crescent on 05/01/2016. A site notice and press advert were displayed on 14/01/2016. The public consultation of the application therefore expired on 04/02/2016, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 5 objections had been received from the public with regard to the application. The issues raised in the first consultation can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- The development would result in unacceptable loss of privacy and would allow the occupiers to overlook neighbours' garden. (Paras 10.9 – 10.12)
 - The proposed work would lead to an unacceptable sense of enclosure and reduced access to daylight/sunlight, particularly towards 29 and 31 Richmond Crescent. (Paras 10.9 - 10.12)
 - The proposal would break the symmetry of the semi-detached property and is out of character with the surrounding conservation area, it would set precedent to future developments. (Paras 10.2 and 10.5)
 - The proposal would impact on the outlook of the neighbouring property, particularly 29 and 31 Richmond Crescent. (Paras 10.9 to 10.12)
- 8.3 Further consultation was carried out on 24/02/2016 following the receipt of amended plans. Two additional comments raising the following points:
- Having reviewed the amended plans, it is considered that the application can be approved subject to 2 conditions: 1) The roof of the pitched roof extension should be made of slate. 2) The railings and balustrades for the new terrace and stairwell shall be agreed as suitable for the area and painted black. (Para 10.6)
 - The latest revision to the proposal takes into account several of the previous objections. It appears that the significant loss of privacy to the neighbouring property has been addressed (Paras 10.9 - 10.12).
 - The revision still retains a projection to the property at the upper ground floor level and is unchanged in this respect from the previous plans, resulting in increased sense of enclosure, loss of light and the break in symmetry between the two buildings (Paras 10.5 and 10.9-10.12).
 - Not sure of the purpose of the "brick nib" that extends over the existing wall as it appears largely visible from one side and we question changes to the wall that might be required to achieve this. (Para 10.3)

External Consultees

- 8.4 None

Internal Consultees

- 8.5 **Design and Conservation Officer:** The lower ground floor element is considered acceptable. The revision shows that the upper floor extension is half width with alteration to the existing outrigger. Although it is considered that the existing pitched roof rear extension should be retained, the overall reduction of scale and width of the upper ground floor extension is welcomed.

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.

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 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:

- Barnsbury Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Design and Conservation
 - Neighbouring amenity

DESIGN AND CONSERVATION

- 10.2 The proposal consists of a two storey rear extension, alterations to the existing outrigger and a replacement terrace at upper ground floor level. It is noted that consent has been granted for a similar proposal at 22 Richmond Crescent. In the assessment of the application special regard has been made to the character and appearance of the conservation area.
- 10.3 On the lower ground floor it is proposed to extend the property rearward by 1.6m. Excavation is proposed to the garden to provide sufficient internal floor height for the extension; the excavation would lower the ground level by 0.4m. This is considered minor in scale and is acceptable in context. Due to the high boundary treatment the lower ground floor element is not highly visible to the surrounding properties. The lower ground floor would have brick elevations and windows to match the proposed upper floor extension and would not detract from the appearance and character of the area. The proposal includes a small section of brick nib to the side boundary, which from a design point of view is considered acceptable as it minimises views of the proposed extension from the neighbouring property.
- 10.4 On the upper ground floor, the depth of the extension from the pitched roof projection measures 0.7m, which would be in line with the existing half width four storey outrigger at the site. The existing outrigger is also proposed to be altered at this level to install a fixed pane window.
- 10.5 It is considered that the proposed works at upper ground floor level would not significantly detract from the appearance of the building and the character of the conservation area. Although the extension would be visible from the rear windows of the surrounding properties on Richmond Crescent and Richmond Avenue, it is considered that the half width extension and the revised fenestration design would be in keeping with character of the property. The existing four storey outrigger is poorly detailed with unsympathetic brickwork. The proposed alteration at this level would effectively break down the visual prominence of the outrigger. The projection of the half width extension at 0.7m is considered minor in context. The scale of the extension and alterations are acceptable and would not visually unbalance the semi-detached pair, or materially detract from the character of the conservation area.
- 10.6 The proposed roof terrace would replace the existing balcony with a new stair to the garden. The proposal would be similar to the existing roof terrace and would integrate with the host property. Following the amendments, the width and depth of the terrace has been reduced considerably, it is considered that the terrace would respect the rear elevation. A condition is recommended to ensure that the external materials are acceptable. It is considered that the proposed extension and alterations remain subservient to the host dwelling and acceptable in terms of its appearance and the impact towards the character of the area.

NEIGHBOURING AMENITY

- 10.7 Development Management Policy DM2.1 requires that development should have regard to the form and layout of existing and adjacent buildings; good levels of amenity including consideration of noise and the impact of disturbance, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

- 10.8 Objections have been received from the surrounding neighbours. Concerns were raised in relation to outlook, privacy, sense of enclosure and access to daylight and sunlight.
- 10.9 An objection has been received regarding the potential visual and amenity impact of the two storey full width “L-shape” extension. However, the amended plans omitted the extension to the existing outrigger, with no extension of the outrigger. It is considered that due to the separation gap provided between the application site and No.31 Richmond Crescent, the proposed development would not detrimentally impact the amenity of the occupiers of 31 Richmond Crescent.
- 10.10 With regard to 29 Richmond Crescent, taking into account the existing siting and orientation of the semi-detached pair, the south-east facing rear elevations, together with the height of the existing boundary treatment, it is considered that the proposed half width upper ground floor extension at 0.7m in depth would not lead to an unacceptable sense of enclosure to this neighbouring property.
- 10.11 In terms of overlooking, following discussions with the applicant the design of the terrace has been revised to include a set back from the side and rear edge of the ground floor extension to mitigate the potential for overlooking. It is considered that the amended proposed terrace and stair would not result in unacceptable overlooking as it is sufficiently sited away from the common boundary. The reduction of depth of the terrace to 0.6m also means that the primary function of the terrace would be an access to rear garden, instead of an outdoor space. Furthermore, any views towards neighbouring gardens would be similar to existing views from the property.
- 10.12 Having inspected the site and considered the concerns raised by the neighbouring occupiers, it is considered that the latest revision of the proposal would not detrimentally impact neighbouring amenity.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 With special regard to the character and appearance of the conservation area, it is considered that the proposed development would have limited visual impact, and would not appear over dominant or overbearing to the rear elevation. The proposed extension, due to its minor scale, massing and acceptable appearance, is considered appropriate to the semi-detached property and the surrounding area. It is considered that the proposal is broadly in accordance with policies DM2.1 and DM2.3, CS9 and the relevant section of the Urban Design Guide SPD and Barnsbury Conservation Area Design Guidance.
- 11.2 In terms of the impact on neighbouring amenity, the objections from the surrounding neighbours have been duly considered. It is judged that the proposed extension, due to its minor scale and projection would not have a detrimental impact upon the amenity of the adjoining neighbours. The proposed terrace is designed to provide a sufficient set back from the side boundary wall and it is considered that the proposal would not be intrusive to the neighbours at 29 and 31 Richmond Crescent.

Conclusion

- 11.3 It is recommended that planning permission be granted subject to conditions 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	3 Year Consent Period
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be retained in accordance with the following approved plans:</p> <p>140-LOC-001, 140-EX-100 Rev A, 140-EX-101 Rev A, 140-EX-102 Rev A, 140-EX-200, 140-EX-201 Rev B, 140-EX-300 Rev B, 140-AP-100 Rev C, 140-AP-101 Rev E, 140-AP-102 Rev B. 140-GA-200, 140-GA-201 Rev E, 140-GA-202 Rev E, 140-GA-300 Rev E, 140-GA-301 Rev E,</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Compliance):
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. Particularly:</p> <ul style="list-style-type: none"> • The material for the pitched roof extension shall be in natural slate. • The terrace balustrade and stairwell railings shall match with the design and appearance of the existing balcony and shall be painted black. • The proposed brick nib shall match the existing boundary wall in terms of colour, texture and appearance and shall be maintained as such thereafter. <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	Boundary Treatment (Compliance):
	<p>CONDITION: With the exception of the proposed brick nib hereby approved on plan no: 140-GA-202 Rev E, no works are granted for the extension, alteration and/or removal of the existing boundary walls.</p>

	REASON: In the interest of the appearance of the approved development and for avoidance of doubt.
--	---

List of Informatives:

1	Positive Statement
	<p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Building Control
	<p>INFORMATIVE: The Building Acts and Building Regulations: To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works.</p> <p>T: 020 7527 5999 E: building.control@islington.gov.uk</p>
3	Hours of construction
	<p>INFORMATIVE: Nuisance from demolition and construction works is subject to control under the Control of Pollution Act. The normal approved noisy working hours are:</p> <ul style="list-style-type: none"> - 08:00 to 18:00 Monday to Friday - 08:00 to 13:00 Saturday - No work on Sundays and Public Holidays <p>If you anticipate any difficulty in carrying out construction works other than within normal working hours (above) and by means that would minimise disturbance to adjoining properties then you should contact the Pollution Project Team.</p> <p>T: 020 7527 7272 E: pollution@islington.gov.uk</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, 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 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

- DM2.1 Design
- DM2.3 Heritage

5. Designations

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

- Barnsbury Conservation Area

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

The following SPGs and/or SPDs are relevant:

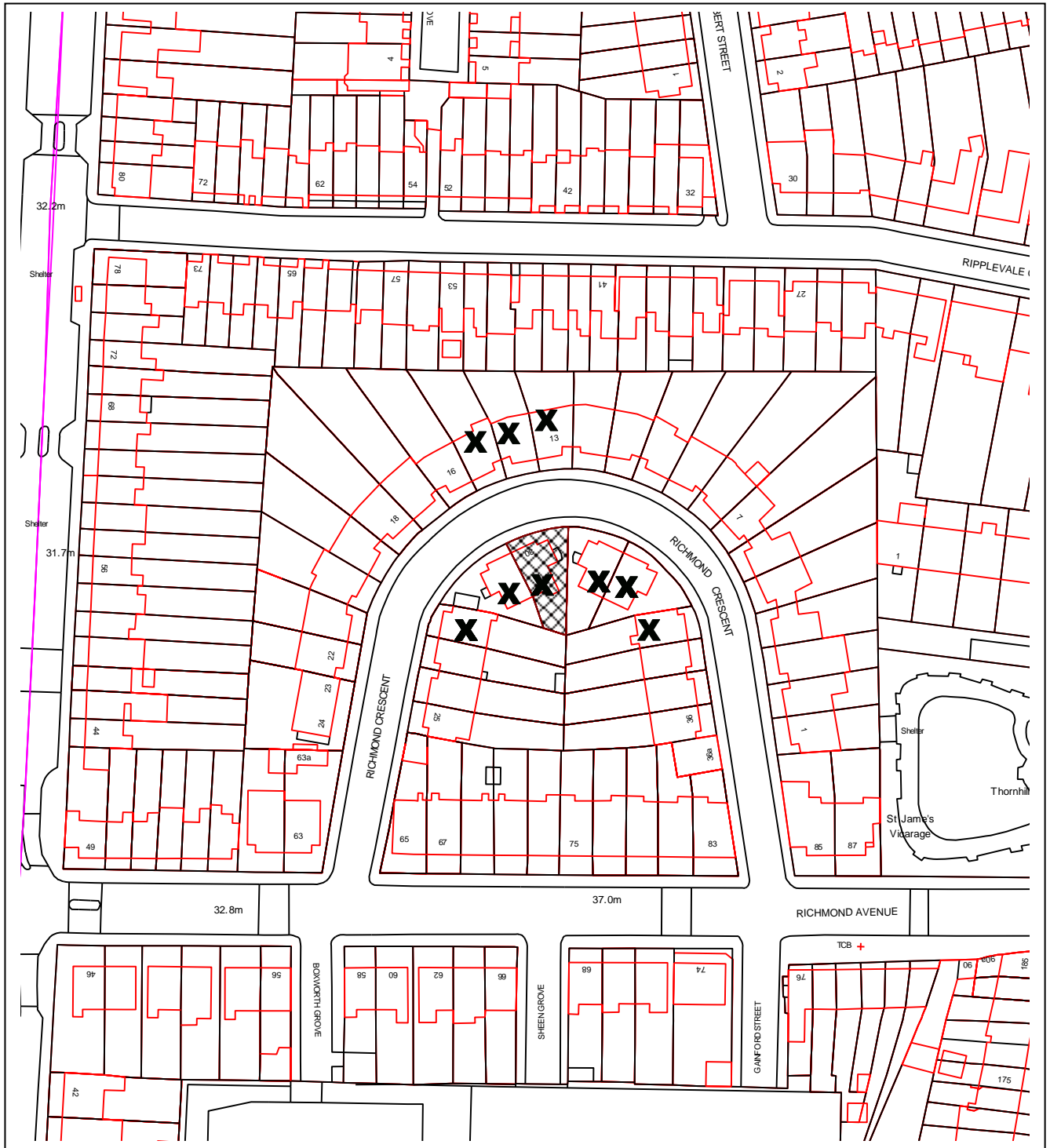
Islington Local Development Plan

London Plan

- Environmental Design
- Conservation Area Design Guidelines
- Urban Design Guide
- Housing
- Sustainable Design & Construction

This page is intentionally left blank

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.
P2015-5076-FUL

This page is intentionally left blank

PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		
Date:	10 th May 2016	NON-EXEMPT

Application number	P2016/1206/FUL
Application type	Full Planning Application
Ward	Mildmay Ward
Listed building	Not listed
Conservation area	Newington Green Conservation Area
Development Plan Context	Conservation Area
Licensing Implications	None
Site Address	4 Colony Mews London N1 4RB
Proposal	Erection of a single storey roof extension at second floor level to create an additional storey to the existing two storey single dwelling house.

Case Officer	Thomas Broomhall
Applicant	Mrs Emma Dickson
Agent	None

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1.: Aerial view of the site from directly above the site



Image 2.: Looking into the site in a Northerly direction



Image 3: Looking into the site in an Easterly direction.



Image 4: Looking into the site in a westerly direction.



Image 5: View looking up at no. 4



Image 6: View of existing flat roof of no. 4 from west of site



Image 7: View from access path towards site



Image 8: View towards first and second floor windows of 37L Mildmay Grove North from flat roof of 4 Colony Mews

4. SUMMARY

- 4.1 Planning permission is sought for the erection of a single storey roof extension at second floor level to create an additional storey to an existing two storey single dwelling house to create an additional lounge room.
- 4.2 The application is brought to committee because of the history of the previous application on this site and the number of objections received. The new application follows a previous grant of planning permission in 26 January 2016 by the Planning Sub-Committee B, for the proposed development. On issuing the permission, a pre-action protocol (PAP) letter was received dated 25 February 2016. On reviewing the details of the PAP and taking legal advice it was decided to agree to the quashing of the original decision. The decision was subsequently quashed by the Court.
- 4.3 The LPA advised the applicant to submit a new application which addressed some of the technical criticisms raised by objectors in 2015. In accordance with that request, the new application included drawings that had been revised since the previous application, so as to indicate in a consistent manner the exact heights of the corners of the roof extension.
- 4.4 The issues arising from the application are the impact of the proposed roof extension on the character and appearance of the host building, wider terrace and surrounding conservation area; and the impact on the amenities of the adjoining and surrounding residential properties.
- 4.5 The impact of the proposal on the character and appearance of the host building and surrounding conservation area is considered to be acceptable and would not form a visually harmful or discordant feature when seen from both the public and private realm. The impact on the amenities of the adjoining and surrounding properties is considered to be acceptable bearing in mind the scale, proposed height, window arrangements and treatments and the existing distances between the application site and the adjoining habitable room windows of neighbouring properties.

5. SITE AND SURROUNDING

- 5.1 The application site comprises a two storey flat roofed single dwellinghouse finished in white render within a modern purpose built development. The site forms one property within a backland development comprising 5 properties containing four residential properties of matching design and appearance and a smaller live/work unit building. The site sits at the rear of a terrace of three-storey over basement properties which front Mildmay Grove North. A modern part two storey part three storey property sits to the northeast of the site at 37L Mildmay Grove North. A modern four storey residential block known as Besant Court is located to the north of the site. A Council owned tree located in the communal grounds of Besant Court sits adjacent to the property with existing branches overhanging part of the site.
- 5.2 The site is not visible from public views. The site is within the Newington Green Conservation Area. The dwellinghouse it is not a listed building.

6. PROPOSAL (in Detail)

- 6.1 The application proposes the erection of a single storey roof extension at second floor level to create an additional third floor to the two storey single dwellinghouse. The roof extension is formed of three sloping metal sheets, with the highest point in the northeast corner of the site at 2.4 metres above the existing parapet wall, which slopes down to 1.25 metres in the northwest corner. The roof extension slopes further down to 0.5 metres in the southeast corner and 0.3 metres in the southwest corner. The angled roof slopes are proposed to be constructed of dark grey metal sheets. The roof extension has a single window which is located on the eastern elevation with obscure glazed privacy strip at eye level at upwards of 1300mm above finished floor level.
- 6.2 The application follows pre-application advice provided in April 2015 (see para. 7.6) in relation to a single storey roof extension to the property at second floor level. Advice was provided that the proposed roof extension would be likely to be considered acceptable subject to an acceptable impact from overshadowing and a detailed consideration of the proposed materials, particularly the matt black metal panel on the roof.

Differences between quashed application and new application

- 6.3 Following the decision to agree to quash the grant of planning permission, a new application was submitted with a revised set of drawings, an updated daylight and sunlight report and updated Design Statement. The decision has now been quashed. The revisions to the submitted proposed elevation drawings mean that they are now consistent in indicating the heights of the corners of the proposed roof extension. In particular the two corners of the proposed sloping roof on the proposed northern elevation drawing scale at the same heights as those on the proposed eastern and proposed western elevation drawings. It is considered that the application is considered to accord with the requirements of the Islington Local Validation Requirements.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 01/04/2004 – Planning Permission (ref: P032474) granted for *Erection of 4 (No.) x two storey courtyard houses with roof terraces at first floor level and 1 (No.) x live/work unit, following the demolition of the existing industrial building at 37H, Mildmay Grove North, Islington, London, N1 4RH*
- 7.2 21/12/2004 - Planning Permission (ref: P040868) granted for *Erection of part 1, part 2, part 3 storey building to form one x 2 bed and one x 1 bedroom residential units including 1 No. car parking space and roof terrace at Rear of 37H and Electricity Sub Station, Mildmay Grove North, Islington, London, N1 4RH*

7.3 26/01/2016 – Planning Permission (ref: P2015/4168/FUL) granted for *Erection of a roof extension over existing first floor flat roof to form an additional small living space at second floor level* at 4 Colony Mews London N1 4RB.

7.4 April 2016 Planning Permission ref: P2015/4168/FUL Quashed by the Court.

ENFORCEMENT:

7.5 None.

PRE-APPLICATION ADVICE:

7.6 April 2015 Pre-application (ref: Q2014/5158/HH) advice was provided in relation to a proposed roof extension at 4 Colony Mews. Advice was provided that the proposed roof extension would be likely to be considered acceptable subject to an acceptable impact from overshadowing and a detailed consideration of the proposed materials, particularly the matt black metal panel on the roof.

8. CONSULTATION

Public Consultation

8.1 A total of 6 objections were received in relation to the previous application ref: P2015/4168/FUL which was granted planning permission in January 2016 and later quashed. Comments were received objecting to the principle of the roof extension due to the loss of the uniform appearance and rhythm of the Colony Mews terrace and setting a precedent for extensions on the other properties on Colony Mews. Further objections were received concerning the impact of the design and appearance of the roof extension due to over dominance and the bulk and massing harming the Conservation Area. Objections were received concerning the impact on the residential amenity of no. 5 Colony Mews through loss of daylight, sense of enclosure, over-bearing. Objections were received concerning the impact on the residential amenity of no. 37L Mildmay Grove North due to loss of light, sense of enclosure and increase in overlooking. Objections were received over the impact on the residential amenities of no's 25-37 Mildmay Grove North due an increase in overlooking towards the rear elevations and rear gardens of these properties. Concerns were raised regarding harm to the tree adjacent to the site. Objections raised concern over the validity of the application based on the accuracy of the drawings and the lack of a proposed north elevation drawing.

8.2 Following the submission of a new application ref:P2016/1206/FUL a period of public consultation has taken place which saw letters sent to occupants of adjoining and nearby properties and any objectors to the previous application ref: P2015/4168/FUL, on 4 April 2016. The latest period of public consultation therefore expired on 28 April 2016. A total of 4 no. additional objections were received from the public in response to the latest submitted application.

8.3 In total 10 objections have been received, all the issues raised including those raised previously, can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):

- Proposal contravenes both IUDG and CA Statement which seek to protect unaltered rooflines, regardless of a backland site (**See paragraphs 10.14-10.18**)
- Application should be assessed against the test of whether a scheme preserves or enhances the significance of the conservation area. (**See paragraphs 10.3-10.6, 10.14-10.16**)
- Loss of uniform appearance and rhythm of the terrace (**See paragraphs 10.18**)
- Proposal is over-dominant (**See paragraph 10.19**)
- Bulk and massing harms the Conservation Area (**See paragraph 10.20**)
- Sets a precedent for extensions on the other properties on Colony Mews (**See paragraph 10.17**)
- Impact on the residential amenity of no. 5 Colony Mews through loss of daylight, sense of enclosure and over-bearing (**See paragraph 10.26**)
- Loss of light, sense of enclosure and increase in overlooking towards no. 37L Mildmay Grove North (**See paragraphs 10.28 and 10.30**)
- Loss of light and increase in overlooking towards no. 57A Mildmay Park (**See paragraphs 10.29**)
- Increase in overlooking towards the rear elevations and rear gardens of no's 25-37 Mildmay Grove North (**See paragraphs 10.31**)
- Harm to adjacent tree (**See paragraph 10.35**)
- Figured dimensions on the drawings should be submitted (**See paragraph 10.36-10.38**)
- Proposed North elevation should be submitted (**See paragraph 10.36-10.38**)
- Inadequate internal headroom in proposed roof extension (**See paragraph 10.36-10.40**)
- Restrictive covenant prevents houses at east end of Colony Mews from building up. (**See paragraphs 10.41**)

Internal Consultees

8.4 Design and Conservation – No objection subject to a condition regarding details of the materials.

8.5 Tree Officer – No objection subject to an informative regarding tree pruning.

External Consultees

8.6 None.

Interested Parties

8.7 LAMAS – Historic Buildings & Conservation Committee – No objection

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 Policy and Guidance

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

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2015, 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 SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

10. ASSESSMENT

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

- Principle of roof extension
- Design and Conservation
- Neighbouring amenity
- Trees

Principle of roof extension

- 10.2 The application proposes the erection a single storey roof extension to the property, with a dark grey metal sloping roof in three angles from the existing eaves level to the south up to the north elevation. The site is within the Newington Green Conservation Area and as such is considered to form part of a designated heritage asset.
- 10.3 The Legal Position on impacts on heritage assets is as follows, and Section 72(1) of the Listed Buildings Act 1990 provides:
“In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” Among the provisions referred to in subsection (2) are “the planning Acts”.

- 10.4 The *Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council* case (which concerned section 66 of the Listed Buildings Act 1990, the comparable provision dealing with listed buildings) tells us that "*Parliament in enacting section 66(1) did intend that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise.*"
- 10.5 The *Queen (on the application of The Forge Field Society) v Sevenoaks District Council* says that the duties in Sections 66 and 72 of the Listed Buildings Act do not allow a Local Planning Authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in *Barnwell*, it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight. This does not mean that an authority's assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgment. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognise, as the Court of Appeal emphasized in *Barnwell*, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one, but it is not irrefutable. It can be outweighed by material considerations powerful enough to do so. An authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.
- 10.6 In short, there is a requirement that the impact of the proposal on the heritage assets be very carefully considered, that is to say that any harm or benefit to each element needs to be assessed individually in order to assess and come to a conclusion on the overall heritage position. If the overall heritage assessment concludes that the proposal is harmful then that should be given "considerable importance and weight" in the final balancing exercise having regard to other material considerations which would need to carry greater weight in order to prevail. In the present case, the Council has paid 'special attention' as required, to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 10.7 London Plan Policy 7.8 requires development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale and architectural detail.
- 10.8 Policy DM2.1 (A) of the Islington Development Management Policies sets out the following:

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. Further details on design requirements in Islington are set out in the Islington Urban Design Guide, Streetbook, Inclusive Landscape Design and other Supplementary Planning Documents. This policy applies to all new developments including alterations and extensions to existing buildings.

- 10.9 Policy DM2.3 (A) of the Islington Development Management Policies (DMP) sets out the following:

Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged.

- 10.10 Policy DM2.3 (B)(i) of the Islington Development Management Policies (DMP) sets out the following:

The council will require that alterations to existing buildings in conservation areas conserve or enhance their significance. Similarly, new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted.

- 10.11 Section 2.4.2 of the Islington Urban Design Guide (IUDG) sets out that:

An important constituent to the rhythm and uniformity of a residential terrace or street is the roofline. A typical terrace or row of detached / semi-detached houses is designed with a consistent height at the front and rear. A well defined roofline throughout helps give terraces their inherent unity. It also allows the repeated articulation to provide the natural rhythm that underpins the frontages. An extension that projects above or alters the original roofline at the front or rear can often disrupt this rhythm / unity and introduce features that fail to respect the scale, form, and character of the street frontage. Typically a roof extension also involves raising the flank boundary parapets and chimneys that further draws attention to itself. These considerations will be especially pertinent when the roofline is unaltered or minimally altered. In these cases there will be a strong presumption against any alteration or extension beyond the existing roofline.

When considering the scope for change it is necessary to consider the particular terrace / uniform street frontage in question. It is not uncommon for

there to be more than one type of frontage on one side of one street. What might be acceptable in one part of the street will not necessarily apply to the next terrace even if it is physically connected and on the same side of the same street. The same is true with terraces on the opposite side of the street.

While it is normally less visible from the public realm, the same principles apply to the roofline at the rear as well as the front, particularly where they are visible through gaps in the street frontage or where the roofline has a strong rhythm (such as repeated butterfly windows). Even when this is not the case, a break in a largely unaltered roofline is likely to have an adverse impact upon the quality of the private realm. Nevertheless, there will sometimes be scope for a small dormer window on pitched roofs at the rear providing it is no wider than the existing upper floor windows and conforms to the standards set out below.

- 10.12 The site falls within the Newington Green Conservation Area. Paragraph 213 of the Newington Green Conservation Area Statement (NGCAS) sets out that:

Roof extensions will not be permitted where a section of roofscape remains substantially unaltered and is without roof extensions. Where the roofscape has been substantially altered sometimes a traditional mansard roof extension might be acceptable where appropriate, such as to an historic property, or a contemporary style roof extension provided it is not visible from the street or other public spaces. The loss of the original roof form to listed buildings will not be permitted.

- 10.13 Paragraph 214 of the NGCAS sets out that:

There is a variety of existing roof forms in the area, including parapets with hidden roofs, gables, dormers and exposed pitched roofs. The roofscape is an important part of the streetscape. As these roof details form an important part of the visual and architectural character of both the buildings, terrace groups and the wider conservation area, alterations which are not in keeping with the existing buildings can be very damaging to the appearance of the street and the area as a whole.

- 10.14 In explaining the aim of this element of the guidance, section 2.4.2 of the IUDG makes reference to a residential terrace or street and the protection of unaltered and rhythmic rear roof lines can play an important visual component in the character and appearance of an area. Paragraph 214 of the NGCAS is consistent with this approach in identifying that the roofscape is an important part of the streetscape and provides a context for the understanding of the application of the term 'streetscape' which is referenced in paragraph 213. Both references to the guidance are consistent in their primary aim of protecting properties with repeated elements and consistent rhythm which front on to a street and are visible from public views. Whilst the IUDG acknowledges that the majority of pre-1914 properties employ a typical consistent rhythm, the guidance also acknowledges that many post-1939 frontages also exhibit such characteristics and that post-war housing, whilst rarely has any decorative interest and geometric proportions of pre-1939 frontages can also be undermined by insensitive change. As a result the

guidance provided by the IUDG and the NGCAS sets out a strong presumption against the principle of allowing roof extensions where an existing roofline of a residential terrace or street, is unaltered, has a consistent height and a well-defined roof line.

- 10.15 It is acknowledged that the proposal is in conflict with the aims of the IUDG and the NGCAS guidance. These material considerations weigh against the grant of permission.
- 10.16 There are however other material considerations that there are exceptional circumstances that warrant a different viewpoint in this case, unique to this site and its surroundings. The site is a backland development with limited, if any public views, although it is acknowledged that the proposed roof extension may be visible from rear of adjacent properties fronting Mildmay Grove North, Besant Court and Colony Mews. In this instance it is not considered that being visible from private views causes harm to the conservation area. Officers are not able to identify any visual harm that allowing a roof extension in this location would do to the conservation area and surrounding area more generally, and that is the primary consideration at which the development plan policy (and the statutory protection afforded to conservation areas) is aimed. Allowing a roof extension in this context would not cause harm to the character and appearance of the host building or surrounding conservation area, and therefore would not cause harm to the significance of the heritage asset, such as to provide justification for its refusal. Indeed it is considered that the proposal would enhance the appearance of the building and would enhance the character and appearance of the conservation area. Therefore the proposal is considered to be acceptable and consistent with the relevant policies.
- 10.17 Objections were received expressing concern that the proposed roof extension would set a precedent for roof extensions on the other properties on Colony Mews. It is acknowledged that the application is the first addition to the purpose built residential development, and that it may establish the principle of a roof extension to the other properties on Colony Mews. However each application is assessed on its own merits, in accordance with the relevant planning policies, based on an assessment of the impact of each proposal and the constraints of each site. Officers must be able to demonstrate that the addition would cause a discernible visual harm to the character and appearance of the area to justify refusal of the application on this basis. It is considered by officers that there is no visual harm caused by the proposal in this instance.
- 10.18 Objections were received expressing concern over the impact on the uniformity and rhythm of the development of four mews properties. It is acknowledged that the proposal represents the first such addition to the development of 4 no. two storey mews properties approved in 2004. However as discussed in paragraph 10.15 it is not considered to cause any material adverse visual harm to the host building or surrounding development due to its modest and contemporary design. Within this context the principle of roof extension is considered to be acceptable.

Design and Conservation

- 10.19 The host building is a post war modern two storey infill terrace with a contemporary design. The design, scale and bulk of the proposed roof extension provide a modest single storey roof addition. It is considered that the design of the proposal is well considered and offers a lightweight and non-bulky addition to the host building. The extension would not dominate the existing modern contemporary dwelling nor unduly harm the overall individual or group appearance of the host property and wider terrace setting. The proposal is discretely positioned, is not visible from public views of the surrounding conservation area and has been designed to minimise the visual impact. The modern styled extension is complementary to the overall style and design of the proposed building and relates to the existing character and style without harming the host building and continues to preserve and enhance the surrounding conservation area and is therefore acceptable.
- 10.20 Objections were received expressing concern that the bulk and massing is over dominant and harmful to the conservation area. Consideration is given to the impact of the addition on the development and surrounding conservation area. Due to the modest scale, contemporary design and sloping roof on a modern development, hidden from public views, the impact is not so great as to harm the character and appearance of the host building or wider development. The proposed extension would create a discreet and well-designed additional floor which is not considered to form a dominant or visually harmful feature when seen from the private realm surrounding the site.

Neighbouring Amenity

- 10.21 The proposed roof extension is formed of three sloping angles at second floor level with the highest point in the north east corner at approximately 2.4 metres above the existing eaves. The roof slopes to 1.2 metres above the eaves on the western elevation and around 0.5 metres above the eaves adjacent to the southern elevation. The single window to the roof extension is located on the eastern elevation at second floor level. The adjoining property at no. 3 Colony Mews is two storeys with a blank façade along its western elevation.
- 10.22 Part x of policy DM2.1 sets out that development should provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.23 Consideration has been given to the design and height of the roof extension including sloping panels away from the western elevation and the proximity to habitable windows. With regards to the impact on daylight and sunlight of no. 5 Colony Mews which adjoins the property to the west of the site, a Daylight and Sunlight report has been submitted. The report's findings indicate that the impact of the proposal on no. 5 Colony Mews will be acceptable in accordance with the aims of the British Research Establishment's guidelines. The impact of the proposal on 5 Colony Mews in terms of the potential loss of outlook,

dominance and any undue increase in sense of enclosure is considered to be acceptable.

- 10.24 Paragraph 2.14 of the Development Management Policies requires there to be a minimum distance of 18 metres between windows of habitable rooms to protect privacy for residential developments and existing residential properties. There are no existing windows which face directly towards the proposed window on the eastern elevation at second floor level. Consideration of the approved layout of 37L Mildmay Grove North granted in 2003 indicates that the closest windows are located on the rear elevation providing daylight to a dual aspect kitchen/living room at first floor at 13 metres and an obscure glazed window at second floor level. Consideration is given to the acute angle of view from the proposal, the separation distance, height and proximity to the window at first floor level and the use of a proposed obscure strip on the proposed roof additions main window at eye level. The impact of the increase in overlooking is considered to be acceptable. The proposed window to the roof addition is located just over 13 metres away from the adjoining property at 37L Mildmay Grove North and an oblique angle. It is recommended that a condition is attached to any grant of consent to ensure that the obscure glazed privacy strip is installed prior to first use of the roof extension and maintained as such in perpetuity.
- 10.25 The proposed window on the roof extension faces in an easterly direction and is at a significantly acute angle to much of the windows on the rear elevations of the properties at 25 to 37 Mildmay Grove North which face due north. The proposed window would look towards the rear windows and rear gardens of 25 to 37 Mildmay Grove North at varying distances from 16 metres to 20 metres at once again oblique angles. Bearing in mind these distances consideration is given to the use of an obscure privacy strip on the proposed roof accommodations main side window, the angle of view and the height of existing boundary walls and fences surrounding the site. As a result of these factors, any increase in overlooking towards these properties is not considered so significant as to sustain a refusal of the application on this basis. Therefore the impact of the proposal on the rear elevations of these properties is acceptable in accordance with policy DM2.1 of the Islington Development Management Policies.
- 10.26 Objections were received concerning the impact on the residential amenity of the adjoining property at no. 5 Colony Mews through loss of daylight, sense of enclosure and over-bearing. However no objections have been received directly from the occupiers of 5 Colony Mews. As above, the submitted daylight and sunlight report indicates that the impact of the proposed roof extension on this property, is acceptable in accordance with the British Research Establishment Guidelines. The roof extension has been designed to minimise the impact on the outlook and impact of enclosure on this property. Consideration has been given to the urban setting, separation distances and the slope of the proposed roof extension away from the eastern elevation of this property. The impact on the amenities of 5 Colony Mews is not so significant as to warrant a refusal on this basis. Therefore the proposal is considered to be acceptable.

- 10.27 The rear elevations of 25 to 37 Mildmay Grove North face northwards and it is considered that the proposed roof extension would have no discernible negative impact in terms of loss of sunlight/daylight as the sun moves around the site and adjoining area from east to west throughout the day.
- 10.28 Objections were received concerning an increase in overlooking towards the rear of no. 37L Mildmay Grove North, located to the north east of the site. The closest window of a habitable room of this property is at first floor level. Whilst this window is around 13 metres from the window of the proposed roof extension, consideration is given to the use of an obscure glazed privacy strip and the angle of view. The impact of the proposed roof extension is not considered to cause such a significant impact on this property as to sustain a refusal of the application on this basis. Therefore the proposal is considered to be acceptable.
- 10.29 Objections were received concerning an increase in overlooking and loss of daylight towards the rear of no. 57A Mildmay Park, located to the east of the site. However this property is situated behind the existing three storey property at 37L Mildmay Grove North and as such there is no material impact on the amenities of this property from the proposed second floor roof extension.
- 10.30 Objections were also received concerning a loss of daylight and increase in sense of enclosure towards 37L Mildmay Grove North. The separation distance and the height and scale of the proposed works are not considered result in a significant impact on the property as to warrant refusal of the application on this basis. Therefore the proposal is considered to be acceptable.
- 10.31 Objections were received concerning the impact on the rear habitable rooms of no.'s 25 to 37 Mildmay Grove North. Consideration is given to the angle and distance towards any windows on these properties which fall below the Council's 18 metres guidelines for overlooking. The cumulative impact of the acute angle of view, use of obscure privacy strip and distance, proximity towards these neighbouring properties and existing boundary walls and fences reduces any impact to an acceptable level. Therefore there is not considered to be unacceptable increase in overlooking or loss of privacy of the amenities of these properties as to sustain a refusal of the application on this basis. Therefore the proposal is once more considered to be acceptable.
- 10.32 In summary, concerns raised from adjoining neighbours regarding an increase in enclosure and dominance have been fully considered. The proposed roof addition is designed with a sloping roof form which lessens the additional bulk considerably and forms an attractive architectural feature. As a result of the proposed design, scale, height and roof form of the roof extension, it is considered that the addition will not cause any undue adverse impacts in terms of increased enclosure levels, loss of outlook or dominance to adjoining occupiers in this case.
- 10.33 The proposed roof extension is considered to be set far enough away from and with no direct windows looking towards the side windows of Besant Court in this case.

Tree

- 10.34 The property is located adjacent to an Islington Council owned tree situated in the communal grounds of Besant Court to the north of the site. The property currently sits under the canopy of part of the tree and as a result the proposed roof extension would also sit under part of the canopy of the tree. The Council's Tree Officer has not raised any objection to the proposal. Therefore the impact on the tree is acceptable. Should there be a need to carry out pruning works to, or protect the tree in any way; permission from the council would be required both as landowner and from the need to gain permission to undertake works to a tree that falls within a conservation area. It is recommended that an informative is attached to any grant of consent providing the contact details for the tree service.
- 10.35 Objections were received concerning the impact of the proposal on the adjacent tree in the grounds of Besant Court. The tree currently overhangs part of the site and the works are modest in height and remain within the envelope of the existing building. Therefore whilst some pruning is likely to be required, the impact on the tree is not so significant as to warrant refusal of the application on this basis. Therefore the proposal is acceptable.

Other matters

- 10.36 On the original application ref: P2015/4168/FUL neighbouring residents raised objections that the drawings were not sufficient to accurately assess the application due to the lack of scaled dimensions and the lack of a proposed north elevation drawing in order to establish whether the proposal is buildable and whether there will be adequate head room.
- 10.37 The drawings submitted with the latest application include drawings of each elevation, each accord with the other elevation drawings and are drawn to a recognised metric scale. The dimensions of the proposal can be consistently scaled from the drawings. Due to the nature and scale of the proposed works, the documents submitted, are accurate and sufficient in accordance with the Council's Local validation Requirements to accurately assess the proposal.
- 10.38 The issue of construction would be a Building Regulations matter and as this is covered by separate legislation, it would be unreasonable to refuse the application on this basis.
- 10.39 Policy DM3.4 (C) of the Islington Development Management Policies sets out the following:
- i) In new housing development all habitable rooms, kitchens and bathrooms are required to have a minimum floor to ceiling height of 2.6 metres (between finished floor level and finished ceiling level).*
 - ii) In residential conversions, including extensions, where the original ceiling height is maintained, a lower ceiling height may be acceptable where it can be demonstrated that overall a good standard of daylight, ventilation and useable floorspace can be provided.*

10.40 Therefore the assessment of internal headroom for ancillary residential accommodation to an existing single dwelling house, is a material planning consideration. However, in this instance, the proposal is not a new build dwelling but an extension to an existing dwelling, and x square metres within the extension does not meet the 2.6m floor to ceiling height requirement. This shortfall has been balanced against the fact that the development is an extension to an existing dwellinghouse, the contemporary design of the roof extension which has kept the overall height, massing and bulk to a minimum, ensuring the overall impact of the extension on the surrounding occupiers and area, is minimised generally, and in this context is considered acceptable. Furthermore whilst some parts of the extension have a lower floor to ceiling height than 2.6 metres, this has not resulted in poor daylight or ventilation, nor has it rendered the floor space unusable. Therefore it would be unreasonable to refuse the application on this basis.

10.41 Two objections have stated that as a restrictive covenant is in place restricting the height of the mews houses at the east end of the mews. The objectors state that the implications of approving this roof extension would create a break in a largely unaltered roofline, contrary to the IUDG. However the presence of a restrictive covenant on any of the properties within the mews, is not a material planning consideration and therefore it would be unreasonable to refuse the application on this basis. This is more likely to be dealt with under separate legislation.

11. SUMMARY AND CONCLUSION

Summary

11.1 Whilst there is strong presumption of resisting roof extensions and alterations to unbroken rooflines, it has been demonstrated as part of this assessment that there are other material considerations particular to this site that, in this instance, would allow the roof extension proposed to be acceptable. Those exceptional circumstances are due to the fact that the site is a backland site with limited or no public views and that the proposed extension is not considered to preserve, and in fact enhance, the host building and the character and appearance of the development or surrounding conservation area. In this context the principle of a proposed roof extension is acceptable. The impact of the proposal on the amenities of the adjoining and surrounding properties is considered to be acceptable.

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 as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan, (01)300 dated 24.03.16, (01)301 dated 24.03.16, (01)302 dated 24.03.16, (01)500 dated 24.03.16, (01)501 dated 24.03.16, (01)502 dated 24.03.16, (01)600, (01)601 dated 24.03.16, (01)602 dated 24.03.16, (01)603 dated 24.03.16, (01)700 dated 24.03.16, (01)701 dated 24.03.16, (01)702 dated 24.03.16, Design Proposals dated March 2016, Daylight and Sunlight Report dated 5th April, 2016 produced by CHP surveyors.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	MATERIALS (DETAILS):
	<p>CONDITION: Detailed drawings and samples of the external facing materials of the proposed roof extension shall be submitted to and approved in writing by the Local Planning Authority prior to any further work commencing on site.</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	Privacy Strip
	<p>CONDITION: The obscure glazed privacy strip shall be installed as detailed on hereby approved drawings (01)700 dated 24.03.16 and (01)701 dated 24.03.16 prior to first use of the second floor accommodation hereby approved and shall be maintained as such into perpetuity.</p>

	REASON: For the protection of neighbouring residential amenity.
--	---

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>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>
2	Trees
	<p>INFORMATIVE: The trees overhanging this site are managed by the Council and all pruning works to council trees will need to be carried out by the Council's Tree Service. Please contact Andrew Lederer, Tree Service Manager via email (andrew.lederer@islington.gov.uk) or telephone (020 7527 2000).</p>
3	Suggested finishing materials
	<p>The use of a copper alloy such as bronze or brass which has been treated to achieve a bronze/black or brass/black finish may be suitable as a roofing material.</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 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

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

Policy 7.4 Local Character
Policy 7.6 Architecture

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 8 – Enhancing Islington’s character
Policy CS 9 - Protecting and enhancing Islington’s
built and historic environment

C) Development Management Policies June 2013

Policy DM2.1 – Design
Policy DM2.3 - Heritage
Policy DM7.1 - Sustainable design and construction
Policy DM7.2 - Energy efficiency and carbon reduction in minor
schemes
Policy DM7.4 – Sustainable Design Standards

3. Designations

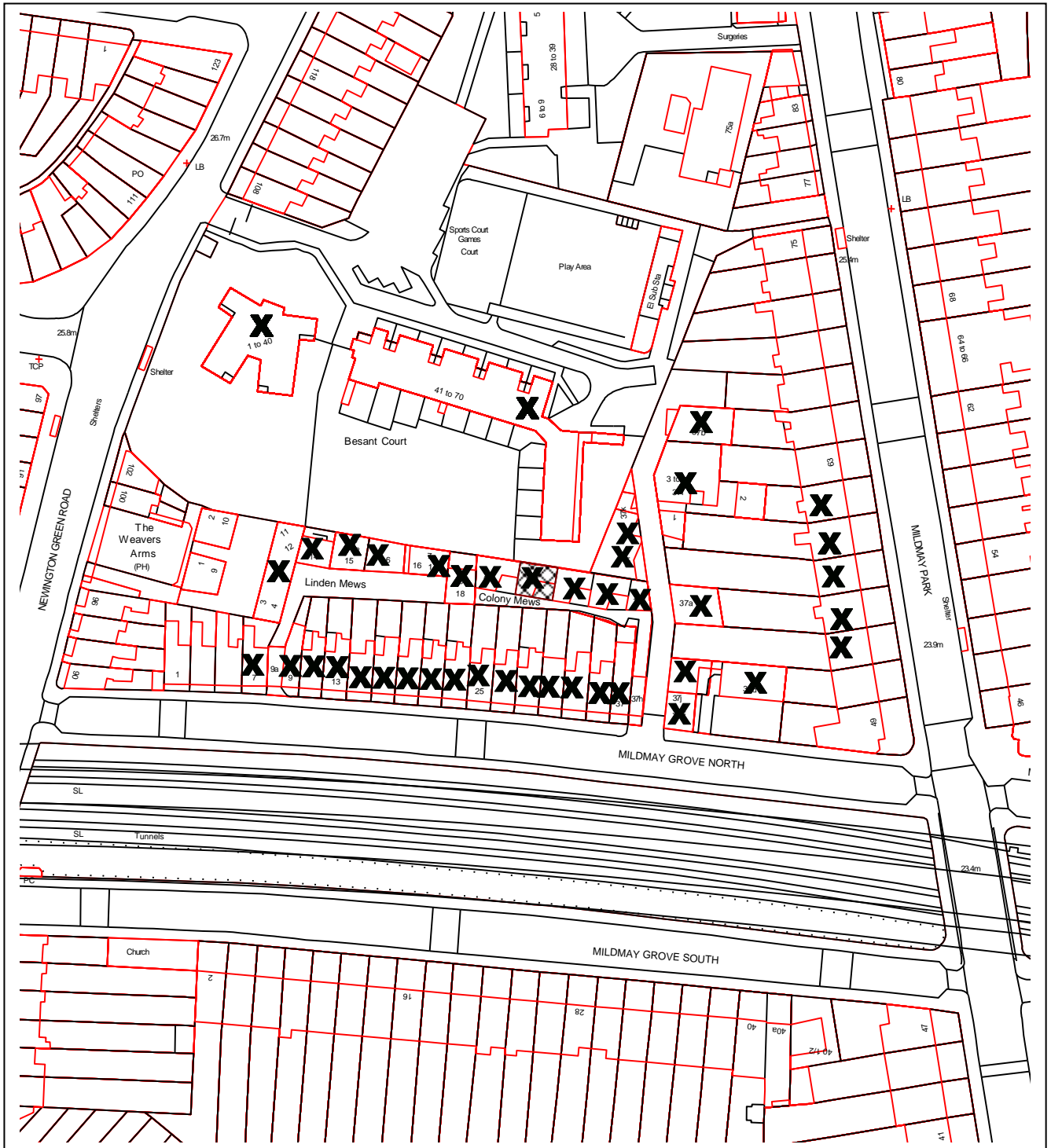
Newington Green Conservation Area 2014

4. SPD/SPGS

Newington Green Conservation Area Statement March 2014
Islington Urban Design Guidelines 2006
Environmental Design SPD 2012

This page is intentionally left blank

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. P2016/1206/FUL

This page is intentionally left blank

PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE		
Date:	10 th May 2016	NON-EXEMPT

Application number	P2016/0010/FUL
Application type	Householder
Ward	Highbury West
Listed Building	No
Conservation Area	Not in Conservation Area
Licensing Implications Proposal	None
Site Address	7 Loxford Gardens, Islington, N5 1FW
Proposal	Erection of ground floor rear extension

Case Officer	Duncan Ayles
Applicant	Mr Lour Ran
Agent	Mr Amit Malhotra

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: Photograph of Rear of 7 Loxford Gardens toward 6 Loxford Gardens



Image 2: Photograph of Rear of 7 Loxford Gardens toward 8 Loxford Gardens



Image 3: Photograph of the rear garden of 7 Loxford Gardens looking toward the residential properties at Lucerne Road.

4 SUMMARY

- 4.1 The application seeks approval for the erection of a single storey rear extension to a recently completed residential development. As the development has been recently completed, none of the properties have been extended.
- 4.2 A number of objections have been received from neighbouring properties regarding the impact on neighbour amenity, the impact on the character and appearance of the area, and the impact on protected trees close to the application site.
- 4.3 The proposed extension is considered to be acceptable on the grounds of the impact on the character and appearance of the area, the impact on neighbour amenity, and the impact on trees. The proposal is therefore considered to be acceptable and it is recommended that the application is approved.

5 SITE AND SURROUNDING

- 5.1 The application site is located at 7 Loxford Gardens. This is a three storey residential property situated within a housing development that was completed during 2013. The development is comprised of a combination of residential flats and two and three storey houses. The application site is a three storey terraced property which is part of a residential terrace of similar dwellings, which are set out in a staggered fashion, with significant variation in the location of the rear elevation of each property. The properties contain large rear gardens, which means that the rear of 38 Lucerne Road is 20 metres away from the rear of 7 Loxford Gardens. This is the smallest separation distance between 7 Loxford Gardens and any property at Lucerne Road.
- 5.2 7 Loxford Gardens is a contemporary building that is constructed in brick, render and metal. The properties were originally constructed without any rear projections, with boundary treatments formed from a combination of metal railings, hedging and translucent glazed panels. The rear gardens of the properties at Loxford Gardens contain a number of trees, including a number of protected trees. The rear garden boundary treatment of no. 7 is a timber screen and the side boundary treatment is comprised of railings.

6 Proposal (in Detail)

- 6.1 The application seeks approval for the erection of a single storey rear extension. The proposed extension will have dimensions of 2.7 metres in height by 4.4 metres in width and 3 metres in depth. The proposed extension will be constructed from matching yellow brick and will contain full height glazed sliding doors on the rear elevation. The extension will contain a rooflight to provide additional daylight into the extension.

Revisions:

- 6.2 The proposal has been amended during the lifetime of the application. The application originally proposed a 5 metre deep rear extension. This was

reduced to 3 metres following concerns raised by planning officers in respect of the impact on neighbouring properties. The application also previously proposed the addition of high level windows in the side elevation of the extension, which have also been removed.

Planning Applications:

- 7.1 **P092469:** Demolition of buildings and the partial demolition of the rear of Loxford house, change of use and the erection of a four storey rear extension to Loxford House including the provision of 297 sqm of nursery/crèche/community facility (Class D1) and the erection of part 3,4 and 5 storey flatted blocks, houses and townhouses providing a total of 143 residential dwellings together with the creation of a new public accessible open space, car parking, cycle parking, landscaping and other associated works: Approved subject to conditions and S106 Agreement.
- 7.2 Condition 5 of this permission removed permitted development rights from the new residential properties, which means that any rear extension requires permission.

Pre-application:

- 7.3 None

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 13 nearby and neighbouring properties at Loxford Gardens and Lucerne Road. A reconsultation was undertaken on the 14th March 2016 following the receipt of amended plans showing a reduced rear extension.
- 8.2 Objections were received from 12 nearby and neighbouring properties at Loxford Gardens and Lucerne Road, raising the following issues
- Impact on the Character of the Area (10.2-10.9)
 - Impact on Neighbour Amenity including in respect of privacy, overlooking, loss of outlook. (10.9-10.18)
 - Impact on protected trees (10.19-10.22)
 - Precedent set by the application (10.7)
 - Loss of Greenspace (10.27)
 - Possible subsidence as a result of the extension (10.23)
 - Discrepancies within the submitted drawings (10.24)
 - Impact on Noise Emissions to neighbours (10.25)

-Breaking of original agreed separation distance between Loxford Gardens development and Lucerne Road (10.15 -10.16)

Internal Consultees

8.3 **Tree Officer:** The modest scale of the extension means that it will not lead to any harm to the amenity of the protected trees in the vicinity of the site. A condition should be imposed requiring details of working methods to protect trees in the vicinity of the site.

9 REVELANT POLICIES

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

National Guidance

9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF 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, 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 relevant SPGs and/or SPDs are listed in Appendix 2.

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Design
- Impact on the Amenity of Neighbouring Properties
- Impact on Protected Trees

Design

- 10.2 Policy DM 2.1 of Development Management Policies 2013 requires all new development to be high quality and to contribute to local distinctiveness and character. The application site is located within a recently completed residential development comprising of a mixture of flats and residential townhouses, and is not situated within a conservation area.
- 10.3 The application seeks approval for the erection of a single storey rear extension at ground floor level. The proposed extension has a depth of 3 metres and a height of 2.7 metres. The proposed extension will be constructed in matching yellow brick with full height sliding doors at the rear.
- 10.4 The Islington Urban Design Guide provides guidance on the design of rear extensions within section 2.4. The guidance confirms that the rear elevation of a residential terrace is generally more informal in character than the front elevation which justifies the erection of extensions to the rear. The rear of the terrace in which the proposal is located has an informal, irregular character due to its staggered design. The IUDG also indicates that ground floor extensions will usually be acceptable where a property contains a larger rear garden, which is also the case in this instance.
- 10.5 The proposed extension is considered to be in accordance with the IUDG guidance as it is modest in scale and therefore subordinate to the character of the host building and wider terrace. The proposed extension is also considered to be acceptable in terms of its detailed design. The use of matching brickwork and full height glazing ensures that the proposed extension will form a strong relationship to the existing property. The materials used can be subject to a condition to ensure that a close match is achieved. In addition, sufficient garden space will be retained once the extension is created.
- 10.6 The proposal has been amended during the lifetime of the application to reduce the scale of development. The application originally proposed a 5 metre deep rear extension incorporating high level windows on the side elevation. The proposal was reduced following concerns raised by officers regarding the design and scale of the original proposal.
- 10.7 It is acknowledged that this is the first rear extension to be proposed to the rear of the terrace at 1-10 Loxford Gardens following its completion, and that the removal of permitted development rights at the property mean that any rear extension would require the benefit of planning permission. However, due to its small size and high quality design, it is not considered that the proposal would harm the character of the area. Objectors to the scheme have stated that the proposal will create a precedent that would allow the other properties at Loxford Gardens to be extended. However, any future extensions at Loxford Gardens would need to be assessed on their merits.
- 10.8 Finally, it should be noted that while the proposed extension will be visible from a range of private views including from neighbouring gardens and

properties at Loxford Gardens and Lucerne Road, the proposed extension will not be subject to any significant public views.

- 10.9 As such, the proposal would not materially alter the overall appearance of the building and the surrounding townscape. Therefore, the proposal is considered to accord with policies 7.4 (Local character), 7.6 (Architecture) of the London Plan 2015, policy CS8 (Enhancing Islington's character) of the Islington Core Strategy 2011, and policy DM2.1 (Design) of the Islington Development Management Policies 2013.

Impact on the Amenity of Neighbouring Properties

- 10.10 Policy DM 2.1 requires all new development to safeguard the amenity of neighbouring properties, including in terms of the loss of daylight, sunlight, outlook and privacy.
- 10.11 The proposed rear extension will project 3 metres beyond the rear elevation of the application property and the rear elevation of 8 Loxford Gardens. The proposed extension has a height of 2.7 metres on the boundary with both direct neighbours, and due to the modest depth of 3 metres it is not considered that the extension would appear unreasonably large or oppressive when viewed from 8 Loxford Gardens. Furthermore, the staggered layout of the terrace means that the proposed extension is situated a significant distance from the rear windows at 6 Loxford Gardens, which mitigates against any adverse impact on this property in terms of the loss of outlook or increased sense of enclosure. The proposed extension will project 3 metres from the rear elevation of 8 Loxford Gardens and 7.5 metres from the rear elevation of 6 Loxford Gardens.
- 10.12 The proposal is also not considered to lead to any unacceptable impact on the amenity of neighbours through the loss of daylight and sunlight. The supporting text to policy DM 2.1 refers to the guidance within the Building Research Establishment document: *Site Layout Planning for Daylight and Sunlight*. The BRE guidance sets out two 45 degree rule that can be used to assess the impact of single storey rear extensions on the daylight received by neighbouring properties. A 45 degree line is taken from the corner of the extension in plan and elevation. If this line does not cover the mid-point of a habitable room window, the loss of daylight is likely to be minor.
- 10.13 The elevation drawings submitted in support of the application include the window present on the neighbouring properties which allow the 45 degree rules to be applied. Although the 45 degree rule is broken in plan to 8 Loxford Gardens, the 45 degree rule is not broken in elevation to this property. The 45 degree is already broken in plan from 6 Loxford Gardens, due to the staggered layout of the terrace, and the 45 degree rule is not broken in elevation. Therefore, the loss of daylight is considered to be acceptable and in accordance with the BRE criteria, as it passes the 45 degree rule test in accordance with policy DM 2.1 of the DM Policies 2013.

- 10.14 The terrace has a south-westerly orientation. Due to the staggered design of the terrace, the proposed extension will not lead to the loss of any direct sunlight to 6 Loxford Gardens. While it is acknowledged that the extension would lead to the loss of some direct sunlight to 8 Loxford Gardens, this would be limited to the morning only, due to the orientation of the properties.
- 10.15 The existing separation distance between the existing property at 7 Loxford Gardens and the rearmost part of the rear outrigger at 38 Lucerne Road is 20 metres. Given that the proposed extension will be of a single storey and will be 17 metres away from the rear elevation of 38 Lucerne Road, it is not considered that the proposal would appear unacceptably bulky when viewed from this property and therefore would not lead to any material impact on the outlook of this property or lead to an unacceptable sense of enclosure. It should also be noted that the rear boundary treatment between 7 Loxford Gardens and 38 Lucerne Road is a solid timber boundary fence, which will obscure views of the extension from this property.
- 10.16 Similarly, it is not considered that the proposed extension would give rise to any material overlooking or loss of privacy to the properties at Lucerne Road. The supporting text to policy DM 2.1 states that the habitable rooms of residential properties should be separated by 18 metres to protect privacy. While it is acknowledged that the separation distance between the proposed rear extension and the rear of 38 Lucerne Road will be 17 metres, this would not lead to any unacceptable overlooking or loss of privacy given that the rear garden of 7 Loxford Gardens is comprised of a solid boundary fence and the extension is single storey only. The impact of the proposed extension on the privacy of the properties at 36-38 Lucerne Road is therefore considered to be acceptable.
- 10.17 The proposal has been amended during the lifetime of the application to address the issues raised by objections and officers, by reducing the depth of the proposed extension from 5 metres to 3 metres. The applicant has also removed the high level windows from the side elevation of the extension.
- 10.18 The proposed extension is therefore considered to be acceptable on the grounds of the impact on neighbouring properties in terms of the loss of daylight, sunlight, outlook and privacy. The proposal is therefore considered to be in accordance with policy DM 2.1 of the Development Management Policies 2013.

Impact on Protected Trees

- 10.19 The rear gardens at 1-10 Loxford Gardens contains a number of mature trees, including trees protected by Tree Preservation Order LBI TOP (No. 384) 2007. The trees were protected prior to the redevelopment of the site, and were retained through the construction of the Loxford Gardens development. The rear garden of 7 Loxford Gardens itself does not contain any protected Trees, although there are protected trees present within the rear gardens of 5 and 6 Loxford Gardens. 7 Loxford Gardens contains a tree within its rear garden but this is not protected by a Tree Preservation Order.

- 10.20 The application is not supported by a tree survey or arboricultural method statement. However, the tree surveys provided in support of the previous applications to redevelop the site are considered to be sufficient to make an assessment of the impact of the proposal, given the small scale of the proposed extension.
- 10.21 The Council's Tree Officer has been consulted on the application, and has confirmed that the proposed extension sits outside of the root protection area for the protected trees within the rear gardens of neighbouring properties. The tree officer has also confirmed that the boundary treatments created within the rear gardens of the residential properties at Loxford Gardens are likely to have further restricted the growth of roots into the rear garden of 7 Loxford Gardens.
- 10.22 The tree officer has therefore confirmed that the impact of the proposed rear extension on the health and amenity value of the protected trees within the gardens of neighbouring properties would be acceptable, provided that a condition is imposed requiring the submission of an arboricultural method statement. The proposal is therefore considered to be in accordance with policy DM 6.5 of the Development Management Policies 2013.

Other Matters

- 10.23 Concerns have been raised by objectors in respect of the impact of the proposed development on the structure of neighbouring buildings. However, the applicants will need to gain building control consent separately from this planning consent prior to starting works. Given the small scale of the development proposed it is considered that any possible structure issues will be adequately addressed within the building control process.
- 10.24 An objector to the application has also raised concerns in respect of inconsistencies within the proposed plans. However, the amended plans received 11th March are consistent in terms of the depth, width and height of the proposed extension.
- 10.25 Objectors have also raised the issue of construction impacts on neighbouring properties. Given the small scale of the proposed development, it is not considered that the disruption during the construction impacts would be significant or very long running. Therefore, it is not considered proportionate to impose a condition requiring the approval of a construction management plan. It is recommended that an informative is imposed on the decision notice reminding the applicant of the need to accord with Environmental Health Regulations regarding noisy working times.
- 10.26 Objectors have also raised concerns in respect of the possible increase in noise emissions to neighbouring properties as a result of the extension. However, as the use of the property will not change it is not considered that any significant increase in noise emissions from the property would occur.

10.27 Respondents to the public consultation have also objected to the scheme on the basis that it would lead to the loss of green space. However, the proposed extension is situated within a rear garden that is not designated as open space. Furthermore, the scheme will retain a significant depth of rear garden, 13 metres, beyond the proposed extension.

11. SUMMARY AND CONCLUSION

Summary

11.1 The proposed single storey rear extension is considered to be of an acceptable size, scale and detailed design and therefore is not considered to give rise to any adverse impact on the character and appearance of the neighbouring property. The proposed extension is also considered to be acceptable on the grounds of the impact on neighbour amenity, including in respect of daylight, outlook, and privacy and overlooking. The proposal is therefore considered to be in accordance with policy DM 2.1 of the DM Policies 2013 and the Islington Urban Design Guide.

11.2 The proposed extension is also considered to be acceptable on the grounds of the impact on the protected trees within the rear gardens of neighbouring properties, due to the modest size of the extension and the separation distances provided to the protected trees. The proposal is therefore considered to be in accordance with policy DM 6.5 of the DM Policies 2013.

11.4 It is recommended that the application is granted consent.

Conclusion

11.5 It is recommended that planning permission be granted subject to conditions as set out within Appendix 1-Recommendation A

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

List of Conditions:

	Commencement (Compliance)
1	<p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
	Approved Plans List: (Compliance)
2	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[00, 01, 02, 03, 04, 05, 06, 07, 08, 10, 10.1 12 (Received 11th March 2016), 16 (Received 11th March 2016), 17 (Received 11th March 2016), 19 (Received 11th March 2016), 20 (Received 11th March 2016), 20.1 (Received 11th March 2016)]</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
	Materials to Match (Compliance)
3	<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>
	Tree Protection (Details)
4	<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 and construction method statement have been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
5	Flat Roof Not Used As Amenity Space (Compliance)
	<p>CONDITION: The flat roof of the rear extension hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p>

	REASON: To prevent the undue overlooking of neighbouring habitable room windows.
--	--

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. 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>
	Other legislation
2.	You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & Equalities Act
	Part M Compliance
3.	<p>You are advised that the scheme is required to comply with -</p> <ul style="list-style-type: none"> • The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', <p>For this proposal, this may include</p> <ul style="list-style-type: none"> - colour contrast nosing to the external steps; - improvements to the handrail profile - glass marking manifestations <p>For more information, you may wish to contact Islington Council's Building Control (0207 527 5999).</p>
	Construction hours
4.	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations as well as Environment Health Regulations.</p> <p>Any construction works should take place within normal working day. The Pollution Control department lists the normal operating times below.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Delivery and operating times - the usual arrangements for noisy works are</p> <ul style="list-style-type: none"> ○ 8am –6pm Monday to Friday, ○ 8am – 1pm Saturdays; ○ no noisy work on Sundays or Public Holidays (unless by prior agreement in special circumstances) </div>

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 7.4 (Local character)
Policy 7.6 (Architecture)
Policy 7.8 (Heritage Assets and archaeology)

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS17 (Sports and recreation provision)

C) Development Management Policies June 2013

Design and Heritage

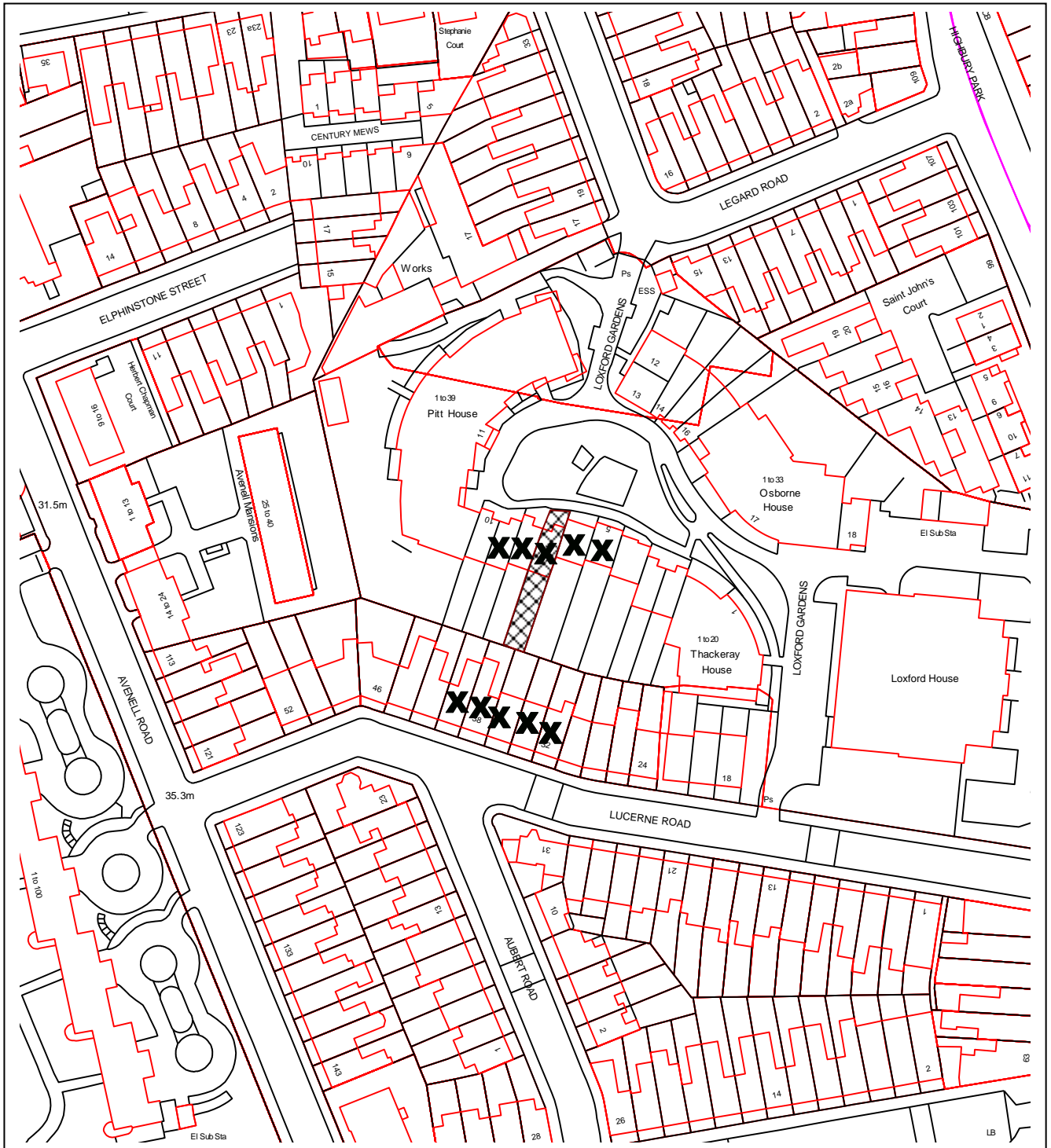
Policy DM2.1 (Design)
Policy DM 6.5 (Landscaping, Trees and
Biodiversity)

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

The following SPGs and/or SPDs are relevant:

- Urban Design Guide

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.
P2016/0010/FUL

This page is intentionally left blank

PLANNING COMMITTEE REPORT

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

PLANNING SUB COMMITTEE B		
Date:	10 May 2016	NON-EXEMPT

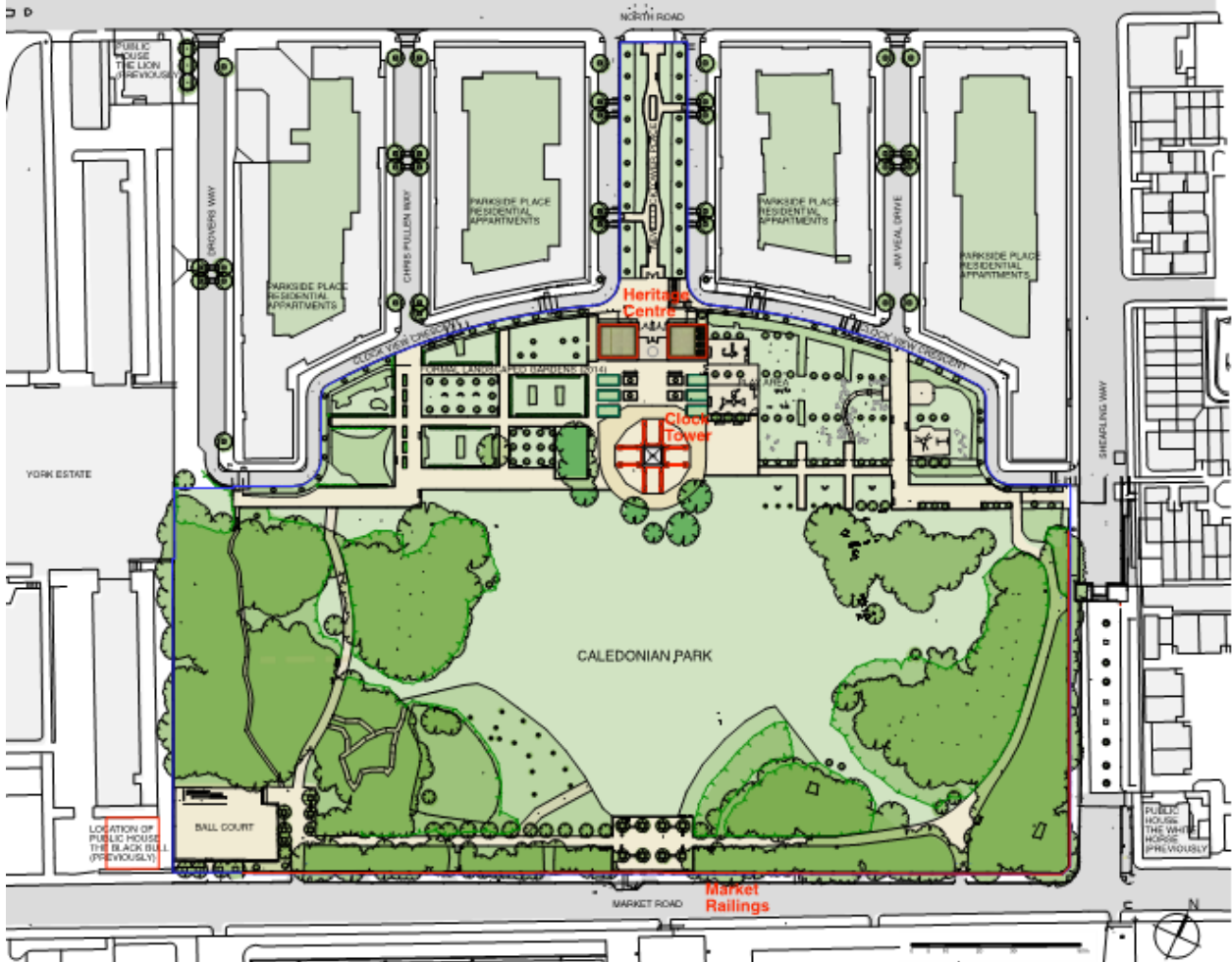
Application number	P2016/0730/FUL and P2016/0736/LBC
Application type	Full and Listed Building (Council's Own)
Ward	Holloway
Listed building	Listed Grade II
Conservation area	None
Development Plan Context	Open Space, Adjacent to SINC
Licensing Implications	License may be required
Site Address	Central Clock Tower , Caledonian Park, Market Road, London , N7 9DY
Proposal	<p>Full Application: The proposed development is to restore the grade II* listed clock tower, parts of the grade II listed historic market railings and to provide a heritage centre in Caledonian Park.</p> <p>Listed Building Application: Listed building consent application in connection with - the restoration of the grade II* listed clock tower, parts of the grade II listed historic market railings and to provide a heritage centre in Caledonian Park.</p>

Case Officer	Daniel Power
Applicant	London Borough of Islington - Mr Christopher Hariades
Agent	Dannatt, Johnson Architects -Ms Sophie Potter

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission and listed building consent - subject to the conditions set out in Appendix 1.

1. SITE PLAN (site outlined in black)



2. PHOTOS OF SITE/STREET



Image 1: View to the south of the application site.



Image 2: View to the south of the application site.

2.1 RENDERED IMAGES OF PROPOSAL



Image 3: View to the south of the proposed building



Image 4: View to the south of the proposed buildings



Image 5. View to the south east showing the proposed buildings and Clock Tower

4. SUMMARY

- 4.1 Full planning permission and listed building consent are sought for the erection of a heritage centre comprising of two single storey buildings with café and toilets to provide facilities for the community and visitors, park ranger presence, and to support wider activities in the park. It is also proposed to repair and restore the historic grade II* listed clock tower and to improve public access to the tower. In addition the essential repair of grade II market railings to Market Road along with the restoration of the Market Road entrance gates are proposed.
- 4.2 The application site is allocated under policy DM6.3 of Islington's Development Management Policies (2013) as public open space where development is not normally permitted. The application proposes two small buildings within the existing park which would be close to but detached from the listed Clock Tower and would provide a heritage centre, café and toilets. It is considered that given the proposed use, the size of the proposed buildings and the benefits in terms of the improvement works to the listed clock tower and railings, the small loss of public open space is outweighed by the increased functionality afforded by the new facilities and the substantial public benefits derived from the proposal. In addition to the improvements to the clock tower and the benefits that the proposed use would bring to the park outweigh the harm caused by the loss of a small amount of open space and the proposal is considered to be acceptable.
- 4.3 It is considered that the buildings, while contemporary in their design, are of an exemplar quality and design and the proposed materials which include, Portland stone and bronze complement their setting. Their design, scale and massing does not compete with the listed clock tower and it is considered not to have a significant impact on the setting of the clock tower. In addition the application proposes repairs and improvement works to the Clock Tower and listed railings, which are considered acceptable and beneficial to the long term existence of the listed, heritage asset.
- 4.4 Given the distance from neighbouring properties, the existing park use of the site and the imposition of a condition restricting hours of operation, the proposals are not considered to have a significant detrimental impact on the amenity of adjoining properties.
- 4.5 The application is brought to Committee because of the level of objections received and the application has been submitted by the Council. It is recommended that planning permission and listed building consent be granted subject to conditions.

5. SITE AND SURROUNDING

- 5.1 Caledonian Park is designated as public open space and located on the western fringe of Islington, approximately 1.5 miles from King's Cross Station. The park is accessed from Market Road to the south, Shearling Way to the east and from New Clocktower Place with an open landscaped boulevard extending to North Road to the north. The park is the second largest in Islington and is built on the site of the former Metropolitan Cattle Market, once the biggest livestock market in London. The park is enclosed to the south and a large section of the east boundary by the remaining cast iron market railings which are grade II listed. In addition the park is allocated as Open Space, with the area to the south of the proposed building being allocated as SINC which covers the rest of the park. The clock tower and the remaining market railings have been identified on Historic England's Heritage at Risk register.
- 5.2 The parks history dates back to the 17th century site of Copenhagen House, later becoming a pleasure garden and sports field and developing into a gathering site of significant social and political rallies. The site was developed as the Metropolitan Cattle Market in 1855 with the clock tower constructed as the market's centrepiece, encircled at its base by a structure providing the market's banking and administration spaces. The market was bounded by substantial cast metal railings, which remain on both sides of Market Road and on Shearling Way, and are grade II listed. The market evolved into a flea market in the early 20th century and was requisitioned by the army during WWII, suffering bomb damage and falling into a state of dereliction until it was

redeveloped by London County Council and the City Corporation for housing (Market Estate) and a public park.

- 5.3 More recently the Market Estate was demolished and the area to the north of the park was significantly redeveloped to provide Parkside Place residential buildings, a new street layout in Clocktower Crescent and New Clocktower Place, and a large area of landscaped gardens and children's play area in the park.
- 5.4 The area to the north of this application site was granted planning permission in 2005 with various further approvals and amendments resulting in the development as built today. The park extends to the north between this development and adjoining North Road, allowing views of the clock tower from North Road.
- 5.5 To the east of this application site lies further residential properties and a university building while to the west is further residential development and the border with Camden. To the south of the site lies Market Road with a sports ground and tennis club to the south of Market Road and warehousing and commercial units.

6. PROPOSAL (IN DETAIL)

- 6.1 Full Planning permission and Listed Building Consent are sought for the creation of a heritage centre comprising of two single story buildings with café and toilets to provide facilities for the community and visitors, park ranger presence, and to support activities in the park. It is also proposed to repair and restore the historic grade II* listed Clock Tower and to improve access to support increased public access. Essential repair of grade II market railings to Market Road and the restoration of the Market Road entrance gates are also proposed.

Clock tower

- 6.2 This application seeks to undertake repair and restoration work to the clock tower and make access improvements to the clock tower so it can be opened for public access on a regular basis. The application proposes to install interpretation and audio visual display elements located inside and outside the Clock Tower that would provide explanation of the history of the site and the building. In addition it is proposed that regular guided tours of the clock tower will be provided following the restoration, and visitors will be able to ascend through each stage of the tower to view the working clock mechanism and experience the 360 degree view over London from the balcony at belfry level. A comprehensive survey has been submitted with the application detailing the condition of the clock tower and the repairs that are necessary.

Historic Railings

- 6.3 A significant amount of repair is required to the historic railings which form the southern and eastern boundary to Caledonian Park. The proposals will address priority repair work to install internal structural armature to columns to enable reinstatement of cast iron column heads that have been recently removed due to health and safety concerns.
- 6.4 The Market Road railings frame a historically significant view of the clock tower in the context of the former cattle market. The central entrance railings will be repaired and restored including the reinstatement of the cast animal heads, haunch brackets and lamps to column heads.

Proposed buildings

- 6.5 The application proposes two single storey detached buildings to the north of the clock tower, the west building will be used as an heritage centre while the east building will provide a café and toilet facilities. The buildings will be detached from the clock tower and each other with bronze gates between the proposed buildings, restricting access when the park is closed.
- 6.6 The west building would provide a heritage centre and would function as an activity hub for the site providing educational facilities. It would provide an activity room which would be used as a teaching and meeting place, venue for evening and reception for visitors to the tower where they

can gather and wait prior to the start of their tours. In addition there would be a kitchenette, toilets and general storage space to support the activity centre.

- 6.7 The heritage building would allow for a wide-ranging activities programme to be run from the centre by a Heritage Ranger and a Learning Officer. The activity programme would provide formal and informal learning activities, community activities, one off events and exhibitions, volunteer opportunities and training provision. Formal education activities would be run by Islington Heritage Service which currently runs a number oversubscribed education programmes from the Islington Museum.
- 6.8 The east building would provide a café which would have internal seating for 12-15 people and external seating for 17 people with additional covered open space and will serve light refreshments comprising hot and cold drinks, snacks, cakes and ice-cream. The cafe would be equipped with sinks, preparation space, refrigeration, display cabinet and other catering equipment. Access is from a side door adjacent to the north entrance gates to the park or from glazed doors to a south 'cloister'. A store adjacent to the kiosk provides storage for stock and equipment. This building also contains a volunteer room where volunteers can meet, undertake activities and store tools and materials. This can be accessed separately from the café from an external door on the eastern side of the building. .
- 6.9 The concept for the proposed buildings is a pair of 'gatehouse buildings' that sit as part of the formal axial entrance to the park. The buildings are orientated to maximize opportunities for passive solar heating and natural ventilation.
- 6.10 The proposed buildings' elevations have been designed as a symmetrical arrangement of large glazed panels, light stone-coloured brick panels, and natural bronze finish panels set into a Portland stone clad frame. The roof of the new building will be visible from housing to the north and from the windows and balcony of the clock tower and as such a green roof is proposed with diverse planting of wildflowers and grasses. The heritage centre's location on the boundary of the means that concerns about vandalism and security must be addressed. All glazed openings on the exterior of the buildings will have roller shutters, which will be finished in metallic polyester powder coating to match the bronze used in adjacent panels. Shutters will have a perforated construction to allow light and views through when closed, and will be concealed within the construction when they are not in use (i.e. rolled up). Both building would have cover cloister area which allow for outside seating in connection with the cafe with views of the clock tower. These covered cloister areas to the south of both buildings will be secured with roller shutters as described above. The central entrance space between the two buildings will have a new gate and railings, to maintain the security of the park outside daylight hours.

Landscaping

- 6.11 Fixed seating is proposed in the form of two new long benches to the south of the new buildings, and in seating plinths to the base of the clock tower as part of the interpretation scheme. The proposal for lighting is to give the clock tower presence using subtle lighting at the base and belfry level. The base of the clock tower will be illuminated with in-ground uplights to each alcove of the buttress base, which will enhance new interpretation panels to the east and west and assist with illumination of the entrances to the north and south. Lighting is proposed to the cloister areas and at the entrances to each building of the heritage centre. Subtle in-ground feature lighting will enhance the axial entrance to the park. Drainage will be provided particularly to intercept surface water runoff from the south. The bio-diverse roof will help to absorb storm water discharge. Overall the proposed scheme will not add to off - site storm water discharge.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P110317:** Market Estate: 1-58 Chris Pullen Way, 1-49 Drovers Way, 1-87 and 2-120, Clock View Crescent, 26-28 North Road, (Formerly known as Tamworth, 37 North Road, 25 North Road & Clock Tower Place), Islington, London, Application under S73 of the Town and Country

Planning Act 1990 to vary condition 12b (window treatment) of planning permission P090011 dated 27/04/2009, for the 'construction of 187 residential units, distributed across 3, 4, 5 and 6 storeys, and 4 flexible use units (A1/A3/B1/D1) at ground floor level, measuring 661 sq.m. In addition a 21 sq.m caretakers' office is provided at ground floor level. Provision is made for 26 car parking spaces'. The condition is to be varied to ensure that the requirement for 200mm depth window reveals only apply to the first, second and third floors of the terracotta clad building on the corner of North Road and Drovers Way. Approved 13/05/2011

7.2 **P090516:** Central Clock Tower, Caledonian Park, Market Road, Islington, London, N7: Listed Building Application in connection with installation of an 18inch metal plaque to clock tower.: Approved 09/06/2009

7.3 **P090011:** Market Estate: Tamworth, 37 North Road; 25 North Road & Clock Tower Place, Islington, London N7: The proposal is for 187 residential units, distributed across 3, 4, 5 and 6 storeys, and 4 flexible use units (A1/A3/B1/D1) at ground floor level, measuring 661 sq.m. In addition a 21 sq.m caretakers' office is provided at ground floor level. Provision is made for 26 car parking spaces. This application may affect the setting of a listed building. Town and Country Planning (Listed Building Conservation Areas) Act 1990 (as amended); section 67. Approved 24/04/2009

7.4 **880611:** Caledonian Park Market Road (South side) N7: Erection of building to provide three covered tennis courts with associated changing rooms etc.: Approved 28/09/1988

ENFORCEMENT:

7.5 None

PRE-APPLICATION ADVICE:

7.6 **Q2015/3226/HH:** The erection of a single storey structure for a visitor's centre and associated uses including kiosk, community room, toilets and bicycle storage to provide facilities for park users and visitors to the Clock Tower. The proposal also includes works to repair and restoration of the Grade II listed Clock Tower and market railings'.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to 915 occupants of adjoining and nearby properties at Clock View Crescent, Shearling Way, Jim Veal Drive, Drovers Way, Ewe Close, Market Road, North Road, York Way, Brewery Road, New Clocktower Place, Chris Pullen Way. On the 31 March 2016 a site notice was placed outside the site and the application was advertised in the Islington Gazette on 1 April 2016. Therefore the public consultation expired on 22 April 2016 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 48 letters of objection and 8 letters 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):

8.3 Support

- Support a café and heritage centre within the park
- Support the repair works to the listed Clock Tower and railings.

8.4 Objections

- Proposed building out of keeping with the area. (para. 10.13 to 10.26)
- Proposals will harm the views of the clock tower from North Road. (para. 10.27 to 10.31)
- Proposals will lead to an increase in anti-social behaviour (para. 10.42 to 10.43)
- Concerns about parking (para. 10.44 to 10.45)
- Concerns over the long term funding of the project. (para. 10.52)

- Concerns that an increase in the use of the site will have an impact on the amenity of people living in neighbouring properties. (para 10.32 to 10.34)
- Concerns in relation to the pre application consultation undertaken by the applicant with the community. (para. 10.52)

Petitions:

- 8.5 A petition has been submitted with 354 signatures in support of the providing free public access to the clock tower, a ranger to provide security and the heritage centre with a café with public toilets application.
- 8.6 A 'Change.Org' petition objecting to a visitor centre at Caledonian Parks north gate is currently still open online, but at the time of writing this report had not yet been formally submitted as a petition to the LPA. However, at the time of finalising this report there were 166 signatories objecting to the proposals.

Internal Consultees

8.7 **Design and Conservation Officer:**

Following pre-application discussions a canopy located between the two buildings has been omitted and the gap between the two buildings has been further widened in order to reduce the visual impact of the proposed building on the setting of the clock tower. The timber clad finish to the building has also been replaced with a more refined design utilising a harmonious palette of stone, bronze and a limited extent of light brick. The internal layout has also been rationalised so that the quality and extent of seating space to the café has been maximised with improved functionality.

The design is a good example of a distinctive but discrete park building, clearly contemporary but avoiding clichés that might date and utilising a harmonious palette of high quality robust materials. It has a neutral impact on the setting of the Grade II* listed clock tower. Historic England supports this assessment. Details/samples are required for all materials and detailing including the stone, metal cladding, brick, windows and gates.

The proposed like-for-like and/or conservation repairs are acceptable. Timbers will only be replaced if beyond repair. Details of new doors and interpretation panels are required. The proposal would not have an adverse impact on the character, appearance, setting or integrity of the listed clock tower, nor its setting within the park. No objection is raised to the scheme subject to appropriate material and finish conditions for both the planning and listed building applications.

- 8.8 **Trees and Landscaping:** Raise no objection to the proposal subject to an arboricultural method statement being conditioned to safeguard the protection of the trees through construction.

- 8.9 **Access Officer:** Stated that it would appear to be a well thought out proposal to improve access to this heritage feature and they are pleased to note the applicant's reference to the Inclusive Design in Islington SPD. Questions were raised in relation to the proposed 'golden gravel on a tarmac base' and whether it would be suitable for wheelchair users, internal doors need to comply with the requirements of the Inclusive Design in Islington, kitchenette and shared refreshment facilities will need to comply with the requirements of building regulations and consideration should also be given to providing tactile information/interpretation for those with visual and cognitive impairments. A number of suggestions were made relating to new seating, uprights and in-ground feature lighting and the provision of baby changing facilities.

- 8.10 The applicant provided further information and clarification either addressing the questions that were raised or stating that the suggestions will be incorporated in to the detailed design.

- 8.11 **Planning Policy:** The policy officer was concerned that based on the initial information that was provided, the loss of open space associated with the new heritage centre buildings had not been robustly justified within a policy context which strongly protects open spaces from development. It was also considered that there was a lack of information about how the loss of open space and

biodiversity will be mitigated and how the ecology of the site can be enhanced. With regard to the proposals for the café/heritage centre it was suggested that further consideration is given to the proposals to address the issues of loss of open space/biodiversity and how this can be mitigated. Further information was requested to ensure that the proposals were properly justified, exceptionality was demonstrated and to demonstrate that the impacts of the proposals have been mitigated as far as possible. The following information was requested :

- A quantification of the overall amounts of open space to be lost, including a breakdown of the landscaped areas and what their biodiversity value is.
- A statement of how the proposals proposed to mitigate the impacts on the open space/biodiversity
- A justification for the buildings proposed. For the heritage centre this should address the issue of why this is needed within the park, if it is specifically related to the clock tower or more general heritage use and why alternative locations in proximity but outside of the park have not been considered. The need for the other uses, including the café should also be justified, including evidence of why they cannot be accommodated on a smaller footprint or through alternative means with less of an impact

8.2 Further information has been submitted with regard to the extent of the development, areas of existing and proposed hard surfacing, planting, new building and green roofs, along with further justification for the need of the building. It is now considered that the concerns of the Policy Officer have been addressed by the additional information that has been submitted.

External Consultees

8.5 **Historic England:** Offered no comments but suggested a condition relating to details to be submitted prior to work begun relating to new, doors, windows, display cases, replacement timbers, repairs to external stonework, details of stone cleaning and details of repairs to metal bracket and decking.

8.6 **Victorian Society:** The Society is not opposed to the principle of much of what is proposed, some which it considers is highly commendable. However they object to the application in its present form. Caledonian Park, its railings and clock tower are almost all that remain of the once 30 acre Metropolitan Cattle Market, opened in 1855 and cleared in the 1960s. They were pleased to see that the central entrance railings will be repaired and their characterful historic details reinstated. However, given the poor condition of the entire stretch of the Grade II listed railings on the southern and eastern boundaries, it is unfortunate that only a small portion is to be properly restored. They considered that all of the railings should receive the same treatment rather than merely being patched. The clock tower, which was the centre piece of the market, is now perhaps something of a curiosity without its ancillary structures though it does strongly relate to the surviving corner pubs built to serve the markets clientele, sharing the same magnificent Italianate style chosen by JB Bunning. The tower is a major landmark and so its restoration deserves high praise, as does the principle of any enhancement of its understanding for which there is great potential. However, the present scheme is a missed opportunity. It is proposed to introduce two new single storey structures on the north side of the tower, which will house a heritage centre, café, toilets as well as space for park rangers and volunteers. The proposed structures do not relate in any way to the clock tower, which should be the first consideration for any proposal at this location, considering the importance of this highly listed building. They will result in a level of harm to the heritage asset, which might be outweighed by considerable public and heritage benefits, but nevertheless is unjustifiable when patently there are many, more imaginative, options that could be explored.

8.7 **Design Review Panel** – At pre-application stage the proposal was considered by the Design Review Panel on the 8th December 2015. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. A summary of the panel's observations are attached at Appendix 3 but the main points raised in the most recent review are summarised below:

Ambition of the project

- 8.8 The panel questioned the ambition of the project and suggested an increase in size of the new buildings to provide for future expansion and to reflect the historic importance of the site.
- 8.9 Officer's comments: The applicants have carefully considered the size of the proposed buildings to minimize the impact on the setting of the listed Clock Tower, the park and local views and surroundings. The scale and location of the building relates sensitively to the historic importance of the site and the clock tower, and the expectation that the primary audience will be the local community.

Location of the heritage centre

- 8.10 The panel observed that the opportunity to locate the heritage centre to the south entrance of the park should be explored.
- 8.11 Officer's comments: The applicants explored the possibility of locating the heritage centre to the south side of the park on Market Road. A location near the central gate was discounted on advice from Historic England that this would adversely impact on the view of the clock tower from the south gate which would not be acceptable as this view is historically significant. Other locations to the south side were also considered that would not impact on the view to the clock tower but would impact on the central grass open space and/ or mature trees. The southern part of the park is designated as a Site of Importance for Nature Conservation, Borough Grade 1 and as such development in this area would be against planning policy. The proposed location on the north side is not within the Site of Importance for Nature Conservation boundary. The applicant considered that a southern location would also be inconvenient for a proposed toilet and café, given that the playground and Clock tower are on the north side of the park..

Size and flexibility of heritage centre

- 8.12 The panel questioned whether the proposed building was large enough and sufficiently flexible to support future expansion and adaptation. The panel suggested a building at the base of the tower could provide a greater quantity of floor space.
- 8.13 Officer's comments: The applicant was advised that a larger building that would be attached to the clock tower would have an unacceptable impact on the listed clock tower and its setting.

Adaptability and funding of heritage centre

- 8.14 The panel questioned the adaptability of the proposals in relation to the café.
- 8.15 Officer's comments: In response the applicants have made some changes to the café since the review panel, allowing greater flexibility in the layout. The heritage centre Café has been designed as a small scale operation, visible and accessible from the street and within the park. The interior will have adequate space for equipment and storage space required to operate the Café.

External materials

- 8.16 The panel raised concern over proposed use of zinc cladding and painted timber boarding for external finishes. Stone was suggested as a more robust option.
- 8.17 Officer's comments: The external materials of the proposed buildings have been modified since the Review Panel meeting. It is proposed that the frame of the building is clad in Portland stone as a response to the materials of the clock tower. External walls will be composed of brick with glazing and bronze panels set within the stone frame.

Appearance of the base of the Clock tower

- 8.18 The panel raised concern over the relatively poor appearance of the painted render base of the Clock tower.
- 8.19 Officer's comments: In response the applicant's proposals include work to repair the render base of the tower, and to redecorate in a colour that is more sympathetic to the natural colour of the Portland stone above. It is also proposed to incorporate new decorative interpretation panels in the east and west arches of the clock tower to provide interpretation material that would be accessible even when the tower is closed. Recessed in-ground lighting will give presence to the base of the Clock tower during winter months

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 (NPPF) 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals. Development Plan.
- 9.3 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.4 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Grade II* listed Clock Tower
 - Local View from Archway road
 - Local View from Archway Bridge
 - Designated Open Space
 - Protected landmark

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

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

- Land Use
- Heritage, Education and promotion of open space
- Design and appearance
- Amenity
- Impact of Listed Buildings
- Security

Land Use

- 10.2 The application site, Caledonian Park, is allocated as Open Space under Policy DM6.3 of Islington's adopted Development Management Policies (2013), which states that development is not permitted on any public open space. Caledonian Park consists of 4 hectares of open space,

containing the grade II* listed clock tower, grade II listed Metropolitan Cattle Market Railings, site of importance nature conservation area (SINC), semi mature woodland areas, an orchard, short and long grass meadows, children's play area, tarmac ball court with football goals and community gardens.

- 10.3 The proposal would involve development on public open space therefore the weighting of the potential benefits in promoting the use of the open space, improvement to the listed Clock Tower and the education benefits of the proposal should be considered against the loss of open space. Whilst there will be no replacement of the public open space in this instance it is considered that the provision of the heritage centre and its associated facilities will enhance the park and the functionality of the public open space and as such are considered to be exceptional circumstances that would in this case justify the small loss of public open space. The proposed café and heritage building would promote the use of the open space by providing complementary facilities and as such would improve the functionality of the park and the clock tower.
- 10.4 The proposed buildings would be located to the north of the clock tower adjacent to an existing playground and either side of the main north gates. The proposed heritage centre has an overall footprint of 250m² which includes the open trellised terrace area to the eastern end and cloistered area to the south side (totalling 82m²). The gross internal floor area is 143m² with an external footprint of 168m², which is 0.4% of the area of the public open space. The proposed buildings are to be located on a recently laid out park area completed in winter 2012/13 of which 50% is gravel surfaced hard standing and paths and 50% is planting beds comprising predominantly ornamental herbaceous planting. The proposal would not result in the loss of any grass areas. The proposal would also provide 145m² of grass sedum roof on the proposed flat roofs of the two single storey buildings and whilst not accessible open space will assist with the ecological benefits of the proposal, enhancing the park generally. A condition has been recommended to provide and maintain a green roof on the buildings with an agreed mix of species within the first planting season following the practical completion of the building works. On balance it is considered that the proposed development would not result a significant or harmful loss of public open space and the associated public benefits associated with the proposal would enhance the overall functionality of Caledonian Park.

Heritage, Education and Promotion of Open Space

- 10.5 The application proposes a heritage centre which will be used to allow for a wide-ranging activities programme to be run from the centre by a Heritage Ranger and a Learning Officer. The activity programme would provide formal and informal learning activities, community activities, one off events and exhibitions, volunteer opportunities and training provision. Formal education activities would be run by the Islington Heritage Service which currently runs a number oversubscribed education programmes from the Islington Museum.
- 10.6 The heritage building will provide flexible accommodation to allow a range of different uses and will include toilets, café, park ranger office and community activity space to support more regular opening of the clock tower. The building will allow people to engage with the heritage of the area even if they are physically unable to climb the clock tower. The clock tower is an important part of the sky line of the local area and an iconic monument for the area's identity which has not been accessible to members of the public for some time. The proposed building would provide facilities for individuals and groups to visit the Clock Tower.
- 10.7 The Community Ranger and the Learning Officer will be based at the centre and will be responsible for delivery of the activity programme. Further staff presence will be provided by the Central Area Parks Team on an occasional basis and as required for special events. Volunteers will provide additional support for education and other activities run from the Centre. To help protect staff when lone working personal alarms will be provided which will link to the building alarms with the addition of staff on site this would result in an increase of activity and an increase in the natural surveillance of the area helping to prevent anti-social behaviour.
- 10.8 In addition to the proposed heritage centre, the application proposes a café and toilets. The cafe would have internal seating for 17 people and additional covered open space and will serve light

refreshments comprising hot and cold drinks, snacks, cakes and ice-cream. External seating in cloister for 9-12 covers. The Cafe will be operated by a private tenant under a lease agreement with the Council. It is proposed to condition the hours of operation and deliveries to the site..

- 10.9 The park is the second largest park in the Borough, with Caledonian Road tube station and Caledonian Road & Barnsbury overground station within walking distance. In addition following the completion of the development to the north in 2012, the park is accessible to large numbers of people. As a result of anti-social behaviour and the lack of facilities the park is under used given its location, size, history and accessibility. Many parks and open spaces across the borough and London have cafes, heritage centres and toilet facilities which allow visitors to enjoy the benefits of the open space and increase the functionality of the park. This is not an uncommon feature and the overall scale, height and massing has been kept to a minimum to limit the loss of open space and respect the setting of the listed Clock Tower.
- 10.10 The park currently has a playground to the north east of the Clock Tower which would adjoin the outside seating area of the proposed café building. The proposed café would complement the existing playground on the site and further promote and encourage the use of the playground while providing facilities for parents such as toilets, hot and cold drinks and baby changing facilities. The improvement to the clock tower, proposed heritage centre and heritage display boards will educate visitors to the park about the history of the site and the importance of the clock tower. Visitors will also have the opportunity to view the London sky line from the top of the clock tower.

Design and Appearance

- 10.11 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 Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics. It is also considered that policy DM2.3 is important in relation to this application to ensure all development continues to preserve and enhance the character and appearance of the conservation area.
- 10.12 The application site while not located within a conservation area sits within the setting of a Grade II* listed building. The site is allocated as Public Open Space with open views of the listed Clock Tower and historic railings. The development to the north of the application site is modern, and consists of 3, 4 and 5 storey buildings arranged in a rectangular blocks and constructed from London stock yellow brick, render, metal windows and balconies.

Proposed Buildings

- 10.13 The concept for the proposed buildings is a pair of 'gatehouse buildings' that sit as part of the formal axial entrance to the park. The buildings are orientated to maximize opportunities for passive solar heating and natural ventilation. The proposed building elevations have been designed as a symmetrical arrangement of large glazed panels, light stone-coloured brick panels, and natural bronze finish panels set into a Portland stone clad frame. The roof of the new building will be visible from surrounding housing to the north and from the windows and balcony of the clock tower and as such a green roof is proposed with diverse planting of wildflowers and grasses. The Heritage Centre location on the boundary of the park requires the design proposals to address concerns about vandalism and security issues. All glazed openings on the exterior of the buildings will have roller shutters, which will be finished in metallic polyester powder coating to match the bronze used in adjacent panels. Shutters will have a perforated construction to allow light and view through when closed, and will be concealed within the construction when they are not in use (i.e. rolled up). The covered cloister area to the south of both buildings will be secured with roller shutters as described above when the building is closed. The central entrance space between the two buildings will have a new gate and railings, to maintain the security of the park outside daylight hours.
- 10.14 Given the lack of built form within the park and the architectural quality of the clock tower, any new built form should be of a high standard of design. The proposed buildings are contemporary

in their design, while being of a high quality and create a clear distinction between the historic and the new built form in the park. The materials complement each other while being respectful of their setting within the park and the listed clock tower. In addition it is considered that their scale and massing is acceptable given their location within the park and do not compete with the listed Clock Tower. The Council's Design and Conservation officer raised no objection to the proposed buildings and considered that they are a good example of a distinctive but discrete, well designed park building.

Repair and restoration works

- 10.15 Policy DM2.3 of Islington's adopted Development Management Policies states that the significance of a listed building can be harmed by inappropriate repair, alteration or extension. Proposals to repair, alter or extend a listed building which harm its significance will not be permitted unless there is a clear and convincing justification. Substantial harm to or loss of a listed building will be strongly resisted. In addition new developments within the setting of a listed building are required to be of good quality contextual design. New developments within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.
- 10.16 This application seeks to undertake repairs and restoration work to the clock tower, in addition to incorporating heritage display boards and information about the clock tower. In addition works to provide level access at ground floor level are proposed, so that the building can be made accessible to more members of the public. The application proposes to install interpretation and audio visual display elements located inside and outside the clock tower that would provide explanation of the history of the site and the building. In addition it is proposed that regular guided tours of the clock tower will be provided following the restoration, and visitors will be able to ascend through each stage of the Tower to view the working clock mechanism and experience the 360 degree view over London from the balcony of the clock tower.
- 10.17 The application proposes works to the remaining railing to the south and west boundary of the application site. Many of the cast iron heads on the pillars have been removed or are damaged. The railings to the southern and western boundary form an important part of the entrances to the park and frame the setting of the clock tower. The proposed works would repair and restore the railings to their original condition improving the entrances to the park and the setting of the listed clock tower.
- 10.18 The application also proposes internal display and interpretation boards which will educate members of the public and school children visiting the site as to its history. The precise details as to how the display and interpretation boards will be fixed to the building will be controlled by condition, which Heritage England has suggested is acceptable.
- 10.19 The repair and restoration works would improve the visual appearance and structural integrity of the Listed Clock Tower. Heritage England and the Council's Design and Conservation officer have commented on the repair works and have no objections subject to conditions detailing the new, doors, windows, display cases, replacement timbers, repairs to external stonework, details of stone cleaning and details of repairs to metal bracket and decking.
- 10.20 The works proposed to the listed clock tower and railings relate mainly to repairs with no new building or structure attached to the fabric of the listed buildings. The heritage interpretation board will be attached to the building with details confirmed by condition. It is therefore considered that the proposal would not have a harmful impact on the setting or fabric of the listed clock tower or railings and is therefore considered acceptable and to satisfy the requirement of Policy DM2.3 of Islington's adopted Development Management Policies.

Setting of the listed Clock Tower

- 10.21 Policy DM2.3 of Islington's adopted Development Management Policies states that new developments within the setting of a listed building are required to be of good quality contextual design. New developments within the setting of a listed building which harms its significance will

not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.

- 10.22 The proposed building would not be attached to the clock tower and would be located to its north, approximately 18 metres from the arches of the tower and 25 metres from its base. The heritage building would have a northern elevation measuring 11 metres in width with a height of 3.6 metres, while the café's northern elevation would measure 11 metres including the overhang for the outside seating area and a height of 3.9 metres. The proposed elevations have been designed as a symmetrical arrangement of large glazed panels, light stone-coloured brick panels, and natural bronze finish panels set into a Portland stone clad frame. The roof of the new building will be visible from surrounding housing to the north and from the windows and balcony of the clock tower and as such a green roof is proposed with diverse planting of wildflowers and grasses.
- 10.23 The proposed building would not be attached to the listed building and would stand either side of the main walkway from the north of the Tower. The buildings being located approximately 18 metres from the arches of the tower and 25 metres from its base would therefore create a clear definition between the Clock Tower and the new development. The proposed building's small scale partially in comparison to the tall and grand Clock Tower would result in the tower remaining the main focal feature in the landscape. The design of the proposed building is such that it complements the Clock Tower, with a contemporary but clean design to further make clear the difference between the modern buildings and the historic clock tower.
- 10.24 It is therefore considered that given the small scale of the buildings, their detached location from the clock tower and the quality of the design that the building would not have a detrimental impact on the setting of the listed clock tower and satisfies the requirement of Policy DM2.3 of Islington's adopted Development Management Policies

Views of the historic Clock Tower

- 10.25 Policy DM 2.5 states that the council will protect views of well-known local landmarks and will exercise stringent controls over the height, location and design of any building which blocks or detracts from important or potentially important views. The clock tower is identified as a protected landmark within this policy.
- 10.26 The listed clock tower measures 46 metres to the ridge which excludes the weathervane and has a width of 6.6 metres not including the arches at the base. When the 2002 planning application was submitted for the redevelopment of the land to the north of the Clock Tower, the development was planned so as to have clear sight lines from North Road to the clock tower, which has resulted in the park land in-between the residential development.
- 10.27 Objections have been received in relation to the impact the proposed new buildings would have on the view points to the clock tower from North Road. The proposed buildings would not be attached to the clock tower and would be located to its north, approximately 18 metres from the arches of the tower and 25 metres from its base. The heritage building would have a northern elevation measuring 11 metres in width with a height of 3.6 metres, while the café's northern elevation would measure 11 metres including the overhang for the outside seating area with a height of 3.9 metres. Given the separation from the clock tower and the separation between the proposed two, single storey heritage buildings, the views and setting of the clock tower are considered to be preserved.
- 10.28 The proposed building's elevations have been designed as a symmetrical arrangement of large glazed panels, light stone-coloured brick panels, and natural bronze finish panels set into a Portland stone clad frame. The proportions of the elevation reflect the symmetry of the tower and maintain the axial view and approach from the North. While the design approach is clearly contemporary this does not detract from the more detailed architectural features of the historic clock tower.
- 10.29 The clock tower is significantly larger in height, scale and massing than the proposed detached buildings. While the proposal would introduce development close to and in front of the clock

tower, the differences in height, scale and massing of the buildings while maintain the “axis” line of the development to the north of the site. The proposal is not considered to obscure or detract from the important views or setting of the historic clock tower and satisfies the requirement of Policy DM2.5 of Islington’s Development Management Policies.

Neighbouring Amenity

- 10.30 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, safety and an increased sense of enclosure. A development’s likely impact in terms of light pollution, safety, security, noise and disturbance is also assessed. London Plan Policies 7.14 and 7.15 as well as Development Management Policies DM 2.1 and DM6.1 require all developments to be safe and inclusive and maintain a good level of amenity, mitigating impacts such as noise and air quality.
- 10.31 Objections have been received in relation to the introduction of a café and heritage centre to the site, which could cause noise and disturbance to neighbouring properties. The properties Clock View Crescent to the north of the clock tower would be the closest residential properties to the site at 20 metres from the proposed single storey buildings. The proposal would increase the activity and use of the park, which is the intention of the proposal. The proposed buildings are small in scale and the proposed uses are low key and it is considered that the proposal would be unlikely to generate noise disturbance that would detrimentally impact on nearby residents. It is envisaged that the proposal would attract families and visitors to the park that are interested in the heritage of the site during park opening times. However it is recommended that a condition is imposed restricting the times of the café opening, heritage centre and clock tower. Condition 6 relates to hours of operation and condition 9 relates to hours restrictions on deliveries and servicing. (
- 10.32 Given the distance from neighbouring properties, the existing use of the site and a condition restricting hours of operation, it is considered that the proposal would not have a significantly detrimental impact on the amenity of adjoining properties. The proposal is therefore considered to comply with the requirements of Policies DM 2.1 and DM6.1 of Islington’s adopted Development Management Policies.

Inclusive Design

- 10.33 Policy DM 2.1 of Islington Development Management Policies states that all developments shall demonstrate that they provide for ease of and versatility in use and produce places and spaces that are convenient and enjoyable to use for everyone.
- 10.34 The current arrangement through the clock tower is via a steep and narrow spiral staircase and stair ladders with open balustrades and rope handrails. The passage up and down the building requires a good level of physical fitness and confidence with heights. The stairs particularly from the 2nd floor up comprise narrow timber open treads and despite proposed improvements to hand and guard rails physical access to the upper floors of the tower will be restricted to able-bodied people. Due to the restricted floor space of the existing internal layout of the stages, and the listed fabric of this structure, it is not considered feasible to incorporate a passenger lift.
- 10.35 The proposals seek to improve physical access to the ground floor of the tower by reinstatement of doors to the north elevation, and a secondary set of internal glazed doors. Stairs and ladders will be restored and refurbished with replacement of rope handrails and the introduction of a secondary rail to assist people of differing heights, ages and abilities in access to upper floors.
- 10.36 Although the balcony level is a major draw for the public for the impressive view of London it offers, the current balustrade is too low. A new glass balustrade has been designed to sit behind the line of the original balustrade to improve public access to the balcony. For disabled visitors unable to climb the tower video glasses will be available to enable a friend to live feed their visit back to a smart phone or monitor in the base of the clock tower and/ or heritage centre, so they can enjoy an interactive clock tower experience in real time directly through the eyes and commentary of their friend.

- 10.37 There is a suitable disabled access drop-off point on Clock Tower Crescent 35 metres from the building entrance and it is proposed to establish a disabled person's temporary permit to site scheme via the Shearling Way park entrance which will be operated by site staff through an advertised contact number and with appropriate signage at the entrance gate.
- 10.38 The Council's Access Officer has commented on the application and has no objections in principle to the application. It is recommended to attached a condition requiring the development shall be designed in accordance with the principles of Inclusive Design, condition 7 requires certain equipment to be installed
- 10.39 The applicant has provided further clarification on the matters raised and stated that the Access Officer's suggestions will be incorporated into the detailed design of the proposal. It is therefore considered that given the restrictions on providing level access to such a historic and tall building that the design of the proposed building and level access on the ground floor of the clock tower, are considered acceptable. As such meets the requirements of Policy DM 2.1 of Islington Development Management Policies.

Security

- 10.40 Policy DM 2.1 of Islington Development Management Policies states that all developments shall be safe and inclusive. The location of the building provides a good degree of natural surveillance from surrounding properties and has been designed to minimise opportunities for anti-social behaviour and vandalism. The details of the building will be developed to deter climbing. External down pipes (if used) will be square section to further deter climbing. All windows will be protected by metal roller shutters when the park is closed. Internal and external CCTV will provide capacity for out-of-hours monitoring at the nearby Waste Recycling Centre.
- 10.41 The increased use of the park by members of the public and visiting school children, together with the proposed building being staffed would result in an increase of activity and an increase in the natural surveillance of the area. The increase in activity in the park would assist in deterring anti- social behaviour. Furthermore should any anti-social behaviour occur this could be reported much more quickly by on site members of staff. Security has been thoroughly considered in the design of the building, with shutters and CCTV included to prevent anti-social activities and crime. It is therefore considered that the proposal would improve the security of the site and therefore allow more people to enjoy the open space. The proposal therefore meets the requirement of Policy DM 2.1 of Islington Development Management Policies.

Transport

- 10.42 Objections have been received in relation to level of parking required and the existing park issues. No on-site parking for visitors or staff is proposed. Given the close proximity to tube and rail stations and bus stops the site is considered to be well located to access by sustainable means. In additional the application also proposes cycle racks, two undercover and three outside to the north of the proposed buildings. The roads to the north of the site have parking restrictions in place in the form of double yellow lines. The existing parking requirements of the area are not a material consideration for this application.
- 10.43 The application proposes a servicing and delivery route from the eastern entrance to the park to the proposed building. Given the parking restrictions in the surrounding area, the proposed use and surrounding neighbouring properties, it is recommended to attach a condition requiring a Delivery and Servicing Plan (DSP).

Landscaping and trees

- 10.44 Policy DM6.5 of Islington's adopted Development Management Policies requires that developments must protect contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area. It states that developments are required to minimise any impact on trees and shrubs, while developments should maximise the provision of green roofs.

- 10.45 The existing area to the north of the clock tower was landscaped in 2012/13, following the completion of the development to the north, as this area was used in connection with the development's construction. The existing area has a line of trees each side of the central walk way leading to the base of the Clock Tower, which follows the axis from the park to the north. At either side of the line of trees there are rectangular plots of predominantly ornamental herbaceous planting.
- 10.46 The location of the two buildings would result in the loss of 233m² of recent planting. It is proposed that this will be compensated for by the provision of 84m² new planting to the north and west sides of the building and the bio-diverse green roof (145m²). Paving within covered cloister areas to the south of buildings and between the two buildings will comprise high quality slabs. Hard paved areas beyond the new paving surface will comprise golden gravel on tarmac base to match the existing surfacing. Fixed seating is proposed in the form of two new long benches to the south of the new buildings, and in seating plinths to the base of the clock tower as part of the interpretation scheme.
- 10.47 The proposal for lighting will give the clock tower an improved presence using subtle lighting at the base and belfry level. The base of the clock tower will be illuminated with in-ground uplights to each alcove of the buttress base, which will enhance new interpretation panels to the east and west and assist with illumination of the entrances to the north and south. Lighting is proposed to the cloister areas and at the entrances to each building of the heritage centre. Subtle in-ground feature lighting will enhance the axial entrance to the park.
- 10.48 The application was submitted with an arboricultural report which the Council's Tree Officer has considered. They had no objection to the proposal subject to an arboricultural method statement being conditioned to safeguard the protection of the trees through construction. Condition 5 requires an arboricultural method statement to be submitted prior to commencement.
- 10.49 While the proposal would result in a small amount of planting area being lost, further planting is proposed to the north and west sides of the proposed building. In addition the proposed buildings would have a green roof, further compensating for the ecological loss and visual loss of the flowerbeds. It is therefore considered that while there would be a loss of a small section of ornamental herbaceous planting the proposed green roof and new planting would compensate for this loss. In addition the application would not harm any trees within the park. The proposal is considered acceptable and complies with the requirements of Policy DM6.5 of Islington's adopted Development Management Policies.

Other Matters

- 10.50 Objections have been received in relation to the long term funding of the project and the pre application consultation undertaken by the applicant with the community. These matters are not a material planning considerations in the determination of this application.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 Full planning permission and listed building consent are sought for the erection of a heritage centre comprising of two single storey buildings with café and toilets to provide facilities for the community and visitors, park ranger presence, and to support wider activities in the park. In addition the application proposes repair and conservation works to the grade II* Listed clock tower and grade II listed railings. The proposed works relate mainly to repairs with no new building or structure attached to the fabric of the listed buildings. The heritage interpretation board will be attached to the internal of the building with details confirmed by condition. The repair and conservation works to the listed clock tower and railings are considered to preserve and enhance this irreplaceable heritage asset.
- 11.2 Whilst there will be no replacement of the public open space in this instance it is considered that there are exceptional circumstances where the loss of 250 m² of public open space and the

provision of the heritage centre and its associated facilities are considered to enhance the functionality of the park and the long term use of the clock tower by allowing a more interactive and educational relationship with the heritage asset.

- 11.3 The buildings are located approximately 18 metres from the arches of the tower and 25 metres from its base and would therefore create a clear definition between the clock tower and the new development thus respecting its setting. The proposed buildings small scale partially in comparison to the tall and grand clock tower would result in the tower remaining the main focal feature in the landscape. The design of the proposed building is such that it complements the clock tower, with a contemporary but clean design to further make clear the difference between the modern buildings and the historic clock tower. It is therefore considered that given the small scale of the buildings, their detached location from the clock tower and the quality of the design that the building would not have a detrimental impact on the setting of the listed clock tower.
- 11.4 It is considered that the buildings while contemporary in their design are of a high quality of design and the proposed materials complement their setting. Their design, scale and massing does not compete with the Listed clock tower and are not considered to have a significant impact on the setting of the listed clock tower. It is considered that the proposal would not have a harmful impact on the setting or fabric of the listed Clock Tower or railings and is therefore considered to sustain and enhance the significance of the heritage assets..
- 11.5 The impact of the proposal on the amenity of neighbouring properties has been carefully considered. The properties to the north of the clock tower would be the closest at approximately 20 metres from the proposed buildings. It is recommended that a condition is imposed restricting the times of opening for the café, heritage centre and clock tower. Given the distance from neighbouring properties, the existing use of the site and a condition restricting hours of operation, it is considered that the proposal would not have a significant detriment impact on the amenity of adjoining properties.
- 11.6 The accessibility of the proposal has been considered and given the restriction on providing level access to such a historic and tall building it is considered that the design of the proposed building and ground floor of the Clock Tower, together with the use of technological offer are considered acceptable.
- 11.7 While the proposal would result in a small amount of planting area being lost, further planting is proposed to the north and west sides of the proposed building. In addition the proposed buildings would have a green roof, further compensating for the ecological loss and visual loss of the flowerbeds. It is therefore considered that while there would be a loss of a small section of ornamental herbaceous planting the proposed green roof and new planting would compensate for this loss. In addition the application would not harm any trees within the park.
- 11.8 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.9 It is recommended that planning permission and listed building consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of full planning permission and listed building consent be subject to conditions to secure the following:

List of Conditions (Full)

1	<p>Commencement</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>536 EX 001, 536 EX 00, 536 EX 01, 536 EX 02, 536 EX 03, 536 EX 04, 536 EX 05, 536 EX 06, 536 EX 07, 536 EX 08, 536 EX 09, 536 EX 10, 536 EX 11, 536 EX 12, 536 EX 13, 536 EX 20, 536 EX 21,</p> <p>536 WD 00, 536 WD 01, 536 WD 02, 536 WD 03, 536 WD 04, 536 WD 05, 536 WD 06, 536 WD 07, 536 WD 08, 536 WD 09, 536 WD 10, 536 WD 11, 536 WD 12, 536 WD 13, 536 WD 14, 536 WD 15, 536 WD 16, 536 WD 17, 536 WD 18, 536 WD 20, 536 WD 21, 536 WD 22, 536 WD 23,</p> <p>536 WD 30, 536 WD 30A, 536 WD 31, 536 WD 32, 536 WD 33, 536 WD 40, 536 WD 41, 536 WD 42, 536 WD 43, 536 WD 44, 536 WD 45, 536 WD 46, 536 WD 47, 536 WD 48, 536 WD 60, 536 WD 61, 536 WD 62, 536 WD 63, 536 WD 64, 536 WD 65, 536 WD 66, 536 BD 60,</p> <p>2772-5-4 B, Design and Access Statement, Heritage statement</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials</p> <p>MATERIALS (DETAILS): Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) elevation treatments; and g) any other materials to be used h) Portland stone <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>Roof</p>

	<p>GREEN BIODIVERSITY ROOFS (DETAILS): 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"> d) biodiversity based with extensive substrate base (depth 80-150mm); e) laid out in accordance with plan no. 536 WD 32 hereby approved; and f) 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). <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>
5	Arboricultural Method Statement (AMS)
	<p>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 and construction method statement have been submitted to and approved in writing by the local planning authority.</p> <p>Development shall be carried out in accordance with the approved details.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies: 5.10, 7.19 and 7.21 of the London Plan 2011, policies: CS7, CS15A, B and F of the Islington Core Strategy 2011 and 6.5 of the DM policy 2013</p>
6	Hours for operation
	<p>HOURS OF OPERATION (COMPLIANCE): The Café and Visitor hereby approved shall not operate except between the hours of 08:00hr and 18:00hr Monday - Friday, between 10:00hr and 18:00hr Saturday, and between 10:00hr and 15:00hr on Sunday and Bank Holidays.</p> <p>REASON: To ensure the use does not adversely impact on existing and future residential amenity.</p>
7	Inclusive Design
	<p>INCLUSIVE DESIGN (COMPLIANCE): The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install:</p> <ul style="list-style-type: none"> a) accessible WC b) level threshold <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p>

	REASON: In order to facilitate and promote inclusive and sustainable communities.
8	Roller Shutters
	<p>ROLLER SHUTTERS (COMPLIANCE): The storage boxes for the roller shutters hereby approved shall be located within the building facia/façade and shall not project beyond the front face of the building. The shutter shall be of an open lattice type and shall not be solid / perforated.</p> <p>REASON: To ensure the good design of the roller shutter(s) and in the interest of preventing the creation of dead, inactive street frontages.</p>
9	Servicing Arrangements
	<p>SERVICING ARRANGEMENTS (COMPLIANCE): No deliveries shall be made to the premises outside the hours of:</p> <p>08.00hr to 18.00hr Monday to Friday, 10.00hr to 18.00hr Saturday, and 10.00hr to 15.00hr Sunday and Bank Holidays.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighboring residential.</p>
10	Delivery and Servicing Plan
	<p>A delivery and servicing plan (DSP), including details of waste collection from the site, details of waste storage within the site, detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory and do not adversely impact on existing and future residential amenity</p>

List of Conditions (Listed Building)

1	Commencement
	<p>3 YEAR CONSENT PERIOD FOR LBC: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Materials
	<p>MATERIALS (DETAILS): Details in respect of the following works to the clock tower shall be submitted to and approved in writing by the Council as local planning authority in consultation with Historic England before the relevant work is begun. The relevant work shall be carried out in accordance with such approved details:</p> <p>a. New oak entrance doors; b. New display cases, including method of fixing, at ground floor level; c. New glazed opening to stair enclosure at fifth floor level; d. Replacement timber louvres at seventh floor level;</p>

	<p>e. New secondary balustrade to observation deck at seventh floor level;</p> <p>f. Repairs to external stonework and render, including typical methodologies and samples of materials and finishes;</p> <p>g. Details of stone cleaning, including preparation of a sample panel for approval prior to the undertaking of the relevant works on site;</p> <p>h. Details of repairs to metal brackets supporting observation deck and roof.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the building.</p>
--	---

List of Informatives:

1	<p>Positive statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	<p>Definitions</p> <p>INFORMATIVE: (Definition of 'Superstructure' and 'Practical Completion') A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p>Hours of Working</p> <p>The applicant is advised that the accepted working hours for development within the borough are:</p> <p>8:00am-6:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.</p>
4	<p>Community Infrastructure Levy (CIL)</p> <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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the Islington CIL Charging Schedule 2014 and the Mayor of London CIL Charging Schedule 2012.</p> <p>One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development. Failure to</p>

submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the application will not benefit from the 60 day payment window.

Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil, and the Islington Council website at www.islington.gov.uk/cil.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

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

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

3 London's people

6 London's Transport
Policy 6.9 Cycling

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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.3 Heritage

DM2.5 Landmarks

Energy and Environmental Standards

DM 7.2 Energy efficiency and carbon reduction

DM7.4 Sustainable Design Standards

Health and Open Space

DM6.1 Healthy development

DM6.2 New and Improved public open space

Transport

DM 8.4 Walking and cycling

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:

- Public Open Space

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

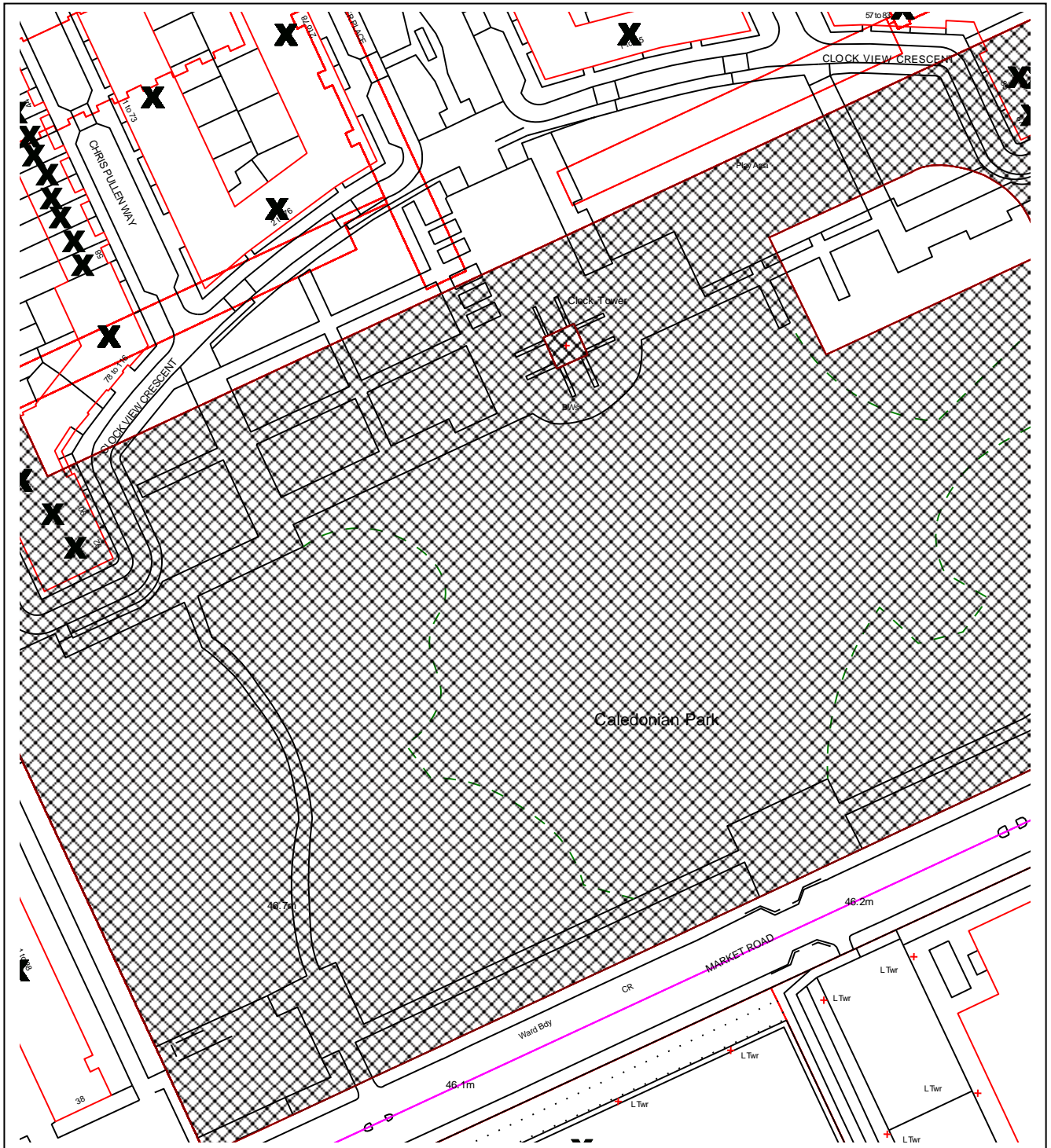
London Plan

Urban Design Guide (2006)

**Conservation Area Design Guidelines
(2002)**

APPENDIX 3: Design Review Panel

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.
P2016/0730/FUL

This page is intentionally left blank

PLANNING COMMITTEE REPORT

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

PLANNING SUB COMMITTEE B		
Date:	10 MAY 2016	NON-EXEMPT

Application number	P2015/2213/FUL
Application type	Full Planning Application
Ward	Mildmay Ward
Listed building	Not Listed
Conservation area	Newington Green conservation area
Development Plan Context	Newington Green conservation area
Licensing Implications	None
Site Address	Rear of 121, 121a Mildmay Road Islington N1 4PT
Proposal	Demolition of existing derelict outbuildings and erection of a new four-bedroom single family dwelling house including excavation of the site with associated landscaping and provision of wall hung cycle racks and refuse storage.

Case Officer	Sandra Chivero
Applicant	Anthony Haden-West
Agent	Alistair Norton – Norton Mayfield Architect

1. RECOMMENDATION

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

- 1.1 Subject to the conditions set out in Appendix 1;
- 1.2 Conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET

Application Site



Image 1: Aerial View of site



Image 2: Existing Street view of Application Site



Image 3: View looking south on (Wolsey Road)



Image 4: View from the rear of 121 Mildmay Road.

4. SUMMARY

- 4.1 The application seeks planning permission for the construction of a four bedroom single family dwelling house including excavation of the site. The new dwelling will be located at lower ground and ground floor levels, however, would read as a single storey structure when viewed from the street.
- 4.2 The main considerations are the acceptability of the proposed residential use of the site, design and impact on the character and appearance Newington Green Conservation Area, amenity, standard of accommodation, transport, sustainability, affordable housing contributions and carbon offsetting contributions.
- 4.3 The development would be acceptable in visual terms and the proposed building would have no significant harm on neighbouring amenity in terms of loss of light, outlook or privacy. The proposed standard of residential accommodation is considered adequate and the proposed building raises no concerns in relation to sustainability and transport.
- 4.4 The applicant has agreed to make the full required small sites affordable housing and carbon offsetting contributions. The development will be car free and this will be secured by condition.
- 4.5 The proposal is considered acceptable and it is recommended for approval subject to conditions and legal agreement.

5. SITE AND SURROUNDING

- 5.1 The application is located to the rear of nos. 121 Mildmay Road part of a Victorian terrace of four-storey townhouses. Directly adjacent and south is a row of terraced housing oriented perpendicular to Mildmay Road, which forms a period row on Wolsey Road. To the west the rear garden of no. 123 Mildmay Road bounds the property and to east the site fronts on to Wolsey Road and rear garden of no. 119 Mildmay Road located on the opposite side of the road across the highway. The site is occupied by 2 no. dilapidated outbuildings fronting on to Wolsey Road. The existing outbuildings are not listed and the site is located within the Newington Green Conservation Area. The surrounding area is predominantly residential in character.

6. PROPOSAL (IN DETAIL)

- 6.1 It is proposed to erect a single family dwelling house (C3 Use Class) including excavation of the site to create living space at lower ground floor level. The new dwelling will be located at lower ground and ground floor levels, however, would read as a single storey structure when viewed from the street.
- 6.2 The new building would be of a contemporary design and would be constructed of modern materials. A green roof would be incorporated to the northern section of the new building.
- 6.3 The new house would comprise of 7 persons/ 4 no bedrooms located at lower ground floor level and living/ dining/ kitchen space located at ground floor level. The new dwelling also incorporates a 33sqm rear garden and a 12.6sqm courtyard. The refuse would be stored to the north-western boundary and a wall hung bike store would be positioned to the south-eastern boundary behind the main entrance.

Revisions

6.4 Revised drawings were received on 22 March 2016 showing the following amendments:

- Omission of a double storey basement and full site excavation
- Basement excavation reduced to a single level and limited to the extent of the building itself
- The rear garden redesigned to be free draining and to conform with the prevailing level found to the rear of Mildmay Road
- Ceiling height increased to 2.6m at basement level

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.2 November 2015; Planning application (Ref. P2015/4721/FUL) Submitted for the retention of conversion of property into three residential flats comprising 1x Studio flat and 2x2 bedroom flats.
- 7.3 April 2015: S73 Application (Ref. P2015/0626/S73) Approved to variation of Condition 2 (Approved Plans) of Full Planning (Householder) application reference: P2013/5100/FUL dated 17 February 2014 to include the raising of the height of the rear addition by 500mm from what was previously approved under planning ref P2013/5100.
- 7.4 March 2015: Planning permission (Ref. P2015/0518/FUL) Granted for the creation of a new porch portico to the entrance on the front elevation.
- 7.5 December 2014: Planning permission (Ref. P2014/4027/FUL) Granted to create 2 no. additional window openings to the east (side) elevation and installation of 2 no. associated timber frame windows.
- 7.6 October 2014: Planning permission (Ref. P2014/3552/FUL) Granted to creation of new metal staircase and platform allowing access from the rear first floor level to the garden level of the unit, creation of French doors and glazed balustrade at rear first floor level and alterations to the rear elevations upper floor window.
- 7.7 June 2014: Planning application (Ref. P2014/1543/FUL) for various external alterations including addition of porch; arched window openings to the gable end; a rear and top floor roof terrace; rear stair; modifications to existing rear window and new material facing to existing rear extension Withdrawn.
- 7.8 February 2014: Planning application (Ref. P2013/5100/FUL) Granted for the demolition of the existing part-width two storey rear extension and replacement with a larger two-storey extension at lower ground and upper ground floor levels including fenestration at lower ground floor level to create a new door opening.
- 7.9 August 2013: Planning application (Ref. P122008) for the demolition of existing derelict outbuilding; erection of side and rear extensions (at ground and lower ground floors) and conversion of existing dwelling to provide 4 self-contained residential units including erection of a new build 4 bedroom house on the end of Wolsey Road terrace Dismissed following a non determination appeal (Ref. APP/V5570/A/13/2193155).

- 7.10 October 2011: Planning application (Ref. P110716) Refused for demolition of non-original extensions and replacement with a two-storey extension; Conversion of main house from 2x two-bed flats to 2x two-bed flats and 1x one-bed flat. Provision of 2x two bed flats fronting Wolsey Road. Demolition of vacant outbuilding and garage and erection of a contemporary dwelling house (three-storeys over basement). The reason for refusal was as follows:

REASON: The proposal is considered to be an over development of the site resulting in substandard residential accommodation by virtue of cramped residential units and associated gardens. The proposal is therefore contrary to the standards for new residential accommodation set out in the 2011 London Plan; the standards for outdoor amenity space set within the Planning Standard Guidelines (2002); Policy CS9 (Protecting and enhancing Islington's built and Historic Environment) and Policy CS12 (Meeting the Housing Challenge) of the Islington Core Strategy 2011; Policies H6 (Garden Land), H7 (Standards and Guidelines), H8/H9 (The Conversion of Existing Property) and H10 (New Development) of the Unitary Development Plan (2002).

- 7.11 A subsequent appeal was dismissed under ref.

ENFORCEMENT:

121 Mildmay Road, 121A Mildmay Road and Rear of 121 Mildmay Road.

- 7.12 June 2016: Enforcement Case (Ref. E/2015/0325) Open re. Without planning permission, the material change of use of the land from a single dwelling house to use a three self-contained units of residential accommodation.

May 2015: Enforcement Case (Ref. E/2015/0111) re. for the raise in height of the rear addition Closed following granting of planning permission on 9 April 2015, under ref. P2015/0626/S73 as such the breach was regularised.

August 2014: Enforcement Case (Ref. E/2014/0492) re. Unauthorised demolition in a Conservation Area Closed as planning permission was granted on 17.02.14 under ref. P2013/5100/FUL to regularise the works.

PRE-APPLICATION ADVICE

- 7.13 Applicant advised that given the importance of the gap a new dwelling should ideally have the appearance of a garden wall and be no higher than a single storey.

8. CONSULTATION

Public Consultation

- 8.1 Two consultations were carried out. Originally letters were sent to occupants of 40 adjoining and nearby properties along Wolsey Road, Mildmay Road and Mildmay Park, on 02 July 2015. Site and Press notices were displayed on 09 July 2015. Following submission of amended drawings and submission of a Structural Method Statement further consultation letters were sent on 30 March 2016 and the reconsultation period ended on 13 April 2016. It is the Council's practice to consider representation made up until the date of a decision.
- 8.2 At the time of writing this report seven objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Change of purpose (Paragraphs10.2, 10.3, 10.4)
- Harmful basement development (Paragraphs10.16 - 10.20)
- Cluttered appearance and visibility from the street (Paragraphs10.12)
- Proposal contrary to guidance (Paragraphs10.15, 10.19, 10.20)
- Overdevelopment (Paragraphs10.5)
- Loss of historic building (Paragraphs10.11)
- Inappropriate addition (Paragraphs10.10)
- Impact on wider street and surrounding Conservation Area (Paragraphs10.10, 10.12, 10.15)
- Lack of adequate garden space to no. 121 Mildmay Road (Paragraphs10.56)
- Loss of light views, outlook and privacy (Paragraphs10.21 – 10.24)
- Impact on aspect and amenity (Paragraphs10.21 – 10.24)
- Inaccurate original drawings (Paragraphs10.52)
- Impact on wildlife (Paragraphs 10.18, 10.51)
- Impact on parking (Paragraphs10.44)
- Disturbance during building works (Paragraphs10.54)
- Development serves only to the financial interest of developer (Paragraphs10.54)
- Waste arrangements (Paragraphs10.14)
- Multiple breaches of planning regulations (Paragraphs10.55)
- Overcrowded (Paragraphs10.56)
- Structural Method Statement unacceptable (Paragraph 10.20)

8.3 **An objection was also received from Cllr Caluori** regarding the design and materials not in keeping with the Conservation Area Guidelines, basement development and overdevelopment of the site.

External Consultees

8.4 **LAMAS - Historic Buildings & Conservation Committee** commented that this is quite an ingenious and self-effacing scheme and raised no objections in principle. However, concerns were expressed about the upper floor level, particularly to its roof line. There were also strong objections to the proposed double basement because of the impact on the fabric and character of the heritage asset.

Internal Consultees

8.5 **The Design and Conservation Officer** highlighted that the site has a long planning history. The current proposal however is for an ingeniously designed dwelling which retains the existing appearance of double gates, existing building and garden wall and therefore has a minimal visual impact on the conservation area.

8.6 While complete retention of gaps is always desirable the design is a near exemplary example of how to construct a new dwelling within a gap when such development is acceptable in principle.

8.7 **The Tree Officer** raised no arboricultural objections to the development. It was stated that there are no trees directly adjacent are small and not considered a constraint to development. The larger trees at the rear of 125 / 127 Mildmay Road are of a sufficient distance to remain largely unaffected.

- 8.8 **The Transport Officer** stated the applicant should clarify how the cycle parking spaces will be sheltered. Where possible, the cycle parking spaces should be flexible to accommodate accessible bicycle/tricycles if needed.
- 8.9 It is further stated that the rights for residents of the new dwellings to apply for on-street car parking permits should be removed. The redundant crossover on Wolsey Road should be removed and the footway reinstated, the costs of which will be met by the applicant.
- 8.10 **The Policy Officer** stated that the proposal involves the redevelopment of existing outbuildings and the existing garden. It is further stated that it is not clear what the lawful use of the outbuildings is and if there would be a change of use involved.
- 8.11 **The Inclusive Design Officer** stated that the proposal does little to demonstrate the developers and designers commitment to sustainable, inclusive and accessible design and how they will meet various obligations placed on them by legislation and local policies, there is mention of Lifetime Homes but no mention of our DM policies relating to visitable and adaptable housing as set out in the Islington's Development Management Policy DM3.4 and the Inclusive Design in Islington SPD.
- 8.12 It was stated that the development shall incorporate/ install the following measures:
- Level threshold
 - Adequately size WC appears to provide a future wet room if needed,
 - Provision of entrance level bed space
 - Adequate room for Wheelchair turning circles in the kitchen, living or dining room
 - Fully accessible amenity spaces and facilities e.g. bin store require to be fully accessible.
- 8.13 **Acoustic Officer** raised no objections. However, an informative was recommended to advise the applicant to consider the construction impacts of the proposed excavation of a considerable basement in close proximity to neighbouring residential and to refer to LBI's Code of Construction Practice, BS5228:2009, the GLA's SPG on control of dust and emissions during construction and demolition.
- 8.14 **Biodiversity and Nature Conservation Team** – Recommended that a bat survey should be conditioned before the buildings are demolished. The survey should take place between April and September and be carried out by a qualified ecologist. Bats are protected by law and it is an offence to intentionally or recklessly disturb a bat in its roost or to damage or destroy a roosting place. If bats are found to be roosting in the buildings then this will affect the timing of demolition and mitigations will need to be conditioned
- 8.15 **Highway Team** – The Technical Officer stated that the Transport Planning Officers recommendation to remove the redundant crossover on Wolsey Road and reinstate footway, the costs of which will be met by the applicant should be secured by condition.

- 8.16 **The Policy Sustainability Officer** objected to the original drawings of the current application which showed a double storey basement and full site excavation. Concerns were raised regarding the substantial demolition and provision of a lower ground floor with no free drainage which would be incoherent with adjacent garden levels. Following revisions the officer is satisfied with the reduction in the level of excavation, provision of a raised free-draining garden and the Structural Method Statement.

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

Development Plan

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

Designations

- 9.5 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:
- Newington Green Conservation Area.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:
- Land Use
 - Design
 - Principle of basement development
 - Neighbouring Amenity

- Standard accommodation
- Highways and Transportation
- Sustainability
- Inclusive Design
- Affordable housing small sites and Carbon Offsetting Contributions

Land Use

- 10.2 The application site previously formed a part of the rear garden of no. 121 Mildmay Road which is occupied by an end of terrace Victorian dwelling (C3 Use Class) and various outbuildings ancillary to the residential use. It is proposed to demolish the existing 2 no. derelict outbuildings and erect a single family dwelling house (C3 Use Class).
- 10.3 With regards to the current use class, the applicant states that the outbuildings were ancillary to the main house at 121 Mildmay Road and have been vacant for many years. The vacancy of the outbuildings was documented in the historic applications including the application submitted in March 2011. The outbuilding adjoining no. 1 Wolsey Road is accessed from the street and the outbuilding adjoining the main house was accessed via the main building at no. 121 Mildmay Road. There is no planning history establishing a different use from C3 Use Class. The site is currently part of residential garden at no. 121 Mildmay Road and the proposal will be residential, therefore there is no land-use objections.
- 10.4 Vacant and derelict buildings have a demoralising and downgrading effect on an area. The Council therefore welcomes the principle of bringing back into use vacant sites, as in this instance. In judging the acceptability of residential use in this location it is considered that residential use would be appropriate in this predominantly residential area. The provision of additional housing at this location would be supported by policies CS12 of the Core Strategy which seeks to meet and exceed the borough housing targets through the provision of additional housing in suitable locations as in this instance.
- 10.5 The proposed scheme resulting in a creation of a single family unit is considered appropriate in principle at this location.

Design

- 10.6 The current application follows planning application (Ref. P122008) for a three storey building same height as the adjoining two-storey terrace along Wolsey Road. This was considered to fail to form an appropriate continuation of the Wolsey Road terrace and undermined its architectural integrity. The scheme was dismissed by the Inspectorate in August 2013 following a non-determination appeal (Ref. APP/V5570/A/13/2193155).
- 10.7 It is now proposed to erect a single family dwelling house which includes the excavation of the site to create a basement level. The new dwelling will be located at lower ground and ground floor levels, however, would read as a single storey structure when viewed from the street. Whilst in the rear garden of no. 121 Mildmay Road, the application site for the proposed development is previously built upon land to the rear of the property at 121 Mildmay Road. There are currently two dilapidated building in the location of the proposed dwelling and as such there is no overall loss of current usable garden area.

- 10.8 The new building would be of a contemporary design and would be constructed of modern materials including metal cladding, render and aluminium/timber composite. The layout of the new building would be L-shape with the ground floor level cantilevered to the rear. A metal clad pitched roof with 2 no. rooflights would be incorporated to the southern section of the new building. The façades of the southern section of the building would be clad in matching standing seam metal cladding. A flat roof with a green roof would be incorporated to the northern section of the building. The northern section of the building would incorporate render to the front and rear elevations at lower and ground floor levels. The new structure would also incorporate aluminium/ timber composite windows.
- 10.9 The southern section of the front building line would follow the front building line of the adjoining Wolsey Road terrace. The northern section of the front building line projects by 2m from the front building line of the adjoining terrace would remain set back from the front boundary line by 0.9m.
- 10.10 The new house largely follows the height and footprint of the existing outbuildings. The design for the proposed house is conceived as a replacement for the existing derelict outbuildings which currently occupy the site. The current proposal is for a design which retains the existing appearance of double gates, single storey structure and a garden wall. The proposed house will be behind the wall. The design approach is considered to remain subservient to the adjoining terrace along Wolsey Road and the main property at no. 121 Mildmay Road as well as maintaining visual gap between the terraces and therefore has minimal visual impact on the conservation area. While complete retention of gaps is always desirable the infill building design as part of the boundary wall is considered appropriate at this location with existing structures to the gap between the two terraces.
- 10.11 Concerns have been raised regarding the loss of an historic building. The outbuildings are not statutory listed and they are not buildings of architectural merit. The Council therefore does not object to their demolition.
- 10.12 Whilst there are glimpses of the proposed building from the public realm, the resulting building maintains the gap between no. 1 Wolsey Road and no. 121 Mildmay Road and is not considered to result in a cluttered or overbearing appearance. The proposed structure does not extend above the height of the current outbuilding and retains the ground floor level giving the appearance of a single storey building.
- 10.13 The proposed development is not a continuation of the terrace and is therefore not necessary to be constructed of traditional materials. The use of modern materials is therefore considered acceptable to the contemporary low rise development which is largely concealed from the street by the boundary wall.
- 10.14 The refuse store and bike store are located in concealed positions and are therefore considered not to detract from the streetscene.
- 10.15 Overall, it is considered that the character and appearance of the surrounding Newington Green Conservation Area would be preserved. The proposal is also considered accord with policies CS8 and CS9 of Islington's Core Strategy 2011, policies DM2.1 and DM2.3 of Islington's Development Management Policies Document June 2013 and the guidance contained within the Conservation Area Design Guidelines and the Islington Urban Design Guide.

Principle of Basement Development

- 10.16 The original drawings of the current application showed a double storey basement and full site excavation. Concerns were raised regarding the substantial demolition and provision of a lower ground floor with no free drainage which would be incoherent with adjacent garden levels. During the course of the application amended drawings were submitted showing the basement excavation reduced to a single level. Further drawings were received showing a free draining rear garden with soft landscaping. The rear garden has been redesigned to conform with the prevailing level found to the rear of Mildmay Road. The site excavations were reduced, limiting this to the extent of the building itself.
- 10.17 The redesigned garden to conform with the prevailing level to neighbouring properties is now accessed via steps from a small rear terrace area. This design will not require retaining walls to the neighbouring gardens at 121 and 123 Mildmay Road, for the built envelope at lower ground floor level. The proposed excavation is in line with the existing footprint of the outbuildings found on the site.
- 10.18 Whilst the proposal remains to excavate the site, the new structure and the basement level will largely follow the footprint of the existing building. The proposed basement excavation is therefore considered acceptable in principle and would not result in harmful, permanent, irreversible damage and would not impact on drainage and biodiversity to the surrounding area. In addition, the site is not located adjacent trees or listed buildings.
- 10.19 Notwithstanding this, the construction of basements can cause harm to the natural environment, the stability of existing buildings, the amenity of nearby residents and the character and appearance of an area. The newly adopted Basement SPD (January 2016) requires the submission of a Basement Impact Assessment, Structural Method Statement (SMS) and a Construction Management Plan (CMP) endorsed by a suitably qualified person(s) are required to be submitted with any planning applications for a basement development. These documents also enable the council to consider the cumulative impacts of basement development across the borough and balance the potential site-specific benefits basements can provide (i.e. additional floor space) against those wider cumulative impacts set out in Policy DM6.3.
- 10.20 The application was submitted prior to the adoption of the Islington's Supplementary Planning Document for Basement Extensions. During the course of the application the applicant provided a Structural Method Statement (SMS) endorsed by a suitably qualified person. The report also includes an assessment considering the effects of a proposed basement construction on ground stability, surface water and groundwater regime at the property. Basement construction methods selected to minimise movement of the basement perimeter retain wall include installation of reinforced concrete underpinned retaining walls and a ground floor transfer slab which will prop the basement walls and ensure perimeter wall movement is minimised. The method statement included in the report demonstrates how the property can be constructed taking all reasonable steps to minimise the effect of ground movement in order to protect the existing fabric of adjacent properties during excavation and construction of the basement. The Policy Sustainability Officer did not raise any objections in relation to the Structural Method Statement and is satisfied with the amended scheme with reduced level of excavation.

Neighbouring Amenity

- 10.21 To the north, the habitable windows to the main house do not directly face the windows to the new house. The southern section of the ground floor would follow the front and rear building lines of the adjoining property at no. 1 Wolsey Road located to the south. To the west the house would front on to the rear gardens of neighbouring properties along Mildmay Road and Mildmay Park. The windows at no. 123 Mildmay Park are positioned at oblique angle and do not directly face the new house. To the east the site fronts on to the rear garden of no. 119 located 17m across the highway.
- 10.22 Concerns were raised regarding overlooking to the neighbouring property at no. 1 Wolsey Road from the flat roof at rear ground floor level. The applicant has confirmed that there is no way of gaining access to this roof, and it is neither designed nor intended for use as a roof terrace. The louvred screening is an extra measure made within the design to protect the privacy of the garden at No 1 Wolsey Road. A condition has also been attached to the permission stipulating that the flat roof shall not be used an amenity space.
- 10.23 Overall, the new house which would not directly face the habitable windows to neighbouring properties and would largely follow the footprint and height of the existing structures is considered not to result in harmful overlooking, loss of privacy, loss of light nor loss of views to neighbouring properties. In addition, the proposal for residential use is considered not to result in harmful noise and disturbance to neighbouring properties.
- 10.24 The proposal is therefore considered to accord with policy DM2.1 which requires development to provide a good level of amenity including consideration of noise, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.25 This is to ensure that the development does not adversely impact on neighbouring amenity. A condition has been attached to the permission requiring the submission of a Construction Method Plan to provide details on the access, parking, and traffic management and delivery arrangement throughout the construction phase of the development. An informative has also been attached to the permission advising the applicant to consider the construction impacts of the proposed excavation of a considerable basement in close proximity to neighbouring residential and to refer to LBI's Code of Construction Practice, BS5228:2009 (Code of practice for noise and vibration control on construction and open sites), the GLA's SPG on control of dust and emissions during construction and demolition.

Quality of residential accommodation

- 10.26 It is proposed to create a single family dwelling housed comprising of a 7 persons/ 4 bedrooms. The bedrooms are located at lower ground floor level and the living space is located at ground floor level. The new residential units would incorporate storage space, a rear garden and front courtyard.
- 10.27 The scheme incorporates dual aspect residential accommodation, rooflights and large glazing areas, in order to maximise on daylight and sunlight levels to the new residential accommodation. Amended drawings received during the course of the application showed the lower ground floor windows enlarged in width to accommodate the garden level. There is also a shallow light trench (225mm high) to the north facing windows, in order to maximise the internal quality of this bedroom accommodation. A revised daylight study was also provided. This demonstrated that the bedrooms would have adequate daylight levels and would comply with the CIBSE (Chartered Institution of Building Services Engineers) Daylighting and

Window Design, 1999. The applicant has confirmed that the CIBSE's Daylighting and Window Design 1999 formula use originates from the British Standard BS8206-2, and features in the most recent issue of that document (2008 - Section 13). Exactly the same formula is also found in the BRE document Site layout planning for daylight and sunlight: a guide to good practice (BR 209) 2011, Appendix C; Clause C5. The standard for judging the adequacy of internal daylighting for future occupants is equivalent throughout these three documents.

- 10.28 The daylight report also shows that the visible sky angle of the bedrooms at lower ground floor level meets the requirements of this British Standard formula elaborated upon by CIBSE and BRE.
- 10.29 The submitted document shows details for the glazed area of each bedroom windows; the visible sky angle; the transmittance of glazing to diffuse light (including the effect of dirt); the total surface area of room (floor, ceiling and walls including windows); and an average reflectance of room surfaces. These are all included to produce an accurate result that the visible sky angle of the bedrooms at lower ground floor level meets the requirements of this British Standard formula elaborated upon by CIBSE and BRE and the bedrooms would have adequate daylight levels and would comply with the CIBSE (Chartered Institution of Building Services Engineers) Daylighting and Window Design, 1999.
- 10.30 As shown in the table 2 below the resulting residential unit would also meet the minimum gross internal area stipulated within the Development Management Policies and the London Plan.

Table 2 - Gross Internal Area required

Dwelling type	Dwelling permutation (bedroom (b)/persons-bed spaces (p))	Required GIA (sqm)	Proposed GIA (sqm)	Required Outdoor Amenity Space (sqm)	Proposed Outdoor Amenity Space (sqm)
2 storey house	4b/7p	107 (for 4b/6p)	137	30	30 (Rear Garden) 13 (Front Courtyard)

- 10.31 The resulting unit is in excess of minimum space standards applicable to the unit's size by 30sqm. While the house is oversized, this is a minimum standard and the extra 30sqm is insufficient to enable an additional unit to be created. In addition, the generous floors space allows provision of residential accommodation of good quality with a logical and functional layout as well as provision of dual aspect.
- 10.32 The generous bedrooms and living spaces to the new house would meet the minimum room size requirements and floor to ceiling heights stipulated within the Development Management Policies.
- 10.33 As shown in Table 2 above the proposal would also result in provision of adequate private outdoor amenity space in excess of the minimum required standards stipulated within policy DM3.5 of the Development Management Plan.

10.34 Overall, scheme would result in good standard residential accommodation with dual aspect, outlook from habitable rooms, natural ventilation, privacy and light levels. This would be in line with Policy 12 of the NPPF; Policy 3.5 of the London Plan 2011; policy CS12 of the Core Strategy and policies DM2.1 and DM3.4 of the Development Management Policies.

Inclusive Design

10.35 Since the application has been submitted, the lifetime homes standard has been revoked and replaced with National Standards for Housing Design, set out within the Building Regulations.

10.36 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via

- Written Ministerial Statement issued 25th March 2015
- Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
- Deregulation Bill received Royal Assent 26th March 2015

10.37 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.

10.38 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.

10.39 Planners are only permitted to require (by Condition) that housing be built to Category 2 and or 3 if they can evidence a local need for such housing i.e. housing that is accessible and adaptable. The GLA by way of Minor Alterations to the London Plan 2015, has reframed LPP 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London. In this regard, as part of this assessment, these emerging revised London Plan policies are given weight and inform the approach below.

10.40 Concerns were raised by the Inclusive Design Officer regarding the proposal failing to adequately demonstrate the developers and designers commitment to sustainable, inclusive and accessible design and how they will meet various obligations placed on them by legislation and local policies, there is mention of Lifetime Homes but no mention of our DM policies relating to visitable and adaptable housing as set out in the Islington’s Development Management Policy DM3.4 and the Inclusive Design in Islington SPD. During the course of the application, the applicant confirmed that the proposal would incorporate;

- A gently ramped approach terminating in a level threshold
- A space for a temporary entrance-level bed within the living room

- An entrance-level WC with adequate drainage provided for a future flush-threshold shower;
- Adequate wheelchair turning circles within the main living spaces;
- Additional space for the provision of a through floor platform lift;
- An accessible family bathroom;
- Additional room for a hoist between the master bedroom and main family bathroom

10.41 These measures are welcome and are considered to facilitate and promote inclusive and sustainable communities in line with policy DM2.1 and the Inclusive Design SPG.

Affordable Housing and Financial Viability

10.42 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. 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 does state, 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. In this instance the applicant has agreed to make the full £50 000 affordable housing contribution. This fully satisfies the requirement of CS12G and the Affordable Housing Small Sites Contributions SPD. As such, it is considered that this policy requirement has been satisfied and therefore the proposal is acceptable in this regard.

10.43 The Environmental Design Planning Guidance Supplementary Planning Document (SPD) and Islington's Core Strategy policy CS10 require minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the off-set contribution is a flat fee based on the development type is £1500 per house. The applicant has agreed to make the full required affordable contributions.

Highways and Transportation

10.44 The proposed residential scheme would be car free. Therefore, the proposal would not result in a material increase in parking pressure on surrounding roads. It is considered that the proposed development would not have a material impact on highway safety or the free flow of traffic on surrounding roads.

10.45 The proposal would also be in line with policy CS10 of the Core Strategy and policy DM8.5 of the Development Management Policies which expects all new developments to be ‘car free’.

10.46 A condition has been attached to the permission stipulating that the redundant crossover on Wolsey Road should be removed and the footway reinstated with the cost met by the applicant.

10.47 The provision of 4 cycle spaces for the four bedroom unit is in line with policy DM8.4 which requires one cycle space provision per bedroom.

Trees

- 10.48 The trees directly adjacent are small and not considered a constraint to development. The larger trees at the rear of 125 / 127 Mildmay Road are of a sufficient distance to remain largely unaffected. The Tree Officer had no arboricultural objections to the development.

Sustainability

- 10.49 The applicant's commitment to construct the scheme Code for Sustainable Homes Level 4 is welcome. The Code for Sustainable Homes: technical guidance was withdrawn in April 2015. The Council therefore can no longer insist that developers meet the requirements any Code for Sustainable Homes.
- 10.50 However, a further condition was attached requiring the submission of a Sustainable Design and Construction Statement detailing how the dwellings hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwellings will achieve a 19% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2015, and not exceed water use targets of 110L/person/day.
- 10.51 The provision of greenroofs and bird boxes is welcome. These sustainability measures outlined are welcome as they would improve the environmental quality of the building.
- 10.52 It is stated by the neighbours that bats have been seen on the application site. A condition has therefore been attached to the application requiring a bat survey to be carried out prior to demolition of the existing structures. The survey is required to take place between April and September and be carried out by a qualified ecologist. Bats are protected by law and it is an offence to intentionally or recklessly disturb a bat in its roost or to damage or destroy a roosting place. A bat survey is necessary to ensure no harm occurs to bats.

Other Issues

- 10.53 It was stated by the neighbour that the existing and proposed Wolsey Road elevations not showing the approved rear extension to the main house. The architect has clarified the new extension to the main property angles of to the north-west, therefore it is only partially revealed in the existing and proposed Wolsey Road Elevations.
- 10.54 Concerns were raised regarding disturbances during buildings works. Disturbance during building works are not a material planning consideration. The application therefore could not be refused for this reason. The concerns raised regarding the development serving only to the financial interest of the developer are also not a material planning consideration and the application could not be refused for this reason.
- 10.55 Concerns were also raised regarding multiple breaches of planning regulations to the main property at no. 121 Mildmay Road. These breaches have been part of enforcement investigations unrelated to this application and are not considered to have a bearing in the consideration of a schemes to a site of a which no longer forms a part of the main house at no. 121 Mildmay Road. In any case of the works

have been regularised with planning permission and there is also a submission for the unauthorised unit to the rear of the main house.

- 10.56 Further concerns have been raised regarding overcrowding and loss garden space to the main property at no. 121 Mildmay Road. The application site no longer forms a part of the main house at 121 Mildmay Road. The number of units to the main house therefore would not have implications on the additional unit to the application site. The rear of the main house including the application site was largely built over and did not comprise of a usable rear garden. The recent scheme to the main house and the current scheme have actually resulted in the creation of more usable garden space for the residential occupants.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of residential development on this land is considered acceptable and the proposed building would not detract from the character and appearance of the Newington Green Conservation Area.
- 11.2 The impact on neighbours has been assessed and it is considered that the development would not harm the amenities of adjoining neighbouring properties in terms of loss of light, overlooking or overbearing effect. The internal layout and spatial standards of the proposed flats meet the policy standards and would provide adequate outdoor amenity space in accordance with the Council's objectives and planning policies.
- 11.3 The development would be carfree and would provide adequate cycle parking for the future occupants.
- 11.4 The applicant has agreed to make the full required affordable housing contributions and carbon offsetting contributions.
- 11.5 The proposal is considered to be acceptable and to be broadly in accordance with the Development Plan Policies.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

Recommendation A:

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

The Heads of Terms are:

- £50 000.00 contribution towards affordable housing within the Borough
- £1 500.00 contribution towards carbon off-setting.

All payments are due on practical completion of the development and are to be index-linked from the date of committee. Index linking is calculated in accordance with the Retail Price Index. Further obligations necessary to address other issues may arise following consultation processes undertaken by the allocated S106 Officer.

RECOMMENDATION A

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

List of Conditions:

1	Commencement
	3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5)
2	Approved plans list
	DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: Location Plan – 1413-NMA-XX-ZZ-DR-B-00001; 1413-NMA-XX-00-DR-A-00100 P5; 1413-NMA-XX-01-DR-A-00100 P4; 1413-NMA-XX-02-DR-A-00100 P3; 1413-NMA-XX-ZZ-DR-A-00200 P1; 1413-NMA-XX-ZZ-DR-A-00201 P5; 1413-NMA-XX-ZZ-DR-A-00202 P3; 1413-NMA-XX-AA-DR-A-00300 P4; 1413-NMA-XX-BB-DR-A-00301 P6; 1413-NMA-XX-CC-DR-A-00302 P6; 1413-NMA-XX-01-DR-B-00100 P1; 1413-NMA-XX-02-DR-B-00100 P1; 1413-NMA-XX-ZZ-DR-B-00200 P2; 1413-NMA-XX-ZZ-DR-B-00201 P2; 1413-NMA-XX-AA-DR-B-00300 P2; Daylighting Analysis - 1413-NMA-LG1-

	<p>ZZ-SH-A-00100 P1; Design & Access, Heritage & Energy Statement - 1413-PL-900; Structural Method Statement – December 2015.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Compliance)
	<p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans and within the Design and Access Statement. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Car free development restriction
	<p>Car-Free Development: All future occupiers of the single family house hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as non car free; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.
5	Category 2 Condition
	<p>CONDITION: Notwithstanding the drawings hereby approved, all residential units shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with LPP 3.8</p>
6	Bat Survey
	<p>CONDITION: A bat survey shall be carried out prior to demolition of the existing structures. The survey should take place between April and September and be carried out by a qualified ecologist. Bats are protected by law and it is an offence to intentionally or recklessly disturb a bat in its roost or to damage or destroy a roosting place.</p> <p>REASON: A bat survey is necessary to ensure no harm occurs to bats.</p>
7	Nesting Boxes (Details)
	<p>CONDITION: Details of bird and bat nesting boxes / bricks / including the exact location, specification and design of the habitats shall be submitted to and approved in</p>

	<p>writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The nesting boxes / bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained 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>
8	Flat Roof Not Used As Amenity Space (Compliance)
	<p>CONDITION: The flat roof area at rear ground floor level shown on plan no. 1413-NMA-XX-01-DR-A-00100 P4 hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows</p>
9	Construction Environmental Management Plan
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>Reason: In order to mitigate the impact of the development to nearby residents and businesses.</p>
10	Structural Method Statement
	<p>CONDITION: No development shall be commenced on site unless and until an updated structural engineers report and excavation strategy including methodology for excavation and its effect on all neighbouring boundaries and neighbouring listed buildings has been submitted to and agreed in writing by the Local Planning Authority.</p> <p>This strategy shall be fully implemented in accordance with the approved details.</p> <p>REASON: To ensure that the proposed development would have no undue impact on the structural integrity of the neighbouring listed buildings.</p>
11	Construction Method Plan
	<p>CONDITION: No development works shall take place on site unless and until a Construction Method Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The CMP should include details on the access, parking, and traffic management and delivery arrangement throughout the construction phase of the development. This should include:</p> <ul style="list-style-type: none"> a) identification of construction vehicle routes b) how construction related traffic would turn into and exit the site (including appropriate traffic management) c) the method of demolition and removal of material from the site

	<p>d) the parking of vehicles of site operatives and visitors e) loading and unloading of plant and materials f) storage of plant and materials used in constructing the development g) the erection and maintenance of security hoarding h) wheel washing facilities where applicable i) measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and j) construction works</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change 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.</p>
12	Bicycle Storage and refuse area
	<p>CONDITION: The bicycle storage and refuse area(s) hereby approved, shall be provided prior to the first occupation of the development hereby approved and permanently maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking and refuse facilities are available and easily accessible on site and to promote sustainable modes of transport.</p>
13	Biodiversity Roofs (Details)
	<p>GREEN/BROWN BIODIVERSITY ROOFS (DETAILS): 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> <p>a) biodiversity based with extensive substrate base (depth 80-150mm); 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).</p> <p>The biodiversity green 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 prior to the first occupation of the hereby approved residential units and be 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>
14	Crossover
	<p>CONDITION: The redundant crossover on Wolsey Road shall be removed and the footway reinstated by Islington Council Highway Services (T:020 7527 2000 / E:streetworks@islington.gov.uk) with the cost met by the applicant. The footway shall be constructed/ provided prior to the first occupation of the development hereby approved.</p> <p>REASON: To secure and maintain an acceptable pavement layout and pedestrian</p>

	safety.
15	Inclusive Design (Compliance)
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install:</p> <ul style="list-style-type: none"> a) A gently ramped approach (not exceeding 1:12 over 2m and terminating in a level threshold); b) A space for a temporary entrance-level bed within the living room c) A 900mm wide stair for provision of future stair lift; d) An entrance-level WC with adequate drainage provided for a future flush-threshold shower; e) Adequate wheelchair turning circles within the main living spaces; f) Additional space for the provision of a through floor platform lift; g) An accessible family bathroom; h) Additional room for a hoist between the master bedroom and main family bathroom; and i) Sufficient built in storage areas. <p>The development shall be carried out prior to the completion of the hereby approved works, strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>

List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
2	Section 106
	<p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p>

	<p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Car free development
	You are advised that this permission has been granted subject to a condition securing that all new residents of the development shall not be eligible for parking permits in the area.
5	Definition of 'Superstructure' and 'Practical Completion'
	DEFINITIONS: (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.
6	Working Hours
	The applicant is advised that the accepted working hours for development within the borough are: 8:00am-5:00pm on Mondays to Fridays, 9:00am-1:00pm on Saturdays and not at all on Sundays, Bank or Public Holidays.
7	Construction Impact of Excavation
	INFORMATIVE: The applicant is advised to consider the construction impacts of the proposed excavation of a considerable basement in close proximity to neighbouring residential and to refer to LBI's Code of Construction Practice, BS5228:2009, the GLA's SPG on control of dust and emissions during construction and demolition
8	Sustainable Sourcing of Materials
	SUSTAINABLE SOURCING OF MATERIALS: Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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

2. Development Plan

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

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

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality of Design and 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 3.13 Affordable Housing Thresholds
- Policy 5.1 Climate Change Mitigation
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.3 Sustainable Design and Construction
- Policy 5.11 Green Roofs and Development Site Environs
- Policy 5.14 Water Quality and Wastewater Infrastructure
- Policy 5.18 Construction, Excavation and Demolition Waste
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.2 An Inclusive Environment
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets and Archaeology
- Policy 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- Policy 8.1 Implementation
- Policy 8.2 Planning Obligations
- Policy 8.3 Community Infrastructure Levy

B) Islington Core Strategy 2011

Policy CS8 (Enhancing Islington's Character)
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

Policy DM2.1 Design
Policy DM2.2 Inclusive Design
Policy DM2.3 Heritage
Policy DM2.4 Local Views
Policy DM3.1 Mix of housing sizes
Policy DM3.4 Housing standards
Policy DM3.5 Private outdoor space
Policy DM3.7 Noise and vibration (residential uses)
Policy DM6.5 Landscaping, Trees and Biodiversity
Policy DM7.1 Sustainable Design and Construction
Policy DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes
Policy DM8.4 Walking and Cycling
Policy DM8.5 Vehicle Parking
Policy DM9.1 Infrastructure
Policy DM9.2 Planning Obligations
Policy DM9.3 Implementation

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan:

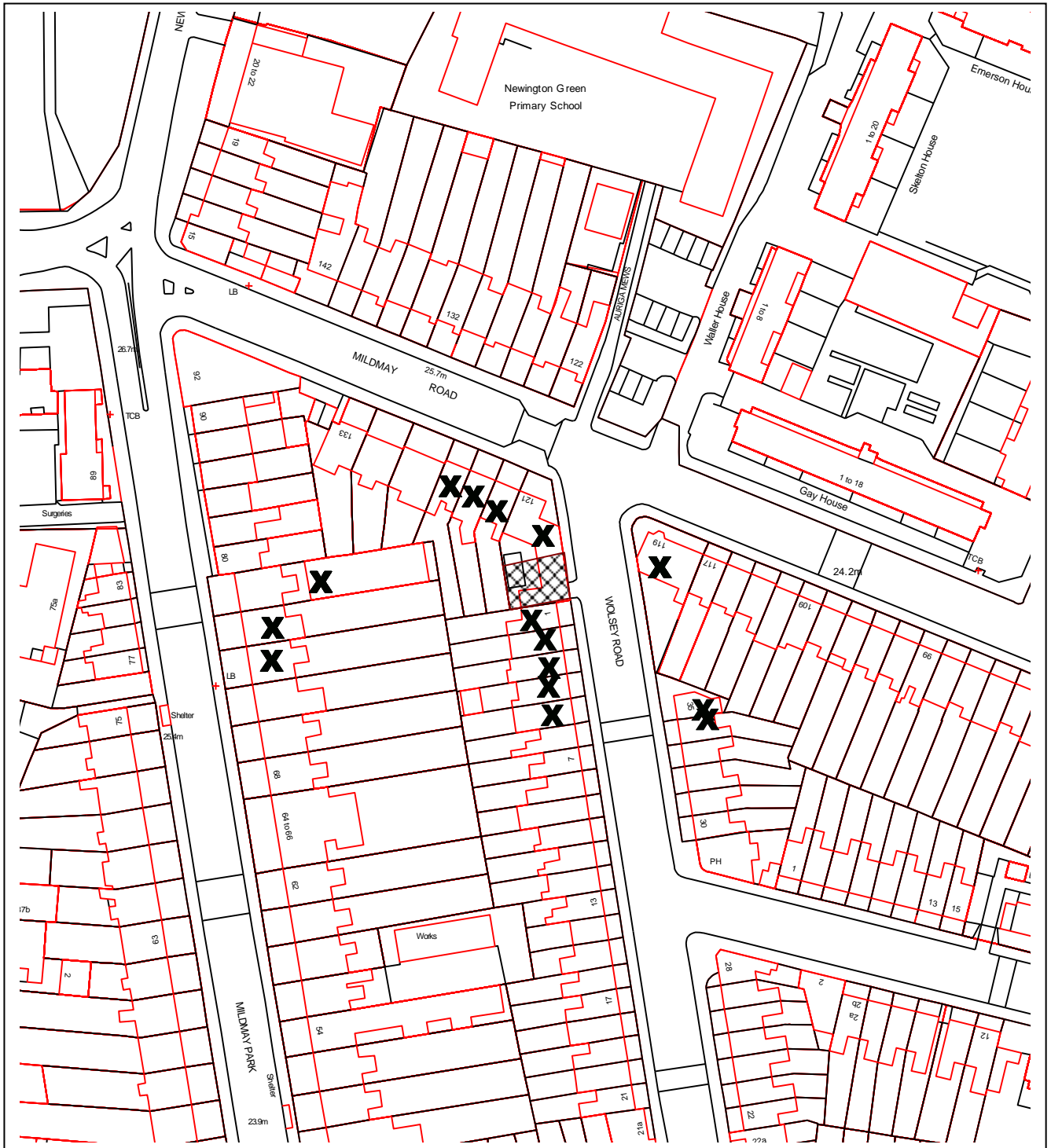
- Accessible Housing in Islington
- Affordable Housing Small Sites Contributions SPD
- Conservation Area Design Guidelines
- Planning Obligations and S106
- Urban Design Guide
- Basement SPD
- Inclusive Design in Islington SPD
- Environmental Design Planning Guidance SPD

London Plan:

- Housing
- Sustainable Design & Construction

This page is intentionally left blank

Islington SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.
P2016-2213-FUL

This page is intentionally left blank