



AGENDA FOR THE PLANNING SUB COMMITTEE A

Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Committee Room 1, Town Hall, Upper Street, N1 2UD on, **19 December 2016 at 7.30 pm.**

Stephen Gerrard
Director – Law and Governance

Enquiries to : Zoe Lewis
Tel : 020 7527 3044
E-mail : democracy@islington.gov.uk
Despatched : 8 December 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) - St Peter's;
Councillor Nicholls (Vice-Chair)- Junction;
Councillor Convery - Caledonian;
Councillor O'Halloran - Caledonian;
Councillor Poyser - Hillrise;

Wards

Substitute Members

Councillor Caluori
Councillor Chowdhury
Councillor Donovan
Councillor Gantly
Councillor Fletcher
Councillor Khan
Councillor A Perry
Councillor Picknell
Councillor Ward
Councillor Wayne
Councillor Webbe

- Mildmay;
- Barnsbury;
- Clerkenwell;
-Highbury East;
- St George's;
- Bunhill;
- St Peter's;
- St Mary's;
- St George's;
- Canonbury;
- Bunhill;

Quorum: 3 councillors



A. Formal Matters **Page**

1. Introductions
2. Apologies for Absence
3. Declarations of Substitute Members
4. Declarations of Interest

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business
6. Minutes of Previous Meeting 1 - 4

B. Consideration of Planning Applications **Page**

1. 121 Mildmay Road, London, N1 4PT 7 - 30

2.	16-26 Banner Street, London, EC1Y 8QE	31 - 56
3.	38 Hilldrop Lane, Islington, London, N7 0HN	57 - 82
4.	Highbury Fields School, 16-26 Highbury Hill, Islington, London, N5 1AR	83 - 98
5.	Land at 90-92 White Lion Street, London, N1 9PF	99 - 130

C. Consideration of other planning matters

D. Urgent non-exempt items (if any)

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

E. Exclusion of press and public

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

F. Confidential/exempt items

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee A, 30 January 2017

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.

London Borough of Islington

Planning Sub Committee A - 1 November 2016

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 1 November 2016 at 7.30 pm.

Present: **Councillors:** Martin Klute (Chair), Tim Nicholls (Vice-Chair), Paul Convery, Una O'Halloran and David Poyser

Councillor Martin Klute in the Chair

219 **INTRODUCTIONS (Item 1)**

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

220 **APOLOGIES FOR ABSENCE (Item 2)**

There were no apologies for absence.

221 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item 3)**

There were no substitute members.

222 **DECLARATIONS OF INTEREST (Item 4)**

There were no declarations of interest.

223 **ORDER OF BUSINESS (Item 5)**

The order of business would be B3, B4, B5, B2, B1, B6 and B7.

224 **MINUTES OF PREVIOUS MEETING (Item 6)**

RESOLVED:

That the minutes of the meeting held on 8 September 2016 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

225 **(LAND AT THE JUNCTION BETWEEN ROSEBERY AVENUE AND GARNAULT PLACE) ROSEBERY AVENUE, LONDON, EC1R 4QU (Item B1)**

Single panel – 6 Sheet Advertisement Display Freestanding Internally Illuminated Panel.

(Planning application number: P2016/0100/ADV)

In the discussion the following points were made:

- Since the report was written a further objection had been received about the location of the sign and the impact on the character of the area.
- A member raised concern about the proximity to Finsbury Town Hall which was a Grade 2 listed building.
- It was noted that the design and conservation officer and TfL had objected to the sign.
- The application was policy compliant.

RESOLVED:

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

226

17 DOVE'S YARD, ISLINGTON, LONDON, N1 0HQ (Item B2)

Erection of a single storey rear extension.

(Planning application number: P2016/2693/FUL)

In the discussion the following points were made:

- The planning officer advised that since the report was written a further objection had been received but this did not raise any new points.
- The objections raised had been dealt with in the officer report.
- The planning officer stated that a certificate of lawfulness had been issued in relation to proposed outbuildings in the rear garden.
- The application was policy compliant.

RESOLVED:

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

227

28 WHARTON STREET, LONDON, WC1X 9PJ (Item B3)

Demolition of existing half width extension and erection of new full width extension including addition of new staircase to rear garden, removal of lower ground floor security bars and replacement of existing window with new secure window. Relocation of first floor bathroom and demolition of non-original bathroom partitions. Refurbishment and draught-proofing of existing windows, remodelling of non-original attic floor interior. Replacement of attic floor slate cladding. Replacement of attic floor windows. Replacement of roof.

(Planning application number: P2016/3031/LBC)

Demolition of existing half width extension and erection of new full width extension including addition of new staircase to rear garden, reinstatement of below pavement vault, repairs to front light well and steps, removal of lower ground floor security bars and replacement of existing window with new secure window. Relocation of first floor bathroom and demolition of non-original bathroom partitions. Refurbishment and draught-proofing of existing windows, remodelling of non-original attic floor interior. Replacement of attic floor slate cladding. Replacement of attic floor windows. Replacement of roof.

(Planning application number: P2016/2970/FUL)

In the discussion the following points were made:

- The planning officer advised that the first sentence of Paragraph 10.18 of the officer report should read, "Concerns have been raised by properties to the rear of the property, at Lloyd Baker Street, regarding potential amenity impacts".
- The height of the party wall, boundary wall and the level of the roof terrace were considered.
- The planning officer advised that the Chartered Engineer's structural report had stated that the proposed alterations were minor and the works would not give rise to any impact on the structure of 28 Wharton Street or neighbouring properties.
- In response to an objector's concern that the basement SPD had not been applied to this development, the planning officer advised that the proposed development was not classed as a basement as it was not subterranean and would not be located under the garden.

Planning Sub Committee A - 1 November 2016

- The application was policy compliant.
- There would be no loss of amenity or overlooking from the proposed development.

Councillor Klute proposed a motion to add a condition to require the submission and approval of a construction management plan. This was seconded by Councillor Convery and carried.

RESOLVED:

That planning permission and listed building consent be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended above.

228

9 DALLINGTON STREET, LONDON, EC1V 0BQ (Item B4)

Section 73 application for variation of conditions 2, 3, 8, 10, 12 and 13 of planning consent ref: P2015/0586/FUL. Amendments include retention of parts of existing building at ground, first and fifth floors previously identified for demolition, addition of rooflights at first and fifth floors, inclusion of rear roof terraces at first to fourth floors with screening and balustrading, omission of decorative feature to front elevation, enlargement of roof level plant, alteration to shopfront and other alterations.

(Planning application number: P2016/2420/S73)

In the discussion the following points were made:

- The planning officer confirmed that some of the amendments related to the retention of the existing structure and meant some of the previously proposed alterations had been removed from the scheme.
- The hours of operation of the ground floor sandwich bar were considered.
- Concern was raised about the proximity of the new roof terraces in the proposed development to Dallington School and concern was raised that workers could use the roof terraces to smoke.
- The case officer confirmed that the plant was on the opposite site of the proposed development to Dallington School so would not impact upon the school. Concern was raised that St Peter and Paul's school was also nearby and the planning officer advised that a noise impact assessment had been carried out.

Councillor Klute proposed a motion to add a condition to restrict the hours of operation of the sandwich bar to 8am-6pm. This was seconded by Councillor Convery and carried.

Councillor Klute proposed a motion that no permission for the new roof terraces be granted. This was seconded by Councillor Convery and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended above.

229

AMBER COURT, 1 BRIDE STREET, ISLINGTON, LONDON, N7 8PY (Item B5)

Single storey roof extension to provide 1 x three-bedroom flat and 1 x four-bedroom flat, single storey rear extension at ground floor level to provide a new entrance area and cycle store, and the replacement of all windows with aluminium frames and zinc panels.

(Planning application number: P2016/3020/FUL)

In the discussion the following points were made:

- The planning officer confirmed that the windows of the whole block would be replaced with like for like windows however zinc rather than lead would be used as it was less likely to be stolen.
- Objectors from the adjoining Forest Court raised concerns about escape routes being blocked up. Whilst this was a building regulation matter rather than a planning matter, Councillor Convery agreed to take their details and follow this up.
- The dwelling mix of the block was considered.
- A construction management plan had been conditioned.
- The application was policy compliant.

RESOLVED:

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

230

LAND TO CORNER OF CALEDONIAN ROAD AND TWYFORD STREET, 229 CALEDONIAN ROAD, LONDON, N1 0NH (Item B6)

Installation of freestanding internally illuminated advertisement display panel (6 sheet) on the pavement on the corner of Caledonian Road and Twyford Street.

(Planning application number: P2015/4848/ADV)

In the discussion the following points were made:

- The planning officer advised that due to a lack of clarity on the location of the sign, the consideration of the application should be deferred.

RESOLVED:

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

231

PAVEMENT OPPOSITE 10 TYSOE STREET AT THE JUNCTION BETWEEN ROSEBERRY AVENUE AND TYSOE STREET, LONDON, EC1R 4RQ (Item B7)

Installation of a single panel – 6 Sheet Advertisement Display Freestanding Internally Illuminated Panel on the pavement opposite Tysoe Street at the junction between Roseberry Avenue and Tysoe Street.

(Planning application number: P2016/0102/ADV)

In the discussion the following points were made:

- A member raised concern about the proximity of the sign to listed buildings.
- It was noted that the design and conservation officer had objected to the sign.
- The application was policy compliant.

RESOLVED:

That advertisement consent be granted subject to the conditions and informatives set out in Appendix 1 of the officer report.

The meeting ended at 9.35 pm

CHAIR

COMMITTEE AGENDA

1 121 Mildmay Road
LONDON
N1 4PT

2 16-26 Banner Street
LONDON
EC1Y 8QE

3 38 Hilldrop Lane
Islington
LONDON
N7 0HN

4 Highbury Fields School
16-26 Highbury Hill
Islington
LONDON
N5 1AR

5 Land at 90-92 White Lion Street London N1 9PF

1 121 Mildmay Road
LONDON
N1 4PT

Ward: Mildmay

Proposed Development: Retrospective application in connection with the subdivision of single family dwelling house into 2 no. self contained flat (1 no. two-bed and 1 no. three-bed).

Application Number: P2016/2468/FUL

Application Type: Full Planning Application

Case Officer: Sandra Chivero

Name of Applicant: Haden West & Stewart

Recommendation:

2 16-26 Banner Street
LONDON
EC1Y 8QE

Ward: Bunhill

Proposed Development: Erection of part single, part two-storey roof extension to provide 6no. self-contained residential flats comprised of 1no. two-bedroom flat and 5no. three-bedroom flats in conjunction with associated external alterations to the building, cycle parking, refuse storage and ancillary works.

Application Number: P2016/3210/FUL

Application Type: Full Planning Application

Case Officer: Ben Oates

Name of Applicant: GRIPNomco3 Limited & GRIP Nomco 4 N/A

Recommendation:

3 38 Hilldrop Lane

Islington
LONDON
N7 0HN

Ward: St. Georges

Proposed Development: Demolition of the existing house and redevelopment of the site to provide a two storey building with a setback third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking.

Application Number: P2016/3134/FUL

Application Type: Full Planning Application

Case Officer: Daniel Jeffries

Name of Applicant: Mr Jon Murch

Recommendation:

4 Highbury Fields School

16-26 Highbury Hill
Islington
LONDON
N5 1AR

Ward: Highbury West

Proposed Development: New external lighting to Highbury Fields School site

Application Number: P2016/2175/FUL

Application Type: Full Planning Application

Case Officer: Sandra Chivero

Name of Applicant: HTom Eibich

Recommendation:

5 Land at 90-92 White Lion Street London N1 9PF

Ward: Barnsbury

Proposed Development: Erection of five storey building on the vacant site at 90-92 White Lion Street to provide A3 (restaurant) on basement and ground floor, B1 (office) on 1st, 2nd and 3rd floors and 1no. 3 bedroom residential unit on the top floor.

Application Number: P2016/0197/FUL

Application Type: Full Planning Application

Case Officer: Ben Oates

Name of Applicant: Mr Stewart Schwartz

Recommendation:

PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 PO Box 333
 222 Upper Street

PLANNING SUB COMMITTEE A		
Date:	19 DECEMBER 2016	NON-EXEMPT

Application number	P2016/2468/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	121 Mildmay Road Islington N1 4PT
Proposal	Retention of 2 no. self-contained flats (1 no. two-bed and 1 no. three-bed).

Case Officer	Sandra Chivero
Applicant	Haden West & Stewart
Agent	Ben Mayfield – 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

Application Site

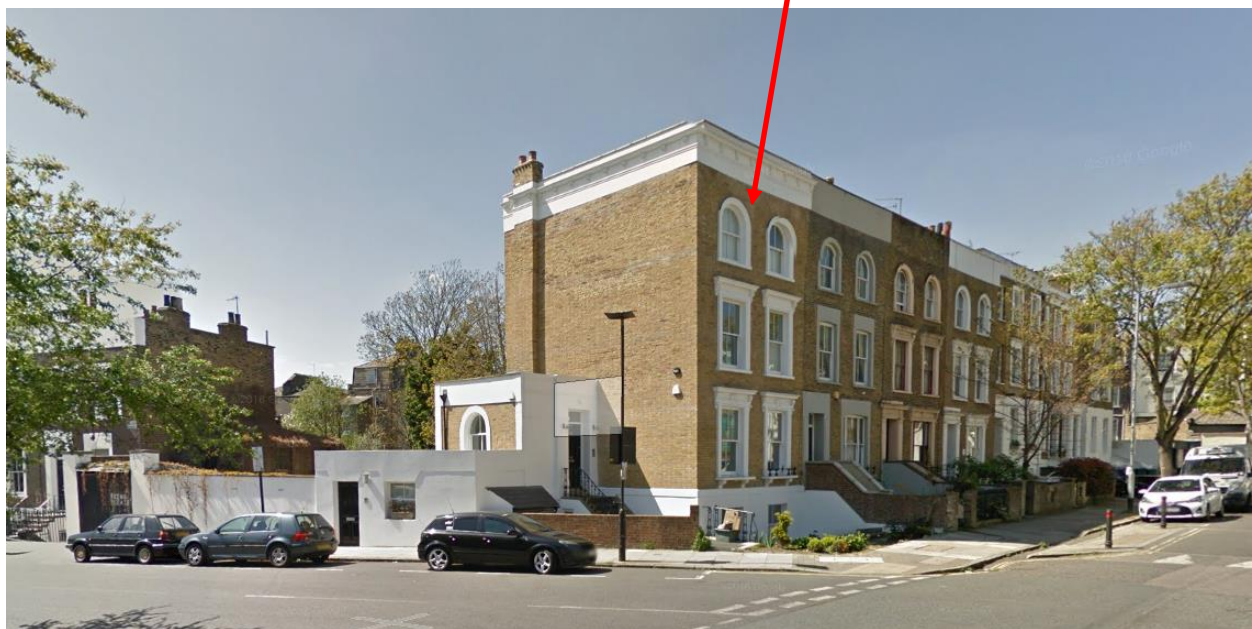


Image 2: Existing Street view of Application Site



Image 3: View from the rear of 121 Mildmay Road.

SUMMARY

- 4.1 The application seeks planning permission for the retention of the conversion of a former single family dwelling house (C3) into 2 self-contained flats. The main considerations are the acceptability of the proposed residential use of the site, impact the character and appearance of the conservation area, amenity, and quality of accommodation, transport and affordable housing contributions.
- 4.2 The proposed standard of residential accommodation is considered adequate and the proposal raises no concerns in relation to transport. The applicant has agreed to make the full required small sites affordable housing. The development will be car free and this will be secured by condition.
- 4.3 The proposed development is not considered to have any material adverse impacts on adjoining residents' amenity levels.
- 4.4 While there is no provision of private outdoor amenity space to the upper flat B, the occupants will have access to the front garden and the nearest amenity space (Newington Green) is located 0.12km away. On balance it is considered that as the resulting residential accommodation is satisfactory in all other aspects and the conversion overall is considered acceptable in principle.
- 4.5 Due to design, materials and appearance the set in infill to the position of the bricked door opening, rendered and painted to match the adjacent is considered sympathetic to the host building. It is therefore considered that the character and appearance of the surrounding Conservation Area would be preserved.
- 4.6 Overall, the proposed development is considered acceptable and the conversion to 2 no. residential units is compliant with policy.

SITE AND SURROUNDING

- 5.1 No. 121 is the end property of a Victorian terrace of three-storey townhouses. The land at the rear of the site is occupied by 2 no. dilapidated outbuildings fronting on to Wolsey Road. (Planning permission was recently granted for the erection of a new four-bedroom single family dwelling house in place of the dilapidated outbuildings.) Directly adjacent and south of land at the rear of the application site is a row of terraced housing oriented perpendicular to Mildmay Road, which forms a period row on Wolsey Road. To the west no. 123 Mildmay Road bounds the property and to east the site fronts on to Wolsey Road and the rear garden of no. 119 Mildmay Road located on the opposite side of the road across the highway. The existing building is not listed but the site is located within the Newington Green Conservation Area. The surrounding area is predominantly residential in character.

PROPOSAL (IN DETAIL)

- 6.1 The proposal comprises of the retention of the conversion of a single family dwelling house (C3 use class) into 2 no. self-contained flats (1 no. two-bed and 1 no. three-bed). The three-bed unit is located at lower ground and ground floor levels and the two-bed unit is located at first and second floor levels.
- 6.2 Revision 1: Drawings received on 29 November 2016 showing sub division of garden and spiral staircase omitted from the proposal. The upper two bed flat B will no longer have access to private outdoor amenity space. The amended drawings also show possible location of the cycle store for the family unit in the rear garden and the possible location of the upper two bed unit flat B to behind the boundary wall to Wolsey Road.
- 6.3 Revision 2: Drawings received on 01 December 2016 showing the existing door fronting Wolsey Road blocked up and the infill will be rendered and painted to match adjacent, but would be set to show the position of the original door. The amended drawings also show the existing to be obscured to 1700mm above pavement level.

RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 May 2016: Planning application (Ref. P2015/2213/FUL) Approved at Committee for 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. *Decision Notice has not been issued as the Affordable House Contributions Unilateral Agreement requires to be signed first.*
- 7.2 April 2015: S73 Application (Ref. P2015/0626/S73) Approved for 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.
- 7.3 March 2015: Planning permission (Ref. P2015/0518/FUL) Granted for the creation of a new porch portico to the entrance on the front elevation.
- 7.4 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.
- 7.5 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.

- 7.6 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.
- 7.7 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.
- 7.8 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).
- 7.9 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).

- 7.10 A subsequent appeal was dismissed under ref. APP/V5570/A/11/2167424/NWF.

ENFORCEMENT:

- 7.11 121 Mildmay Road, 121A Mildmay Road and Rear of 121 Mildmay Road. 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.

- 7.12 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.
- 7.13 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.

CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 142 adjoining and nearby properties along Wolsey Road, Mildmay Road and Mildmay Park on 16 August 2016. Site and Press notices were displayed on 25 August 2016. The public consultation of the application expired on 15 September 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 four 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 use of annex (Paragraph 10.5)
 - Removal of residential style front door and window on Wolsey Road (Paragraph 10.7)
 - Prevention of egress onto rear flat roof at first floor level (Paragraph 10.9)
 - Splitting of garden (Paragraph 10.13)
 - Inappropriate positioning of a bedroom window (Paragraph 10.13)
 - Anomalous position of garden for Flat B relative to Flat A (Paragraph 10.13)
 - Lack of consultation on conversion into 3 flats (Paragraph 10.25)
 - Cumulative impact of unauthorised works (Paragraph 10.26)
 - Disregard for planning laws (Paragraph 10.26)
 - Developer has not complied with conditions of previous development (Paragraph 10.26)
 - Incremental changes in plans subvert the planning process (Paragraph 10.26)
 - Overdevelopment (Paragraphs 10.26 and 10.27)
 - Spiral staircase positioning (Paragraph 6.2, 10.13 and 10.29)
 - Conflicting data regarding garden size (Paragraph 10.29)
 - The east elevation views are inaccurate (Paragraph 10.30)
 - Waste storage and collection areas not defined for two properties (Paragraph 10.31)
 - Re-building of the demolished front boundary wall (Paragraph 10.32)
 - Replacement of trees felled without consent (Paragraph 10.32)

- 8.3 An **objection was also received from Cllr Caluori** raising concerns regarding unauthorised conversion of the property, site history of overdevelopment, developer acting in bad faith and failure to fulfil his obligation in regard to existing planning permission.

External Consultees

- 8.4 **None**

Internal Consultees

- 8.5 **None**

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.

ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Conversion
- Neighbouring Amenity
- Quality of accommodation
- Affordable housing small sites

Conversion

10.2 It is proposed to retain 2 no. self –contained flats 1no. two-bed unit and 1no. three-bed unit converted from a single family dwelling house (C3 use class). The intensification of residential use (C3 use class) is considered acceptable in principle at this location which is in residential use (C3 use class).

10.3 It is also considered that the addition of residential unit (C3 Use) would be appropriate and compatible with the existing surrounding residential properties. The provision of additional housing at this location would be supported by policy CS12 of the Core Strategy which seeks to meet and exceed the borough housing targets through provision of additional housing in suitable locations as in this instance.

10.4 The size of the property is 233.62sqm (including non-original extension). The proposal would therefore comply with policy DM3.3 which states that the conversion of residential units into a larger number of self-contained units will normally only be permitted where the total floor area is in excess of 125sqm (gross internal). The resulting units would further accord with the policy's requirement to provide at least one three bedroom and one two bedroom unit for properties with a floor area in excess of 140sqm.

10.5 Concerns have been raised regarding the change of use of the annex to residential accommodation. The existing annex is shown on historic drawings as ancillary space to the existing dwelling house. Whilst it had an entrance directly to the street it could also be accessed from the main dwelling. The use of the annex as additional living space is not considered to result in a formal change of use of the space. The application therefore cannot be refused for this reason.

Conservation, Design and Appearance

10.6 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an

area based upon an understanding and evaluation of its defining characteristics.

- 10.7 Concerns were raised regarding removal of residential style front door and window on Wolsey Road. Amended drawings were received showing the side window fronting Wolsey Road retained in its position but would incorporate obscure glazing. The amended drawings also show the side door to Wolsey Road bricked up and the infill will be rendered and painted to match adjacent, but would be set to show the position of the original door. Due to design, materials and appearance this alterations to the side elevation is considered sympathetic to the host building and would not detract from the streetscene. It is therefore considered that the character and appearance of the surrounding Newington Green Conservation Area would be preserved

Neighbouring Amenity

- 10.8 The site would remain in residential use and is therefore considered not to result in harmful noise disturbance. The conversion of the site is also not considered to give rise to overlooking nor loss of privacy to the neighbouring residential properties. The residential use compatible with the surrounding residential properties is therefore considered not to prejudice the residential amenity of neighbouring properties. This would be in line with policy DM2.1 which requires development to provide good level of amenity.
- 10.9 Concerns have been raised regarding prevention of egress onto flat roof at rear first floor level. The flat roof area at rear first floor level is not permitted to be used as outdoor amenity space whatsoever. This is secured via a condition attached to the S73 Application Ref. P2015/0626/S73 approved in April 2015 for the Removal or 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 and the current plan do not proposed any access.

Quality of residential accommodation

- 10.10 It is proposed to retain 2 no. self –contained flats 1no. two-bed unit and 1no. three-bed unit converted from a single family dwelling house (C3 use class). The three-bed unit is located at lower ground and ground floor levels and the bedrooms to the two bed unit are located at first and second floor levels. The bedrooms to the two bed unit are located at lower ground floor level and the kitchen/living/ dining space is located at Ground floor level. The bedrooms to the three bedroom unit are located at second floor level and the kitchen/living/ dining space would be located at first floor level.
- 10.11 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)
Flat A	3b/6p	95	137.37	30	36
Flat B	2b/3p	70	93.91	15	0

10.12 The resulting units are in excess of the required minimum space standards applicable to the unit's size by 68.62sqm. While the flats are oversized, this is a minimum standard. In addition, the generous floor space allows provision of residential accommodation of good quality with a logical and functional layout as well as the provision of dual aspect. In addition, the generous bedrooms, living spaces and storage space also meet the minimum room size requirements stipulated within the Development Management Policies.

10.13 Concerns have been raised regarding the inappropriate window fronting the pavement as well as the rear bedroom window to Flat A fronting the rear garden to Flat B. Amended drawings have been submitted showing the spiral staircase omitted from proposal and the rear garden will no longer be subdivided and will only be used by the Flat A. This is considered to address the concerns raised regarding the splitting of the garden and overlooking to Flat A from the rear garden. Further amended drawings were received showing the window bedroom window fronting Wolsey Road obscure to 1700mm above pavement level. This has been secured by a condition which also requires this window to remain fixed shut. This is also considered to minimise undue loss of privacy to the future residential occupants.

10.14 As shown in Table 2 above the provision of 36sqm of outdoor amenity space for Flat A would accord with policy 3.5 of the Development Management Policies required minimum standard of 30sqm of amenity space for family units. It is regrettable that the upper Flat B would not have access to private outdoor amenity space. However, the unit has access to the front garden (20sqm) and is located 0.12km away from the nearest amenity space at Newington Green.

10.15 Overall, the 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

- 10.16 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
- 10.17 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.
- 10.18 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.
- 10.19 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.
- 10.20 In this instance, given that the application is to convert an existing building, the provision of level access is considered to be impractical and the lack of such a provision is not considered sufficient grounds for a recommendation of refusal. A condition has been attached requiring the scheme to comply with Category 1.

Affordable Housing and Financial Viability

- 10.21 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.

- 10.22 Concerns have been raised regarding to failure to fulfill the obligation for the scheme approved in May 2016 under ref. P2015/2213/FUL for the erection of a new dwelling to the land at the rear of the site. At the time of the submission the applicant agreed to make the required affordable housing contributions, however, they delayed signing the affordable housing contributions agreement. While this is regrettable, the current application is assessed on its merits and cannot be refused because a previous agreement was not signed.

Highways and Transportation

- 10.23 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. This would 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'.
- 10.24 Amended drawings have been submitted showing possible locations for cycle storage for the residential accommodation. A condition has been attached requiring the submission of details of the layout, design and appearance (shown in context) of the bicycle storage area(s) to be submitted and approved in writing by the Local Planning Authority within 3 months of the decision. The storage shall be covered, secure and provide for no less than 5 cycle spaces. This would be in line with the requirements of policy DM8.4 of the Development Management Policies.

Other Issues

- 10.25 Concerns were raised regarding lack of consultation of conversion of property into three flats. It is stated that the unit was turned into at least three flats, yet permission is sought for the retention of two flats. The applicant has confirmed that the existing unit is in use as 2 no. self-contained flats and was in use as such before they purchased the flats in 2013. There are no Council records that confirm the lawful use of the premises as 3 no. self-contained flats. The local planning authority can only consult on works which form part of a formal submission. The Council have therefore consulted on the proposal the application is seeking planning permission for.
- 10.26 Concerns have been raised regarding the developer not complying with previous development, disregard for planning laws and changes in plans subverting the planning process and cumulative impact of unauthorised works

including overdevelopment. A reference has been made to a previous application refused on over-development and was dismissed on appeal. Unauthorised works have been part of enforcement investigations. The works have been regularised with planning permission. With regards to concerns raised regarding proposals submitted under separate planning applications, the Council do not have powers to control how the applicant submits the application. The Council has a duty to assess each application on its own merits against relevant policies.

- 10.27 The previous application (Ref. P110716) proposing to convert the main house into 3 self-contained units 2x two-bed flats and 1x one-bed flat; provision of 2x two bed flats fronting Wolsey Road as well as erection of a contemporary dwelling house (three-storeys over basement) was dismissed on appeal in October 2012 (Please see attached Inspectorates Decision). The Inspector concluded that the proposal would result in harm to living conditions of future occupiers arising from overdevelopment of the site and a consequent lack of suitable private amenity space. In particular, the proposed development was considered not to make adequate provision for private amenity space for future occupiers. The layout was considered to be cramped in relation to surrounding development and the utility of the garden/patio areas as living space was reduced as a consequence of overlooking.
- 10.28 A follow up 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” was appealed under non-determination and dismissed by the Inspectorate on design grounds. It should be noted that the cumulative impact of the 2 separate applications is less than the previous developments dismissed on appeal.
- 10.29 Concerns have been raised regarding conflicting data regarding garden size. It is annotated on the drawings submitted under application ref. P2015/2213/FUL that the existing garden area to no. 121 Mildmay Road is 33sqm. However, this did not include the area where the spiral staircase was positioned hence the difference with the drawings submitted under the current application which gives a total area of 36sqm inclusive of this area.
- 10.30 It is stated by the neighbour that the concerns previously raised regarding the inaccuracies to the Wolsey Road elevations still stand. As previously clarified by the architect, the new extension to the main property angles off to the north-west, therefore it is only partially revealed in the existing and proposed Wolsey Road (east) Elevations.
- 10.31 No details of refuse and recycling were shown on the submitted drawings. A condition has been attached to the application requiring the submission of the details of refuse and recycling arrangements within 3 months of the decision.

10.32 Concerns have been raised regarding the re-building of the demolished front boundary wall and replacement of trees that were felled without consent. These works do not form a part of the current scheme.

SUMMARY AND CONCLUSION

Summary

- 11.1 The intensification of residential use is considered acceptable in principle at this location which is in residential use would be appropriate and compatible with the existing surrounding residential properties.
- 11.2 The conversion of the site use of the rear garden is also not considered to give rise to noise disturbance, overlooking or loss of privacy to the neighbouring residential properties. The residential use compatible with the surrounding residential properties is therefore considered not to prejudice the residential amenity of neighbouring properties.
- 11.3 The failure to provide sufficient private outdoor amenity space for the upper unit B is regrettable. However, the resulting residential accommodation which would result in good standard residential accommodation with dual aspect, outlook from habitable rooms, natural ventilation, privacy and light levels is considered acceptable in principle.
- 11.4 The applicant has agreed to make the full required small-site affordable housing contributions.
- 11.5 The bricked up door opening set in to reveal the position of original door and incorporating of render to match adjacent is considered sympathetic to the host building. The character and appearance of the surrounding conservation area would be preserved.
- 11.6 Overall, the proposal is acceptable and broadly in accordance with the Development Plan Policies.

Conclusion

- 11.7 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

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	Approved plans list
	DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: 1329-NMA-XX-ZZ-DR-B-00001 P2, 1329-NMA-XX-00-DR-B-00100 P2, 1329-NMA-XX-01-DR-B-00100 P3, 1329-NMA-XX-02-DR-B-00100 P3, 1329-NMA-XX-03 -DR-B-00100 P3, 1329-NMA-XX-LG1-DR-B-00100 P3, 1329-NMA-XX-RF-DR-B-00101 P3, 1329-NMA-XX-ZZ-DR-B-00200 P2, 1329-NMA-XX-ZZ-DR-B-00201 P3, 1329-NMA-XX-ZZ-DR-B-00202 P3, 1329-NMA-XX-00-DR-A-00101 P2, 1329-NMA-XX-01-DR-A-00101 P1, 1329-NMA-XX-02-DR-A-00101 P1, 1329-NMA-XX-03-DR-A-00101 P1, 1329-NMA-XX-LG1-DR-A-00101 P4, 1329-NMA-XX-RF-DR-A-00101 P2, 1329-NMA-XX-ZZ-DR-A-00200 P2, 1329-NMA-XX-ZZ-DR-A-00201 P4, 1329-NMA-XX-ZZ-DR-A-00202 P2; LETTER DATED 16 JUNE 2016 FROM NORTON MAYFIELD ARCHITECTS (REF.

	<p>1329-PL-DAS).</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>
2	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. <p>Reason: To ensure that the development remains car free.</p>
3	Category 1 Condition
	<p>CONDITION: Notwithstanding the drawings hereby approved, all residential units shall be constructed to Category 1 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>
4	Cycle Parking Provision (Details)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority within 3 months from the date of the decision. The storage shall be covered, secure and provide for no less than 5 cycle spaces.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p>

	<p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
5	<p>Window fronting Wolsey Road</p> <p>CONDITION: Notwithstanding the approved drawings the ground floor window fronting Wolsey Road shall be obscurely glazed and fixed shut within three months of the decision. The window shall be maintained as such unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirms that the window could open to a degree, which would not result in undue overlooking to the residential accommodation.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue loss of privacy to the future residential dwellings.</p>
6	<p>Refuse/Recycling (Details)</p> <p>CONDITION: Notwithstanding the approved drawings the details including layout, design and appearance (shown in context) of the dedicated refuse / recycling enclosure(s) shall be submitted to and approved in writing by the Local Planning Authority within three months of the decision.</p> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to</p>

List of Informatives:

1	<p>Positive Statement</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p>
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	The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.
2	Section 106
	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.
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.

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 6.13 Parking
- Policy 7.2 An Inclusive Environment
- Policy 8.1 Implementation
- Policy 8.2 Planning Obligations
- Policy 8.3 Community Infrastructure Levy

B) Islington Core Strategy 2011

- Policy CS10 (Sustainable Design)
- Policy CS12 (Meeting the Housing Challenge)

C) Development Management Policies June 2013

- Policy DM2.2 Inclusive Design
- 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 DM8.4 Walking and Cycling
Policy DM8.5 Vehicle Parking
Policy DM9.2 Planning Obligations
Policy DM9.3 Implementation

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

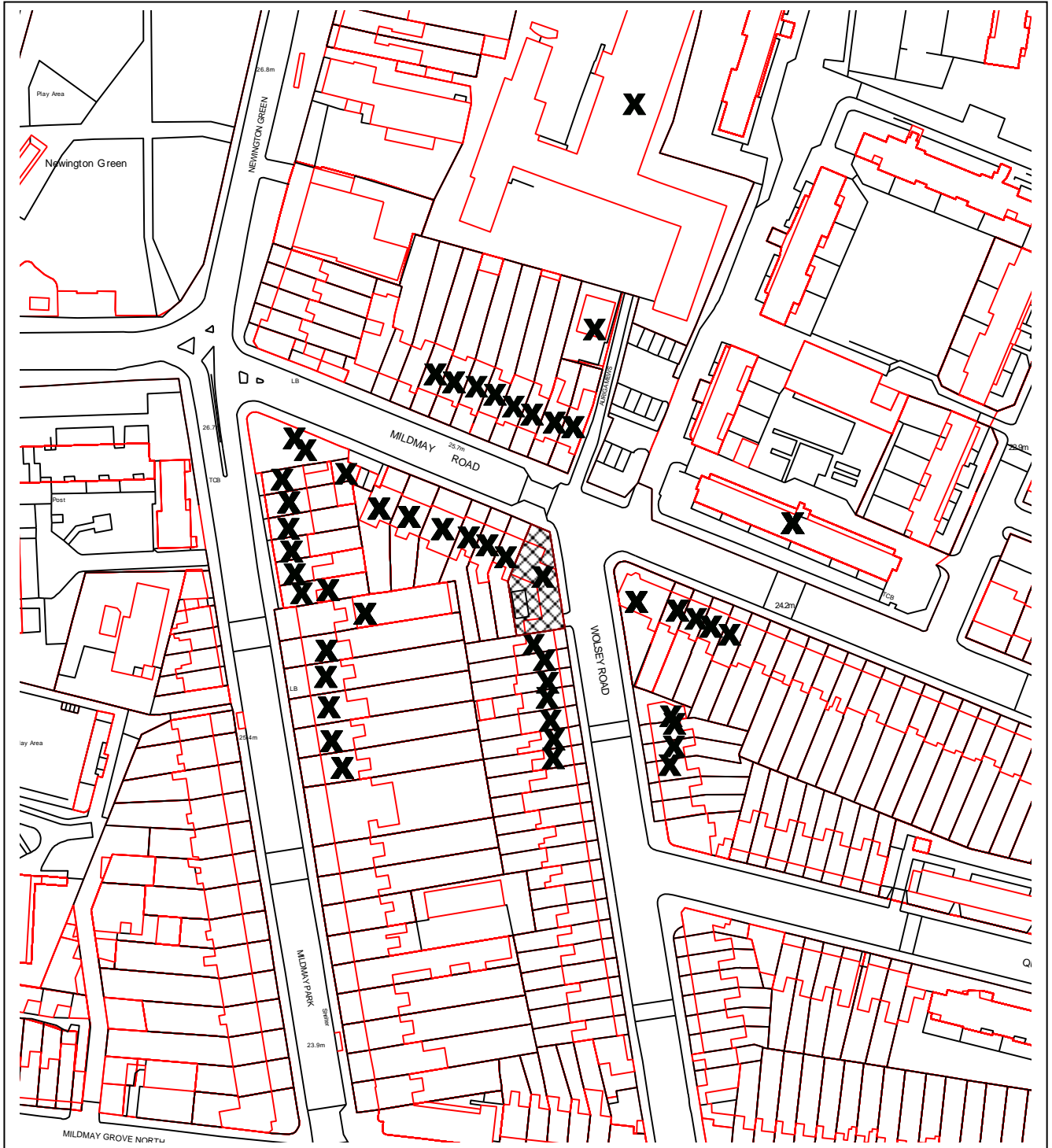
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan:

London Plan:

- Accessible Housing in Islington
 - Affordable Housing Small Sites Contributions SPD
 - Planning Obligations and S106
 - Inclusive Design in Islington SPD
- Housing

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE A		
Date:	19 December 2016	NON-EXEMPT

Application number	P2016/3210/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Not listed
Conservation area	Not in a conservation area
Development Plan Context	<ul style="list-style-type: none"> - Building Structure to be Retained - Sustainable Design - Small Sites Affordable Housing Contributions - CAZ - Employment Priority Area
Licensing Implications	None
Site Address	16-26 Banner Street, EC1Y 8QE
Proposal	Erection of part single, part two-storey roof extension to provide 6no. self-contained residential flats comprised of 3no. two-bedroom flat and 3no. three-bedroom flats in conjunction with associated external alterations to the building, cycle parking, refuse storage and ancillary works.

Case Officer	Ben Oates
Applicant	GRIP Nomco 3 Limited & GRIP Nomco 4
Agent	Peter Brett Associates LLP - Miss Jill McGregor

1. RECOMMENDATION

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

1. The conditions set out in Appendix 1; and
2. Completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the contributions for affordable housing, carbon offsetting and ensuring the development remains car free.

Image 1: Aerial view of street elevation (looking north)

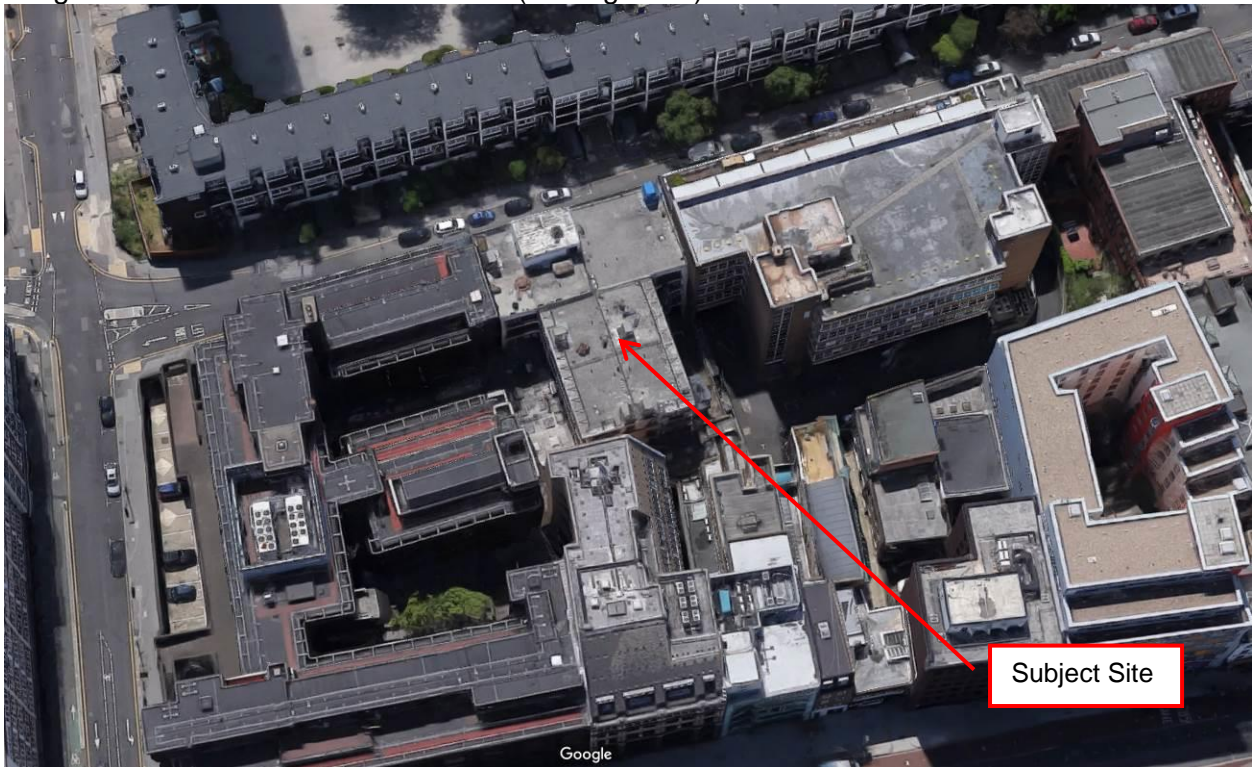


Image 2: Aerial view of rear elevation (looking south)



Image 3: Front elevation from Banner Street



Image 4: Neighbouring property to rear (138-140 Old St) view from application site



Image 5: Looking east from application site at Quaker Court



Image 6: View to rear from roof of application site



Image 7: Looking west along Banner Street

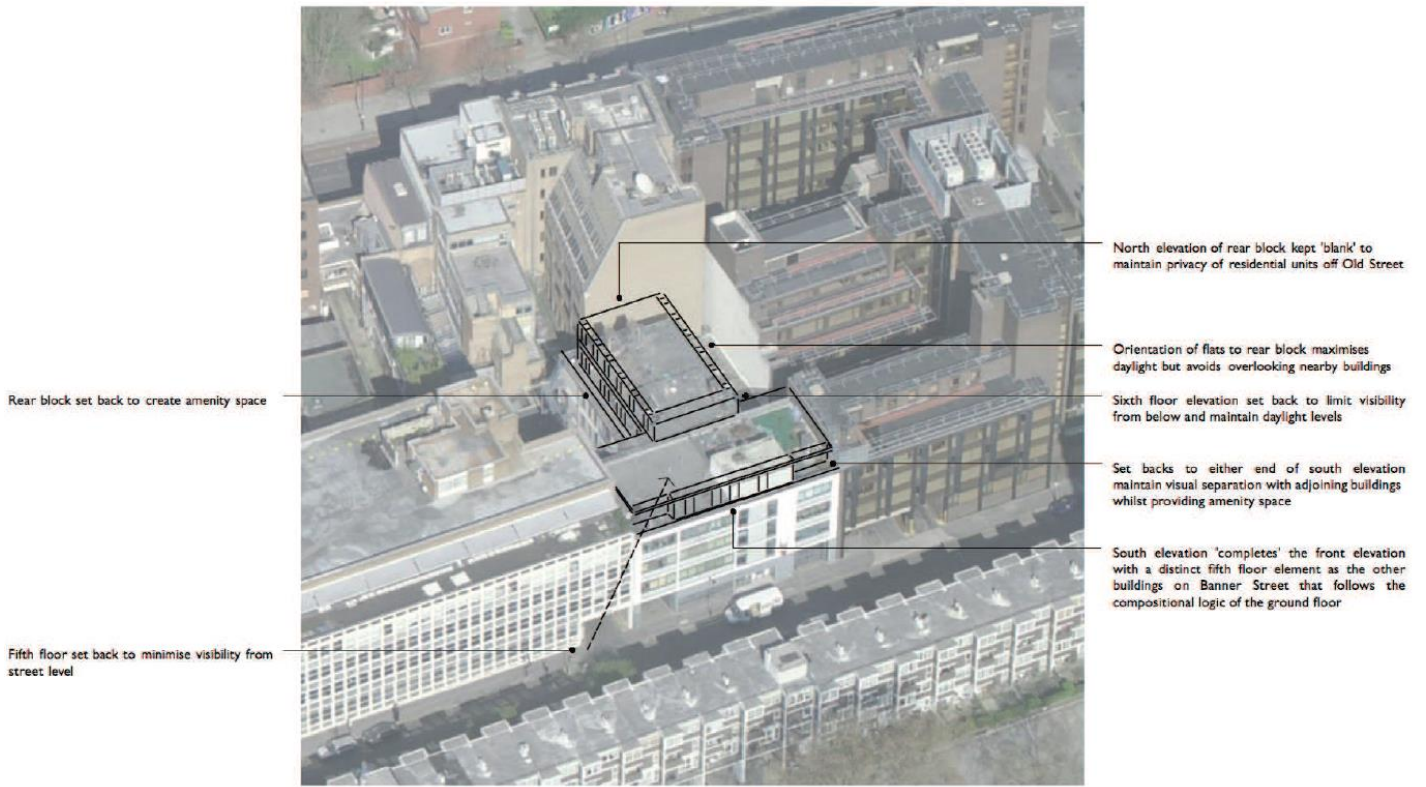


Image 8: Outline of the proposed development



Image 9: Visualisation proposed development from street level.

4. SUMMARY

- 4.1 The application seeks permission for the erection of a part single-storey, part two-storey extension to the roof of the four storey building at 16-26 Banner Street to provide 6no. self-contained residential flats comprised of 3no. two-bedroom flat and 3no. three-bedroom flats in conjunction with associated external alterations to the building, cycle parking, refuse storage and ancillary works.
- 4.2 The principle of the development to create additional residential units on an existing mixed use building that contains residential units is considered acceptable and sufficient private amenity space would be provided. The area contains a mix of commercial and residential uses and is not within or adjoining a Conservation Area. The properties adjoining on either side and to the rear contain offices, including the Royal Mail House that is currently undergoing refurbishment and extensions, whilst across the road to the south is the Quaker Court residential development.
- 4.3 The design of the proposed roof extension is part single storey and part two storey, which along with its layout, scale and massing is considered to be visually acceptable and would not dominate the host building in this location where roof extensions are common. The proposal includes sufficient setbacks from the front and side elevations to conceal the second storey from public viewpoints.
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the national and local floorspace standards required by the National Housing Standards, London Plan and Mayor's Housing SPG (Nov 2012). The Islington Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes. The proposal contains a three-bedroom and a four-bedroom flat, which will contribute to the stock of larger dwellings in this part of the borough.
- 4.5 Private amenity space is provided in accordance with the Council's requirements. It is proposed that the new build dwellings would be constructed to meet the standards set by the Code for Sustainable Homes.
- 4.6 The development proposes no additional vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.
- 4.7 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies.

5. SITE AND SURROUNDING

- 5.1 The application site comprises a four-storey mixed-use building on the northern side of Banner Street. It is understood that the building was originally built during the 1960's for use as offices; however it now contains 19 residential units within the second, third and fourth floors whilst commercial uses remain within the ground and first floors and the rear mezzanine level in between. The subject property is not listed and not within a Conservation Area.

- 5.2 The surrounding properties consist of a mix of commercial and residential uses and vary in height from the three storey commercial properties fronting onto Old Street to the north-east to the 19 storey housing development, Braithwaite House, nearby to the south. Quaker Court, which is a post-war housing development opposite the application site to the south, forms a terraced row of maisonette flats that is characterised by its brown-brick with white detailing and the rhythm of projecting front walkways and bay windows. Overall there is very little consistency in the built form and character of the vicinity, which is mostly due to the post-war redevelopment of the area.
- 5.3 The application property is located within the Central Activities Zone and within close proximity to shops, parks, schools and restaurants and is within short walking distance of bus stops, tube stations and national rail stations.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposed development seeks planning permission for the erection of a part single-storey, part two-storey extension to the roof of the four storey building at 16-26 Banner Street to provide 6no. self-contained residential flats comprised of 3no. two-bedroom flat and 3no. three-bedroom flats in conjunction with associated external alterations to the building, cycle parking, refuse storage and ancillary works.
- 6.2 The development will be situated on top of the existing four storey flat roofed building and would be accessed through the existing entrance core to the building with a relatively simple extension of the building's existing staircase and lift to provide step free access. The proposed single storey roof extension would have a height of 3.2m above the existing flat roof, whilst the second storey would be an additional 2.5m above this to create a combined total additional height of 5.7m above the existing building. This would increase the total height of the building to 15.2m above ground level. The proposed single storey roof extension would cover the full extent of the existing building with a 1.0m setback from the front elevation, which would partly form the roof terraces for the proposed front units (new flats 1 and 2). The proposed second storey roof extension would be limited to the narrower rear part of the existing building, which would result in a set it back from the front elevation of approximately 10.1m.
- 6.3 The extension would be of a contemporary style with generous setbacks to the second storey to ensure it would not be visible from the public realm. Roof terraces serving each new unit are proposed within the front and side setback areas of the roof and would be enclosed by glazed balustrades. The extension is proposed to be finished in light grey back-painted obscured glass flush panel cladding with minimally framed glazed sliding doors and dark grey metal panel clad parapets.
- 6.4 The proposed residential development would provide 3no. two-bedroom / 4 person flats, 2no. three-bedroom / 5 person flats and a three-bedroom / 6 person flat. Each flat would be provided with good quality living environment and accessible kitchen, living and dining rooms and access to a roof terrace. The proposal would also provide additional cycle storage, including accessible bicycle parking and spaces for mobility scooter storage and charging facilities and additional refuse storage.
- 6.5 The existing plant room at the front of the roof is proposed to be relocated to the front section of the second storey part of the proposed roof extension. The new flat roof areas are proposed to be covered with green roofs.

Amendment:

- 6.6 A minor amendment was made to the application by the addition of screening to the rear window of the proposed new flats 1 and 2 and internal layout changes to proposed flats 3 and 4.

7. RELEVANT HISTORY:

Planning Applications:

- 7.1 P2014/1994/FUL - Replacement of existing balustrading to roof terraces to Flats 3, 4, 5 and 6 at second floor roof level. Approved (29/07/2014)
- 7.2 981506 - Amendment to permitted scheme. Amendments comprise retention of area occupied by goods lift and allocate to flats 3, 4, 9 and 10 including provision of balconies. Approved (17/09/1998)
- 7.3 981000 - Revisions to planning permission dated 29th August, 1997, (Ref: 97/1029) to include provision of balconies and terraces and internal alterations to layout. Refused (15/07/1998)
- 7.4 980742 - Alterations to planning permission dated 29.08.97 (ref 97/1029) to erect rear extension at third floor level to create additional three x 2 bedroom flats with roof terraces. Approved (29/07/1998)
- 7.5 971029 - Conversion of vacant offices to form 2 x one bedroom live/ work units, 2 x three bedroom, 9 x two bedroom and 4 x one bedroom residential units, associated parking, roof terrace and B1 office use on ground floor. Approved (29/08/1997)
- 7.6 911101 - Redevelopment to provide basement and five storey building (plus plant) for Business Use (offices light industrial High Tech). Floorspace 5 540sq.m. Approved (18/12/1991)
- 7.7 891405 - Refurbishment of the existing B1 building including extensions to the existing fourth storey an additional fifth storey infill of lightwells elevational alterations and change of use of ground floor to office use (additional 1400sq.m. floorspace). Refused (18/03/1991)
- 7.8 881610 - Installation of new windows west elevation. Approved (16/01/1989)
- 7.9 872068 - Change of use of the first floor and part second floor from warehouse and ancillary offices (Class B8) to Business Use (Class B1). Approved (12/07/1998)
- 7.10 830201 - Change of use of rear part 2nd floor (1463 sq.ft. net) from warehouse to offices and use of part loading bay as enclosed warehousing (1672 sq.ft. net) Approved (17/05/1983).

ENFORCEMENT:

- 7.11 None

PRE-APPLICATION ADVICE

- 7.12 Q2015/4546/MIN - Creation of a new part single, part two-storey roof extension to provide 6 self-contained flats. The proposal was originally submitted to the Council as a pre-application advice request for a part single, part two-storey roof extension of a similar design and scale. The proposed design was generally well received by the council's planning officer and design officer and there was no objection to the principle of a roof extension to the application property. However, it was advised that it would be best for the proposed front elevation to be substantially glazed and visually neutral to the lower levels and that it would need to be demonstrated that the second-storey would not be visible from public viewpoints. It was also acknowledged that a publicly visible roof extension has been granted permission at the neighbouring Royal Mail House, which is currently under construction, and there is an existing roof extension at 28-42 Banner Street. Therefore there was no objection raised to the visibility of the proposed single storey part of the roof extension subject to design improvements.

7.13

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 157 adjoining and nearby properties at Banner Street, Old Street and Tilney Court on 2nd September 2016. A site notice was also displayed on 9th September 2016. The public consultation of the application therefore expired on 29th September 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 4 objections and 1 general comment 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):

- The proposal represents over-development (10.5 – 10.11)
- Impact on character of the street and visual amenity (10.5 – 10.11)
- The proposal introduces cheap student rentals rather than permanent family homes (10.4)
- Overlooking and loss of privacy impacts to neighbouring properties (10.14 – 10.17)
- Adverse loss of light impacts and overshadowing (10.18 – 10.21)
- Increased noise and disturbance from increase in dwellings (10.22)
- Increased pressure on services in the area (10.28)
- Loss of views from neighbouring roof terrace (10.35)
- Wind tunnel effect along the street (10.34)
- Use of internal lift during construction (10.35)
- Potentially unsafe construction and associated disturbance from noise, dust and pollution (10.22 – 10.24)
- Increased anti-social behaviour (10.35)
- Failure to consult (8.1)

External Consultees

8.3 Historic England (GLASS) – No archaeological objection.

Internal Consultees

8.4 Design and Conservation Officer – The height, bulk and mass of the proposed design as well as the detailed design meet the requirements of the pre-application advice and as such are acceptable. No objection.

8.5 Inclusive Design Officer – The proposed units would have step free access and good internal circulation. No objections.

8.6 Sustainable Design Officer – The proposed details demonstrate commitment to achieving sustainable design objectives and states that green roofs would be included. Conditions are recommended for details of the proposed green roof and solar panels to ensure they comply with the relevant guidance and policies.

Other Consultees

8.7 None

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

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

Designations

- 9.4 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Bunhill & Clerkenwell Finsbury Local Plan Area
 - Bunhill & Clerkenwell Core Strategy Key Area
 - Central Activities Zone
 - Finsbury Local Plan Policy BC8 – Employment Priority Area
 - Moorfields Archaeological Priority
 - Major Cycle Route
 - Local Cycle Route

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

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

- Land use;
- Design, conservation and heritage considerations;
- Standard of proposed residential environment;
- Neighbouring amenity;
- Highways and transport
- Standard of living
- Refuse storage;
- Accessibility;
- Sustainable design;
- Affordable housing and carbon offsetting contributions

Land-use

- 10.2 The application property is a four storey building comprising 19 residential units and is located within an area that contains a mix of residential and commercial uses. The Islington Core Strategy 2011 identifies this site as being located within the Bunhill and Clerkenwell Core Strategy Key Area although it is not within any site allocations. It is also within an Employment Priority Area as set out in the Finsbury Local Plan; however this designation does not set specific parameters for a residential scheme of this size.
- 10.3 The creation of six additional residential units on a mixed use building that already contains existing residential flats is acceptable in principle subject to satisfying the normal policy requirements. There is no requirement to provide social or affordable housing on site for a scheme of this size as the development is subject to small sites affordable housing contributions in accordance with policy CS12.
- 10.4 The application property is, however, located within the Old Street Area of the Finsbury Local Plan and therefore policy BC3 applies. This policy states that new homes should include family sized units of 3 bedrooms or more and buildings should be of a high quality design which relate positively to each other and improve the character, quality and identity of the area. The proposed dwelling mix consists of an even split between two and three-bedroom flats and is acceptable in accordance policy BC3 and Development Management policy DM3.1 to ensure there is a range of housing types in the borough including family sized units, as such the principle of the proposed residential development is acceptable.

Design, Conservation and Heritage Considerations

- 10.5 The application property is not listed and not within or adjoining a conservation area. The existing building is of a generic contemporary design, which offers no special architectural contribution to the area, and the plan form of the entire block has been completely compromised by the existing post-war development and currently ongoing developments. The mass of buildings in this block in addition to the narrow width of Banner Street results in very limited visibility of the tops of the buildings from either the frontage or from the rear. Only limited visibility of roof level structures is gained from longer views further along in each direction of the street.
- 10.6 There is very little uniformity to the appearance of the buildings along this side of the street and therefore there is no particular sensitivity to the character of the streetscene. However, the proposal still needs to provide high quality design which makes a positive contribution to the local character and distinctiveness of the area in order to comply with Development Management Policy DM2.1 and Finsbury Local Plan policy BC3.
- 10.7 The proposal was originally submitted to the Council as a pre-application advice request for a part single, part two-storey roof extension of a similar design and scale. The proposed design was generally well received by the council's planning officer and design officer and there was no objection to the principle of a roof extension to the application property. However, it was advised that it would be best for the proposed front elevation to be substantially glazed and visually neutral to the lower levels and that it would need to be demonstrated that the second-storey would not be visible from public viewpoints. It was also acknowledged that a publicly visible roof extension has been granted permission at the neighbouring Royal Mail House, which is currently under construction, and there is an existing roof extension at 28-42 Banner Street. No objection raised to the visibility of the proposed single storey part of the roof extension subject to design improvements.
- 10.8 The proposed roof extension has been amended in response to the council's pre-application advice by including the glazed cladding system to the front elevation, which is a grey cladding

with obscured glazing fixed to the front. The glazed cladding would blend with the glass sliding doors and frameless glass balustrade to the roof terraces to give the front elevation a lightweight glazed appearance. It is considered that the design would be a subservient addition to the building that would not compete or dominate with its appearance including from longer views. Furthermore, it is considered that the proposal would improve the current appearance of the roof level, which contains metal balustrades and a white concrete lift motor room that are unattractive and create visual clutter at the roof level.

10.9 The lightweight appearance provided to the front elevation is continued through to the side and rear elevations of the proposed roof extension to provide consistency and give it an unobtrusive presence to private views from the rear. The proposed extension would have a crisp and modern appearance that would be a positive addition to the building and inclusion of green roofs would further assist with its contemporary and sensitive design.

10.10 The application addresses the council’s advice to demonstrate that the second storey of the proposed roof extension would not be visible from public views, which has been shown on drawings PL014 and PL015 and within the Design and Access Statement. As shown in image 10 below, due to its large front setback and the existing built environment surrounding the site, the proposed second storey would not be visible from any public areas along Banner Street, Old Street to the north or Bunhill Row to the east.

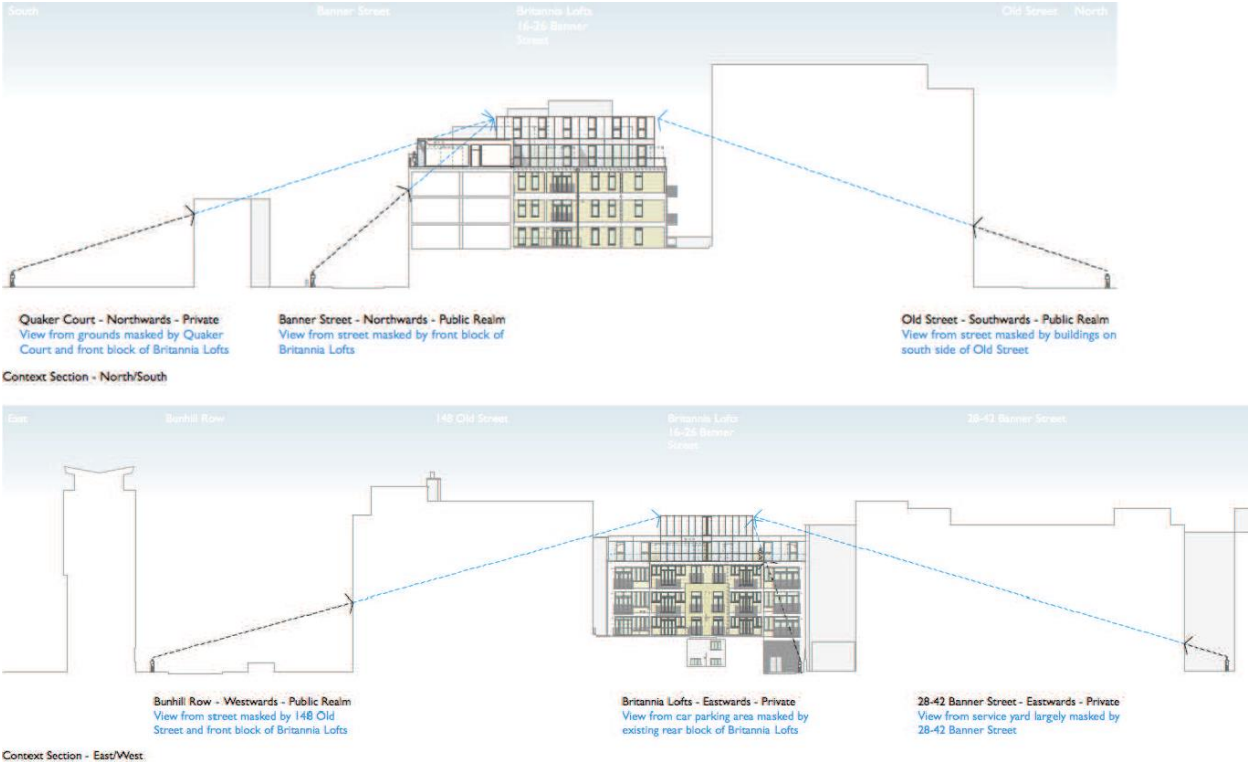


Image 10: Visibility of second storey of proposed development

10.11 The proposed roof extension, which would be of contemporary appearance with good quality materials, is of acceptable design and a suitable form of roof extension for the application property. Islington’s Urban Design Guide states that “*Contemporary roof extensions typically incorporate modern materials (with a lightweight appearance such as glass and steel) and incorporate a vertical frontage and flat roof that is usually well set back behind the front parapet upstand. They are most appropriate on post-war or contemporary styled buildings.*” It is considered that the proposal is consistent with this guidance and would not result in a harmful impact on the character of the area. It is also considered to be of an acceptable

appearance, bulk and massing where visible from private views from nearby existing properties.

- 10.12 For the above reasons, the application would respect the scale, form and character of the existing host building and the character of the surrounding area. The design of the proposed development is acceptable and complies with Core Strategy policy CS8, Finsbury Local Plan policy BC3 and Development Management policy DM2.1 and the guidance within the Islington Urban Design Guide 2006. As such the design of the proposal is supported.

Neighbouring Amenity

- 10.13 The Council's planning policies seek to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise. There have been a total of four objections along with a general comment raised to the proposal from members of the public and of these objections two raise concerns of amenity impacts including loss of light, increased noise and overlooking impacts. These objections were from a resident of Quaker Court, which is opposite Banner Street to the south, and from an occupant of the neighbouring office building to the north at 138-140 Old Street.
- 10.14 Consideration must be given to the neighbouring residential properties, in particular the existing units within the lower levels of the application property, which are closest to the proposed development. Consideration should also be given to amenity impacts of adjoining commercial buildings, which are less sensitive receiving environments than residential properties; however should still be protected against harmful impacts. Assessment of amenity impacts is also required for the properties opposite on Banner Street to the south, which are less likely to be impacted due to their separation distance across the street and its southerly direction from the application site. There are residential properties within Tilney Court to the north-east, which are well separated from the application site but have still been included in this assessment.

Overlooking Concerns

- 10.15 Policy DM2.1 notes that to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway and overlooking across a public highway does not constitute an unacceptable loss of privacy. The properties across Banner Street at Quaker Court, which are already overlooked by the existing flats within the application property, are considered not to be subjected to additional unacceptable overlooking impacts.
- 10.16 The closest properties to the proposed development are those existing units within the lower levels of the building. Due to the 'T' shape of the building there is already a degree of mutual overlooking between windows facing perpendicular to each other in the rear elevation of the main building and the side elevation of the rear projection. There would be some potential for overlooking from the proposed roof terrace areas of flats 3 and 4 to the windows in the rear elevation of the main building; however these windows are already overlooked by closer existing windows in the same level, and there would therefore not be an unacceptable increase in the degree of overlooking. Furthermore, privacy screens are proposed to the terraces to mitigate overlooking impacts and provide a greater separation between the balconies and windows. The proposed louvred screens to the proposed rear facing windows in the new flats 1 and 2 would also prevent overlooking between the units.
- 10.17 The properties adjoining the application site to the north, east and west are currently in commercial use and overlooking of these buildings from the proposed new residential units would not constitute as a harmful amenity impact. However, the north facing windows within the proposed extension would be obscured glazed and the proposed roof terrace would have

privacy screening to its northern end, and the neighbouring property at 138-140 Old Street to the north would not be subject to overlooking.

- 10.18 The nearby property at Tilney Court, which is understood to be in residential use, has rear facing windows at the roof level and an open rear roof terrace. There would be a separation of over 18m between the rear windows of the Tilney Court property and the proposed roof terraces and therefore the internal part of the property would not be harmed. The open roof terrace is already overlooked by the existing flats within the application property as well as the surrounding commercial properties, and the overlooking of the roof terrace at Tilney Court from the proposed development would not constitute an unacceptable impact on the occupant's amenity.

Daylight/Sunlight Analysis

- 10.19 The applicant has provided a daylight/sunlight analysis in support of the scheme including appendices highlighting the windows assessed, which provides a detailed examination using accurate modelling of the impact of the proposal on the adjoining properties. It concludes that all habitable windows of the neighbouring properties pass the daylight and sunlight analysis tests with the exception of 2 windows at 6 and 7 Tilney Court, which fall slightly short of the BRE target of 0.8 for Daylight Distribution. The assessment concludes that the windows would have before/after ratios of 0.74, which is only marginally below the BRE guideline target of 0.8 and is considered not to result in an unacceptable level of harm, particularly given the large separation distance between the buildings.
- 10.20 The assessment indicates that 4 windows in the fourth floor of the west elevation of the application property would fall slightly short of the annual sunlight hours and winter sunlight hours tests. However, three of these windows do not serve habitable rooms and the remaining impacted window, which is believed to be a living room, only falls short by a marginal amount of 1%. It is concluded that there would not be an unacceptable harmful impact to the sunlight received to this neighbouring property.
- 10.21 The Vertical Sky Component test and Daylight Distribution Tests from the assessment report also indicates that there would also be some loss of light to the windows within the front facing elevation of Quaker Court opposite to the south. However, the windows that were found to be impacted have overhanging balconies, which the BRE Guidance acknowledges would typically receive less light and therefore additional calculations should be carried out assuming that the balconies don't exist. Using this method, the additional assessment found the windows within Quaker Court would meet the BRE targets.
- 10.22 The details submitted sufficiently demonstrate that the proposal would have a relatively low impact on the light receivable by its neighbouring properties. Where impacts have been discovered it has further been demonstrated that the loss of light impact would only be marginal. As such it is considered that there would not be an unacceptable impact on daylight / sunlight to any of the neighbouring properties.

Other amenity concerns

- 10.23 The proposed roof extension, by reason of its size, location and the openness of the locality is considered not to result in overbearing impacts and would not increase the sense of enclosure to an unacceptable degree. The proposed new plant area would be sufficiently screened and the council's public protection officer has recommended conditions to ensure that there are no unacceptable noise or vibration emissions. The new roof terrace areas are relatively small and therefore their use would be unlikely to result in noise disturbance to neighbouring properties. As such the application would not raise concerns in regards to adverse noise or vibration impacts.

- 10.24 There is expected to be a level of noise and disruption with any building work and this proposal is not considered to represent any additional harm to neighbouring occupiers than reasonably expected. The Council has powers under the Control of Pollution Act to restrict the hours of noisy working. Notwithstanding this, the council's public protection officer has recommended that a condition be including requiring a construction environment management plan for approval prior to commencement to ensure that the disruption during the construction of the proposed development is minimised.
- 10.25 For the above reasons the proposal would be unlikely to result in adverse amenity impacts to neighbouring properties in accordance with Development Management policy DM2.1.

Standard of living environment

- 10.26 The proposed two and three bedroom flats comply with the minimum floorspace requirements under Development Management policy DM3.4 and the London Plan as illustrated in the table below. The amenity space for each proposed unit exceeds the minimum requirement of 5sqm for 2 person dwellings plus an additional 1sqm per additional occupant in accordance with policy DM3.5.

Unit	No. Bedrooms and Occupants	Required Size m ²	Proposed Size m ²
1	2 bedroom / 4 person (1 storey)	70	75
2	3 bedroom / 6 person (1 storey)	95	95
3	2 bedroom / 4 person (2 storey)	79	79
4	2 bedroom / 4 person (2 storey)	79	79
5	3 bedroom / 5 person (2 storey)	93	93
6	3 bedroom / 5 person (2 storey)	93	93

- 10.27 The layout of the proposed flats is considered to be acceptable with sufficiently sized rooms and storage spaces to comply with Category 2 of the National Housing Standards. The main living areas and amenity spaces would have acceptable outlook and access to daylight / sunlight. The proposed new flats would be dual aspect with the exception of flats 3 and 4; however these would not be family sized units, would gain sufficient light and outlook to all habitable rooms and would be provided with good quality private amenity space. The single aspect nature of the proposed flats would not detract from overall quality of the proposed flats.
- 10.28 It is considered that the proposal would provide acceptable internal living environments and space standards. Overall, the general layout, room sizes and internal floor space (including private amenity space) would meet the recommended guidance set in DM3.4 & DM3.5 of the Development Management Plan and would provide satisfactory living condition for future occupiers of the dwelling.

Highways, Transportation

- 10.29 The existing bicycle storage area is proposed to be expanded by an additional 15 spaces so as to be capable of containing 28 bicycle parking spaces, which has been indicated on the proposed plans at ground level as required to cater for the additional flats in accordance with policy DM8.4. There are no new car parking spaces proposed in accordance with the policy DM8.5 and the s106 unilateral undertaking includes an agreement that prevents future residents from obtaining a car parking permit. An informative is also included informing the applicant that parking permits will not be issued.

Refuse facilities

- 10.30 The details within the application demonstrate that accessible facilities for the storage of waste and recycling would be provided at ground level. Currently there are bins stored within the common access area and the additional waste and recycling storage would be sufficient to cater for the demand from the proposed units. A compliance condition has been included requiring the additional refuse storage facilities to be provided prior to the occupation of the proposed flats.

Accessibility

- 10.31 The plans have been considered by the Council's inclusive design officer who has advised that the proposed flats would comply with the accessibility requirements for Category 2 dwellings under that National Housing Standards and Islington Development Management policies DM2.2 and DM3.4. A condition has been attached to ensure that the proposal achieve Lifetimes homes standards (category 2). The existing elevator is proposed to be extended up to roof level to provide step free access to the new units and emergency fire escape access would also be provided. The proposal is therefore considered acceptable given that the restrictions in terms of the scale of the extension, and the units would generally conform to accessible standards set within the Supplementary Design Guide (Inclusive Design) and would not be contrary to Policy DM 2.2 (Inclusive Design) of the Development Management Plan 2013.

Sustainable Design

- 10.32 A Sustainable Design and Construction Statement was submitted with the application as required by policy DM7.1 for new residential units. The report provides details of water efficiency calculations for building regulations and design stage SAP report demonstrating that an adequate standard of sustainable design can be achieved. The details also indicate that a green roof would be provided on the roof of the proposed extension.
- 10.33 Policy DM6.5 requires developments to maximise the provision of green roofs, which must maximise benefits for biodiversity, sustainable drainage and cooling. A condition is included requiring details for approval of the green roof to ensure that it meets the requirements of the policy and guidance.

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

- 10.34 The development requires a contribution towards affordable housing in the Borough, in line with policy CS12 of the Core Strategy and the councils Supplementary Planning Document- 'Affordable housing- small sites' 2012. A unilateral undertaking between the Council and the applicant is currently being finalised to secure payment of £360,000 towards affordable housing. A further contribution of £6,000 will be secured towards carbon off-setting. The application complies with policy CS12G of the Islington Core Strategy 2011, Development Management Policy DM7.2 and the Islington Affordable Housing Small Sites Contributions SPD.

Other Matters

- 10.35 Concerns were raised in objections received during the application of the potential for a wind tunnel effect as a result of the proposed extension. However, the proposed extension would only raise the existing 4 storey building by one storey at the front and the second storey of the proposed roof extension would be well set back. A development of this scale is unlikely to noticeably increase any existing wind tunnelling effect along Banner Street. Furthermore, the variations created by the recesses and projections of the front elevation of the proposed roof extension would help to prevent its contribution to wind tunnelling effects.

10.36 Concern was also raised in regards to use of the lift during construction. This constitutes a property and construction management issue and is not a material planning consideration. Loss of views from private roof terraces is also not a material planning consideration and therefore is not addressed in this assessment. Other concerns relating to anti-social behaviour resulting from occupants of the proposed residential flats are considered not to be relevant to this type and scale of development given the proposed residential flats would be privately owned.

11. SUMMARY AND CONCLUSION

Summary

11.1 The proposed development is acceptable in design, scale, massing and visual terms and would form a contextual addition to the host building without adversely impacting on the character of the area. The proposed design and setbacks would integrate well with the host building and would adequately address the surrounding built form in terms of height to ensure that the development would not appear as a dominant or discordant feature when seen from the surrounding public and private realm.

11.2 The proposal would not result in any material adverse impact on adjoining resident's amenity levels in terms of loss of daylight/sunlight, nor any material loss of outlook or increase in enclosure levels. The proposed new flats offer a good standard of amenity for future occupiers and provides additional refuse and bike facilities for the uplift of units.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to the prior completion of a unilateral undertaking 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.

- £360,000 towards affordable housing
- £6,000 towards carbon off-setting

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list</p> <p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Drawing Numbers: PL001, PL002, PL003, PL004, PL005, PL006, PL007, PL008, PL009, PL010 Rev A, PL011 Rev A, PL012 Rev A, PL013 Rev A, PL014, PL015, PL016 Rev A, PL017 Rev A, PL018, PL019 Rev A, PL020 Rev A, PL021, PL022, PL023, Design and Access Statement, Planning Statement, Sustainability Statement (October 2016), Construction Management Plan, Planning Compliance Report (KP Acoustics), Daylight and Sunlight Study.</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: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) window surround detailing (including colour, texture and method of application); c) window/door treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) any other materials to be used g) solar panels <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	Accessible Homes Standards - (Compliance):
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, the dwelling 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>
5	Refuse/Recycling Provided (Compliance)
	<p>CONDITION: Details of the layout, design and appearance of the additional refuse / recycling bins as shown on plan number PL023 shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
6	Visual Screens (Compliance)
	<p>CONDITION: The visual screens to roof terraces shown on the drawings hereby approved shall be installed prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To prevent undue overlooking (oblique, backwards or otherwise) of neighbouring habitable room windows.</p>
7	Car Permits (Compliance)
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit

	<p>issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free in accordance with policies 6.3 and 6.13 of the London Plan 2011, policy CS18 of the Islington Core Strategy 2011 and policy DM8.5 of the Development Management Policies.</p>
8	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The bicycle storage area(s) shown on plan no. PL023 hereby approved, which shall be covered, secure and provide for no less than 28 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
9	<p>Green Biodiversity Roof (Details)</p> <p>CONDITION: Details of the biodiversity (green) roof 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> <ol style="list-style-type: none"> biodiversity based with extensive substrate base (depth 80-150mm); maximise the extent of the new roof area to be covered by a green roof; and 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>
10	<p>Construction Environment Management Plan (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.</p> <p>The CEMP shall assess the environmental impacts of the development including, but not limited to: noise, air quality including dust, smoke and odour, vibration and TV reception. 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.</p> <p>The Statement shall also specifically provide for:</p> <ol style="list-style-type: none"> the parking of vehicles of site operatives and visitors loading and unloading of plant and materials storage of plant and materials used in constructing the development the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate wheel washing facilities measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and

	<p>construction works.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity and highways due to its construction and operation.</p>
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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>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
3	<p>Car-Free Development</p> <p>INFORMATIVE: All new developments are car free. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
4	<p>Pre-Commencement Conditions</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 **National Guidance**

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

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

2. **Development Plan**

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

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

3 London's people

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 3.15 Coordination of housing development and investment

8 Implementation, monitoring and review

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

5 London's response to climate change

Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction

6 London's transport

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

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS12 (Meeting the Housing Challenge)

C) Finsbury Local Plan

Spatial Strategy

Policy BC3 (Old Street)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

Transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

5. Designations

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

- Bunhill & Clerkenwell Finsbury Local Plan Area
- Bunhill & Clerkenwell Core Strategy Key Area
- Central Activities Zone
- Finsbury Local Plan Policy BC8 – Employment Priority Area
- Moorfields Archaeological Priority
- Major Cycle Route
- Local Cycle Route

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

The following SPGs and/or SPDs are relevant:

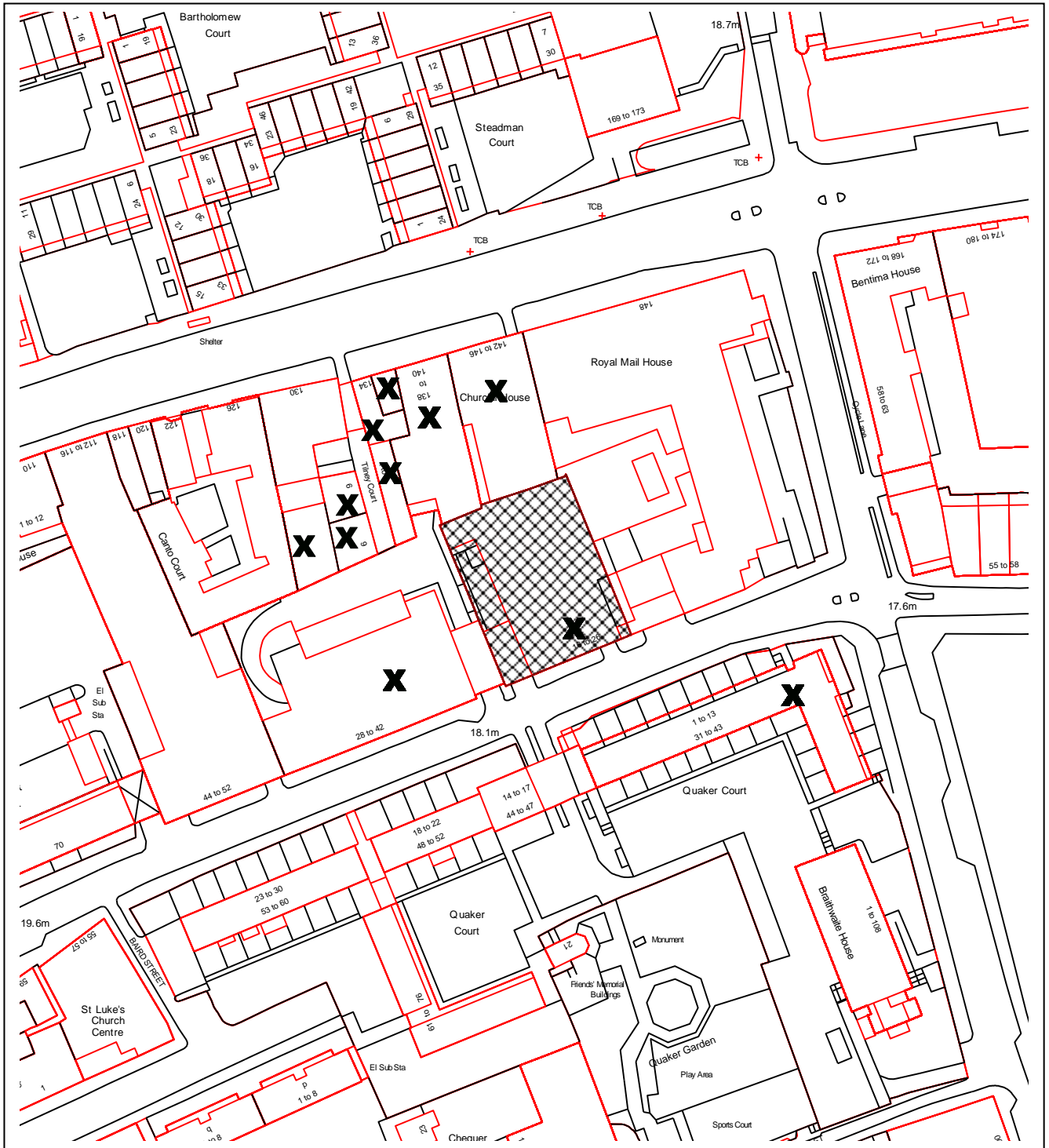
Islington Local Plan

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

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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



PLANNING SUB- COMMITTEE A		
Date:	19 th December 2016	NON-EXEMPT

Application number	P2016/3134/FUL
Application type	Full planning application
Ward	St Georges
Listed Building	Adjacent to two Grade II Listed Buildings (nos. 1 and 2 Hilldrop Road)
Conservation Area	Adjacent to Hillmarton Conservation Area
Licensing Implications Proposal	None
Site Address	38 Hilldrop Lane, London N7 0HN
Proposal	Demolition of the existing house and redevelopment of the site to provide a two storey building with a setback third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking.

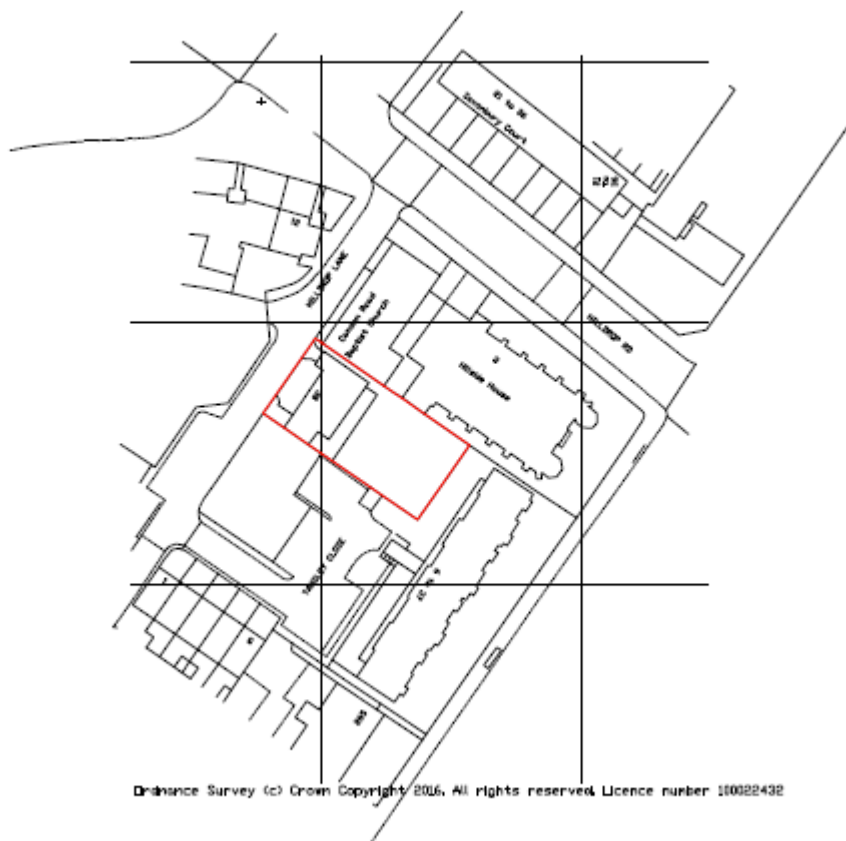
Case Officer	Daniel Jeffries
Applicant	Mr Jon Murch Davies Murch Woolbro Homes Limited
Agent	As above

1. RECOMMENDATION

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

1. The conditions set out in Appendix 1; and
2. Completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the contributions for affordable housing, carbon offsetting, tree replacement and ensuring the development remains car free.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3. PHOTOS OF SITE/STREET

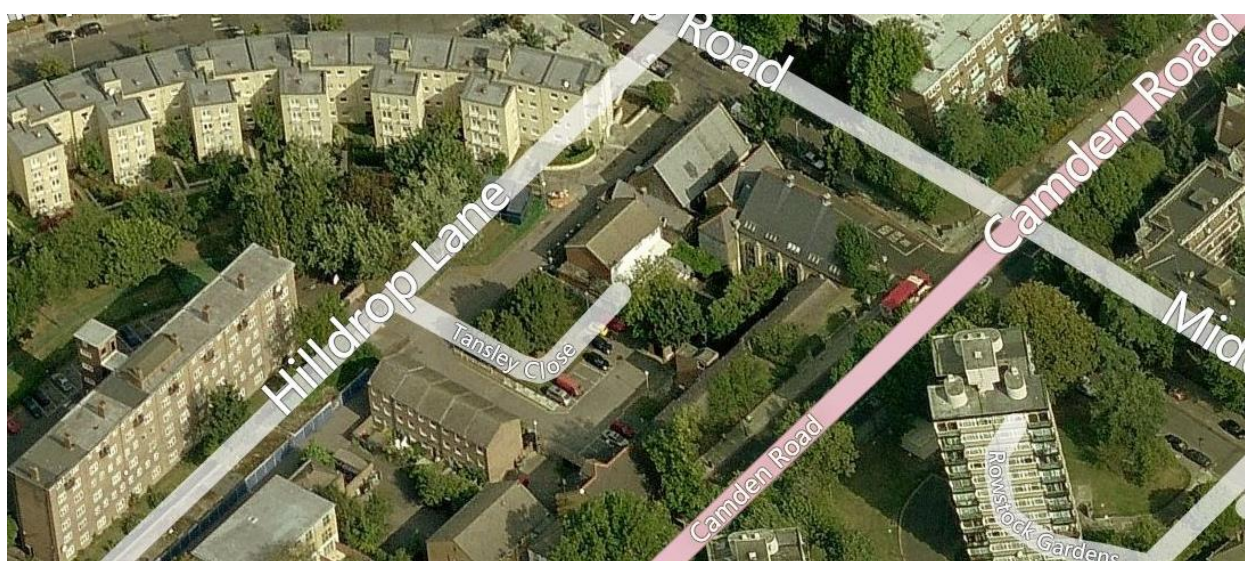


Image 1: Aerial view of site



Image 2: Front elevation of 38 Hilldrop Lane taken from north



Image 3: View of the west of the site along Hilldrop Lane



Image 4: Rear elevation to the south from rear garden

4 SUMMARY

- 4.1 The application seeks permission for the demolition of an existing single family dwellinghouse and redevelopment of the site to provide a two storey building with a set-back third floor providing 9 no. flats, with associated amenity space, landscaping and cycle parking.
- 4.2 The principle of the development is considered acceptable given that it would provide additional residential accommodation, being 9 units consisting of 7 x 2 bedroom units and 2 x 3 bedroom units.
- 4.3 The design, layout, scale and massing of the proposed development is considered to be visually acceptable and would visually integrate with the character and appearance of the surrounding area and nearby properties. It is considered that the proposal pay special regard to and preserves the historic character and visual appearance of the adjacent heritage assets of the Grade II buildings, being the Former Baptist Church and church hall, and the adjacent Hillmarton Conservation Area
- 4.4 The quality and sustainability of the resulting scheme is acceptable, complying with the minimum internal space standards required by the London Plan and Mayor's Housing SPG (Nov 2012), incorporating a green roof and the methods included in the Sustainable Design and Construction Statement. The measures include financial contribution for carbon offsetting, and will ensure the proposal meets the 19% carbon reduction target over current 2013 Building Regulations, methods to minimise water consumption, biodiversity, climate change adaptation and the use of sustainable materials and other operational measures. The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. The proposed scheme provides a good mix of 2 and 3 bedroom residential units, which includes family sized accommodation, and is considered to comply with Policy CS12 (Meeting the housing challenge) and Development Management Policy DM9 (Mix of housing sizes).
- 4.5 Private amenity space in the form of gardens at ground floor level and terraces on the upper floors are provided in accordance with the Council's requirements. It is acknowledged that some of the units would not benefit from private amenity space, including the one of the proposed 3 bedroom units. However, in addition to the proposed roof terraces 106 sqm of private communal space is provided within the rear garden, which also includes the cycle parking storage for the proposal.
- 4.6 The proposed development will be car-free and therefore no vehicle parking is provided on site. Furthermore a condition is proposed to ensure that all future occupiers of the proposed units will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.

5 SITE AND SURROUNDING

- 5.1 The site is located on the south eastern side of Hilldrop Lane, which runs north east to south west connecting Hilldrop Road to the north with Hilldrop Crescent to the south. The site is at the north eastern end of Hilldrop Lane and is currently occupied with a two storey detached house with a pitched roof, set back from the road. The house has two garages, one at its northern end facing towards the public highway and one at its southern end, set back from the road and in line with the house. The host property benefits from a large south facing rear garden to its rear.
- 5.2 The north and east boundaries of the application site is shared with the Hillmarton Conservation Area. However, no part of the application site falls within this designation. In addition, the adjacent properties to the north and east which fall within this designation, consist of the Grade II

listed buildings of Camden Road Baptist Church and the associated hall, which is now used a hostel by St Mungo's Housing Association and is included in the listing. The church and the hall are large buildings of approximately three residential storeys. At the rear of the church and immediately adjacent to the site is a single storey building with a steep pitched roof that provides ancillary function space for the church. The church and associated building is adjacent to the house and the hostel is adjacent to the rear garden of the house.

- 5.3 To the eastern boundary of the site is the northern part of a four storey block of flats, which runs along the length of the sites eastern boundary and beyond onto Tansley Close. Separating the site from this block of flats, are a number of large coniferous trees at the end of the garden within the site.
- 5.4 To the south of the site is Tansley Close, which includes a small area of landscaped open space/park, access road and car parking for residents. Facing onto the close, there are three and four storey residential buildings, being blocks of flats and terraced properties.
- 5.5 Located to the west of the site, and to the opposite side of Hilldrop Lane is an area of communal open space at the rear of the four storey blocks of flats fronting onto Hilldrop Crescent. The end of the terrace that forms the eastern end of the crescent is to the north of the site, opposite the Camden Road Baptist Church.

6 PROPOSAL (in Detail)

- 6.1 The application seeks planning permission for the demolition of the existing two storey single dwellinghouse to be replaced with a new two storey building, with a set back third floor, consisting of 9 residential units, being seven, two bed units, and two, three bed units.
- 6.2 The proposal would be a flat roofed building with maximum height of 8metres, and a maximum width of 16.5m, and a maximum depth of 20.5metres. The proposed building would be rectangular in shape, with both the first two floors having a similar footprint, in terms of its width. However, the ground floor would have a greater depth to the rear to allow for roof terraces at first floor and the north east side elevation to allow for the communal entrance and roof terrace above.
- 6.3 The building, which would be constructed using a mixture of brick types including Terca Stanford Weathered Buff and Wienerberger Hectic Black. The fenestration details on the front, rear and side elevation of the main part of the proposed building would consist of glazed panelled windows, which would align with those above. The central south west elevation windows would be obscure glazed. The roof terraces would be positioned to the north east/side and rear elevations at first floor, and at second floor to the front and rear elevations and would include glazed balustrades. Access to the block of flats, would be made via a path from the public highway of Hilldrop Lane, which leads to the rear garden and cycle storage, along the north east boundary.
- 6.3 The proposal would incorporate external amenity space in the form of roof terraces, at first floor, to the side and rear elevations, in addition to the proposed private amenity space provided to the front and rear elevation at ground floor level. Some of the units on the upper floors would not have private amenity space but there would be 106 sqm of communal space to the rear garden. To the rear of the proposed building, there would be an area of communal private amenity space. The proposal would incorporate an area for refuse, which would be positioned adjacent to the entrance to the site, and area to the east corner of the site, designated for cycle storage provision.
- 6.4 The proposal would result in the loss of 9 trees, which are within and outside of the application site.
- 6.4 Revision 1: During the assessment of the application, a number of changes were incorporated into the final proposal. These changes included alterations to the design of the proposal, including altering the alignment of the windows on all four elevations, and the shape and height of

the third level. In addition, there were alterations in terms of the articulation of the ground floor side elevations windows to improve the amenity impact of the proposed units.

7. RELEVANT HISTORY

PLANNING APPLICATIONS:

7.1 None

ENFORCEMENT:

7.2 None

PRE-APPLICATION:

7.3 **Q2016/1635/MIN Pre-application for the demolition of an existing two property and the erection of a three storey building with setback fourth floor to provide nine residential flats** – *provided advice that the proposal is large and bulky and over-dominant on the street; 2 storeys plus set back third storey would be appropriate and should be set away from the listed building; further interest needs to be added in order to break up the bulk e.g. detailing around windows & window reveal depths; Cantilevered balconies are not considered appropriate in this location.*

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of (174) neighbouring properties on the 30th September 2016, and subsequently on 14th November 2016, providing residents with opportunity to comment on the proposed scheme.

8.2 At the time of the writing of this report 2 letters of objection had been received. The issues raised are summarised follows (with paragraph numbers stated in brackets stating where the issue is addressed)

- The footprint of the proposed block of flats is too large (10.7)
- Design and visual appearance of the surrounding area (10.11)
- Loss of daylight/sunlight to neighbouring properties(10.23)
- Loss of privacy to neighbouring properties(10.26)

8.3 In addition, 3 letters of support have been received. These letters of support included letters from the Chair of the Hilldrop TRA and the Treasurer of the Camden Road Baptist Church which adjoins the application site.

Internal Consultees

8.4 **Design & Conservation:** The proposal is an improvement on the pre-application stage proposal with the height and bulk reduced. However, the height of the top storey appears unnecessarily high, with a top heavy appearance. Alterations were suggested to the balustrade to the top floor terrace to the front to better integrate with into the design, and alterations to the proportions of the fenestration pattern and external appearance of the building. Once these amendments were secured the design and conservation officer had had no further objections to the proposal, including the impact on the adjacent heritage assets.

- 8.5 **Tree Preservation Officer:** Initially raised concerns in relation to a category B tree. However, following the proposed mitigation in terms of the mature tree replacement with at least 25-30cm girth to be provided to specification and species agreed in writing with the Local Authority, to include as a minimum a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed, and financial contributions of £20,000, they have confirmed there are no objections to the scheme.
- 8.6 **Acoustic Officer:** The development is in close proximity to residential properties and with the proposed demolition and subsequent construction there is the potential for disruption for nearby occupiers. Advised that a condition is attached to any approval in relation to construction and demolition.
- 8.7 **Refuse Team:** No comments received.
- 8.8 **Highways Officer:** No comments received.
- 8.9 **Transport Officer:** No comments received.
- 8.10 **Greenspace:** No comments received.
- 8.11 **Housing:** No comments received
- 8.12 **Viability Officer:** Has agreed with the assessment of the findings of the Adams Integra Viability Report and the conclusions of the small sites financial contributions. The assessment is based on substantial size of the existing property to be demolished and its residual land value.
- 8.12 **Sustainability Officer:** Has confirmed that subject to the sustainability measures outlined within the Sustainable Design and Construction Statement, and agreement to financial contributions in relation to carbon offsetting the proposal would be acceptable.
- 8.13 **Inclusive Design Officer:** Has confirmed that the proposal is generally inclusive design compliant with the use of a wheelchair accessible unit, with level access to the clear communal entrance, and lift to the upper floors.

External Consultees

- 8.14 **Thames Water:** Requested a condition to attached to any approval relating to drainage strategy and relating to sustainable urban drainage (SUDs).
- 8.15 **David Coates Adams Integra:** Confirms that the report appraisal demonstrates that the scheme is able to support an affordable housing contribution of £80,000 and remain viable due to the residual land value of the application 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. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

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

- Principle of the development,
- Design and conservation,
- Standard of accommodation,
- Inclusive design,
- Neighbouring amenity,
- Highways and Transportation
- Tree Impact, and
- Contributions towards affordable housing and Carbon Off setting

Land use

- 10.2 The application proposes to demolish an existing two storey single family dwellinghouse and replace it with a two storey with a set back third floor building to be used for 9 residential units. Given that the proposal would include two family units the loss of the existing family sized single dwellinghouse, would be acceptable. In addition, it is considered that the principle of new residential accommodation is acceptable as policy CS12 seeks to meet and exceed the borough housing target which is set by the Mayor of London and that housing will be re-provided on the site.

Design and conservation

- 10.3 The host building, to be demolished, consists of a two storey red brick building, with a pitched roof with white render on first front elevation, with associated garages. This property is likely to have been constructed in the 1970's and has no contribution in terms of its visual appearance on the surrounding area. It is therefore considered that in design terms the loss of this property would be acceptable.
- 10.4 The proposal would involve the construction of a three storey flat roofed building. In terms of assessing its acceptability in design terms, it is important that any future development would be in keeping with the buildings found within the surrounding area. In this instance, the surrounding area consists of buildings which are predominately three storeys and the scheme as proposed will match the prevailing heights of surrounding properties.
- 10.5 The application site is adjacent to the Hillmarton Conservation Area and Listed Buildings to the north east of the site. The listed buildings comprise the larger Camden Road Baptist Church building with its associated hall, at nos. 1 and 2 Hilldrop Road. These are positioned adjacent to the north east boundary of the application site, and are a two and a single storey buildings respectively. As a result the proposal is required to have special regard for these heritage assets and preserve or enhance the historic character and visual appearance of these designations. It is considered that the proposed building will not unduly harm the character and appearance of the area due to its sympathetic design and massing. The height of the scheme

will match prevailing heights within the surrounding area and will compliment and reinforce the character of the area.

- 10.6 Whilst the proposal would consist of a total of three storeys, the main part of the proposed building would be set away from the shared north east boundary, with the Listed Buildings and Conservation Area, by 2.7m, at first and second floor level. The nearest part of the proposal would consist of a single storey element, being the communal entrance to the site, which would be similar height to the shared north east boundary wall, albeit with glazed balustrades and would be set away by 0.8m from this shared boundary. It is considered that in comparison to the existing situation, these separation distances from the adjacent heritage assets are considered acceptable in this instance.
- 10.7 The proposal would be broadly similar to what currently exists in terms of its maximum width and height, being increased by 0.5m and 1m respectively. It is acknowledged that the maximum depth of the host property would be increased, from 10m to 20.5m, however, it is considered given the design of the proposal and the depth of the rear garden, being 25 metres, this increased footprint would be acceptable in this instance as sufficient garden land remains and the proposed building is considered to provide a modern yet contextual building which enhances the character and appearance of the area.
- 10.8 In terms of the impact on of the Hillmarton Conservation Area and Listed Buildings to the north east of the site, it is important that the proposal would preserve and enhance these heritage assets. It is acknowledged that the nearest element of the proposal would be 0.2m closer to the shared boundary wall, with these heritage assets, in comparison to the nearest point of the existing two storey property. However, the nearest part of host property forms two storeys, whereas the proposed building has been reduced to a single storey along the shared boundary with the listed buildings. The main element of the proposed building, as described above, is set away 2.7metres, from this shared boundary, with the third storey benefiting from being set away from the eaves, towards the front and rear corners approximately 7metres in both corners, at 1metre to the north and 3.3metres to the south, with the remaining 6.5 metres level with the side elevation.
- 10.9 The building itself would be setback from the front boundary in line with the existing dwellings, and incorporates private amenity space in the front garden area for one of the ground floor units, and part of the rear garden for two of the ground floor units. The detailing of the fenestration details, the setbacks of the third floor and the articulation of the side elevation windows on the ground floor, has been amended from the original design. These amendments were made to address concerns raised by the Council's Design and Conservation Officer, and to improve the quality of accommodation of the ground floor units.
- 10.10 The materials proposed (predominantly facing brick elevations and timber framed windows) will ensure that the development is in keeping with the surrounding street scene and the heritage assets. A condition is proposed to ensure the exact brick used is appropriate to the surroundings.
- 10.11 The design is considered to be acceptable and will appear as a contemporary addition to the street scene which sits comfortably within the historic surroundings. It is therefore considered that the proposed development pays special regard to and will preserve and enhance the character and appearance of the adjoining conservation area and listed buildings.

Standard of accommodation

- 10.12 Policy DM3.4 of the Islington's Development Management Policies (June 2013) sets out the standards expected of accommodation in the borough. The following table shows the proposed unit sizes and the required unit sizes as set out in Policy DM3.4:

Unit	Bedrooms	Required	Provided
------	----------	----------	----------

		Floor Space (m2)	Floor Space (m2)
Unit 1	2	70	76
Unit 2	2	61	75
Unit 3	3	86	86
Unit 4	2	70	76
Unit 5	2	61	68
Unit 6	3	86	86
Unit 7	2	61	68.6
Unit 8	2	61	62.4
Unit 9	2	61	61.6

All of the units would meet the minimum floorspace requirements and therefore comply with Policy DM3.4 in this regard.

- 10.13 In terms of amenity space, DMP policy DM3.5 states that all new residential developments and conversions are required to provide good quality private outdoor space. The table below shows the proposed private amenity space for each unit:

Unit	Required private amenity space (m2)	Private Amenity space
Unit 1	25	32
Unit 2	20	25
Unit 3	30	48
Unit 4	7	8.5
Unit 5	6	6.8
Unit 6	8	8.7
Unit 7	6	0
Unit 8	6	0
Unit 9	6	8.2

It is acknowledged that the proposal would not result in any private amenity space dedicated to Units 7 and 8. Whilst this does include a family sized three bedroom unit, the proposal does include a large communal amenity space to the rear garden measuring an area of 106 sqm. It is considered given this communal space and that these units are located on the upper floors the lack of dedicated private amenity space is acceptable in this instance.

- 10.14 Policy DM3.4 states that all new housing developments are required to provide dual aspect accommodation, adequate daylight and sunlight provision, legible, logical and level entrances, and acceptable shared circulation space.
- 10.15 The proposed mix of 2 and 3 bedroom (family sized) units are acceptable and compliant with DM3.1 of Development Management Policies 2013. Each of the units would achieve dual aspect and be of adequate size, complying with the minimum floorspace requirements in Table 3.2 of the London Plan 2015, with unit 2 being wheelchair accessible. The units are considered to have generally satisfactory layouts, and sized bedrooms and communal areas, and access to acceptable levels of daylight/sunlight and outlook to all habitable rooms. It should be noted that the windows to the ground floors units, being Units 1 and 2, are not ideal given the proximity to the shared boundary to the west, and the proximity to the communal entrance to the east elevation. The amendments to alter the articulation of these windows are considered to address the concerns in relation to outlook and privacy to future occupiers of these units.

- 10.20 Overall the proposal would, on balance, provide satisfactory living conditions for future occupiers of the proposed units. The proposal is compliant with policies DM3.1 DM3.4 and DM3.5 of the Development Management Policies (2013) and be acceptable in terms of the standard of accommodation.

Inclusive Design

- 10.21 The proposal is considered to have a logical entrance to the site with level access ,to the proposed building which is provided by a footpath from the public highway directly off Hilldrop Lane. This path leads to the communal/shared entrance to the building, and to the private communal rear garden. The communal entrance would be visible from the public realm, clearly identified and include a covered entrance for weather protection. In addition, all of the units would be accessed from the central core of the building, with the upper floors benefitting from a central staircase and lift access. The proposal would provide one wheelchair accessible unit (Unit 2) which would have level access and positioned at ground floor level. In addition, there would be both a wheelchair accessible lift and a staircase for the units on the upper floors. Overall the proposal is acceptable and the units would generally conform to the requirements found within the Accessible Housing SPD.

Neighbouring Amenity:

- 10.22 A daylight/sunlight report has been submitted to assess the potential impact of the proposal, in terms of daylight/sunlight impact on surrounding properties. These include the block of residential flats along Tansley Close situated to the south east of the proposal, the former church building to the north east, in use as St Mungo's shelter. The recommendations of this report conclude that there would not be any significant loss of daylight/sunlight to the surrounding properties as a result of the proposal.
- 10.23 The daylight/sunlight report states that in terms of daylight the impact on the properties along Tansley Close the results of the Vertical Sky Component (VSC) assessment, which calculates the amount of visible sky available to each window or to points on the façade of a building where windows have not yet been designed, shows that 33 of the 34 windows relevant for assessments retain VSC levels within 0.8 times their former values, with many windows experiencing an increase in light levels due to the removal of the trees to the boundary. The report concludes these impacts are considered to be excellent given the urban location of the scheme and are wholly in line with the BRE criteria. In terms of sunlight the report concludes that 'None of the windows that look towards the proposed scheme are within 90 degrees of due south. They are therefore not relevant for assessment under the Annual Probable Sunlight Hours (APSH) criteria.
- 10.24 The VSC assessment on no. 2 Hilldrop Road demonstrates that 42 of the 46 windows that may be affected by the proposal would retain VSC levels on or in excess of 0.8 times their former values and are fully compliant with the BRE targets. In terms of sunlight none of the windows that may be affected by the proposed scheme serve main living spaces within 90 degrees of due south. This property is therefore not relevant for APSH sunlighting assessment under the BRE guide.
- 10.25 The orientation of the site means that the most significant impact in relation to any loss of daylight/sunlight from the proposed building would be the properties to the north, east and west of the building. However, the proposal would benefit from a significant separation distance between the nearest existing residential properties, including the public highway of Hilldrop Lane and an area of open space, to the north (approximately 20 metres), and an area of open space to the west (approximately 30 metres). The adjacent property to the east is used as a church building, and due to the setback of the additional third floor would not result in any significant loss of daylight/sunlight to neighbouring properties.

- 10.25 Given the existing separation distances, from the nearest residential properties, being 20 metres to the north, 30 metres to the west, including an area of open space, and 25 metres to the south, the proposal is considered not to result in any significant loss of outlook to occupiers of these properties. The properties to the east are the church buildings.
- 10.26 The proposed windows to the front and rear elevations, would not result in any loss of privacy to neighbouring properties over and above what currently exists. Whilst it is acknowledged that the proposed roof terraces would result in external elevated areas which potentially may result in increased noise and privacy issues to neighbouring properties, these areas are restricted in size to prevent large gatherings, and would include balustrades. The roof terraces are restricted to the rear and north east side elevation, meaning that they would be a significant distance away from the nearest residential properties. It is therefore considered that the proposal would not result in any significant loss of privacy or result in any significant noise impact on neighbouring properties.
- 10.27 The Council's Pollution team have advised that a condition be attached relating to the submission of a construction environmental management plan to assess the environmental impacts of the development, prior to the any works commencing.
- 10.28 Based on the above assessment the proposal is considered to have an acceptable amenity impact on neighbouring properties.

Trees

- 10.28 Policy CS15 of Islington's Core Strategy 2011, Policy DM6.3 and DM6.5 of the Development Management Policies include the protection of trees, open space and the landscape in their objectives. These policies state that there should be an over-riding planning benefits to offset loss, damage or adverse effects arising from development. The site is not a SINC or designated open space.
- 10.29 The trees and open space contribute materially to the amenity of the locality, providing textural diversity, a sense of scale and screening to the built environment. The trees do provide environmental benefits. There are currently 10 trees on site, positioned within the rear garden of the host property and also the adjacent car park within Tansley Close. One is a Category B tree, being of moderate quality or value capable of making a significant contribution to the area for 20 or more years. and the other nine trees are Category C trees, being of low quality, adequate for retention for a minimum of 10 years expecting new planting to take place; or young trees that are less than 15 cms in diameter which should be considered for re-planting where they impinge significantly on the proposed development. The proposed development works are to incorporate the retention of 1 of the 2 trees neighbouring the site and the removal of 8 trees within the site which have been surveyed.
- 10.30 Following an assessment of the proposal, the Tree Preservation Officer objected to the proposal due to the proposed removal of the mature tree in the neighbouring site. This was due to the lack of mitigating re-planting within the original submission, and it being identified as a Category B tree.

Following discussions the applicant proposed the following mitigation measures and has agreed to condition relating to a landscaping scheme including a mature tree replacement specimen at least minimum a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed and a legal agreement secured by way of a Unilateral Undertaking which includes:

- A payment of £20,000.

- 10.31 Following an assessment of the impact on this tree from the proposed development, balanced with its current condition and future potential for this tree, the Tree Preservation Officer has agreed that this mitigation offer is acceptable in this instance.

10.32 On balance, subject to a condition regarding the submission of details relating to the replacement tree, and the commuted sum secured by way of a legal agreement, the proposal would not have a detrimental impact upon the biodiversity or ecological connectivity of the site. It is therefore considered compliant with Policy CS15 of Islington's Core Strategy 2011, and Policies DM6.3 and DM6.5 of the Development Management Policies.

Highways and Transportation

- 10.33 The development will be car free in accordance with the Core Strategy, and will therefore not add any additional parking pressure to Grosvenor Avenue and the nearby streets. The exceptions to this are blue badge holders and Islington residents who have already held a permit for the specified period of one year.
- 10.34 Policy DM8.4 states that minor developments creating new residential are required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible.
- 10.35 The proposal includes provision for cycle storage to the bottom of the rear garden, to the north east corner. In this instance, 1 cycle space per bedroom (20) should be provided.
- 10.36 Bin storage is provided at the front of the site adjacent to the entrance to the site
- 10.37 The proposed development provides acceptable cycle and bin storage.

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

- 10.38 The SPD 'Affordable Housing Small Sites' states that in line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough. The SPD states, in accordance with the NPPF, that in instances where the applicants consider that this level of contribution would leave the development unviable, that the council will accept viability assessments where the applicants should provide a statement with their application with a justification for not providing the full financial contribution. The applicants initially stated that no contribution was possible. In this instance the applicants originally provided information relating to viability and suggested any contribution would lead the scheme to be unviable.
- 10.39 The SPD states that 'a viability appraisal must include sufficient information to enable the council and/or an independent viability expert to review the appraisal without having to seek further information from the applicant'. The viability statement was independently assessed and it was concluded by the assessors that a contribution of £80,000 is reasonable. The Council's Viability Officer has agreed with the independent assessors conclusions, given the substantial size of the building and the residual land value of the site.

Sustainability

- 10.40 Policy DM7.2 requires developments to achieve best practice energy efficiency standards, in terms of design and specification.
- 10.41 A Sustainable Design and Construction Statement has been submitted with the application as required by policy DM7.1 for new residential units. The report provides details of a number of sustainability measures including sustainable materials, water efficiency calculations for building regulations and design stage report demonstrating that an adequate standard of

sustainable design can be achieved. The proposal also includes a green roof would be provided on the top of the proposal, a condition has been attached to submit details of the biodiversity of this roof.

- 10.42 The applicant has agreed to financial contribution in relation carbon offsetting, and the proposal would include a green roof to the top of the proposed building. In accordance with Policy DM6.5 a condition has been attached to ensure that the details of the biodiversity for the roof can be achieved.

Construction Method Plan

- 10.43 A condition requiring a construction method statement will ensure that any construction is undertaken in an appropriate manner.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks the demolition of the existing 2-storey detached house and the construction of a new two-storey building with a set third floor providing 9 residential dwellings
- 11.2 The principle of the development and providing additional residential accommodation would be acceptable in land use terms, have an acceptable impact upon the character and appearance of the adjacent properties and street scene and will preserve the character and appearance of the adjoining Hillmarton Conservation Area, and Grade II Listed Buildings. In addition, it would not be unduly harmful to the amenities of adjoining residents.
- 11.3 Given the orientation of the application site, as well as the positioning and separation distances of the adjoining residential buildings, it is considered that the development would not result in the loss of daylight, sunlight to the occupiers of the adjoining residential properties, undue increase in enclosure levels, loss of outlook or have a significant detrimental impact upon their amenity levels taken as a whole.
- 11.4 The proposed units would provide acceptable standard of accommodation with all units achieving minimum internal floorspace standards, dual aspect, and either meet the required private amenity space standards or have access to the communal private rear garden. The proposal would achieve the Accessible Housing SPD standards including a wheelchair accessible unit and level access to the entrance. In addition to meeting the Sustainable development requirements.
- 11.5 The proposed mitigation in the form of a condition relating to a replacement tree planting and a financial contribution is considered acceptable. In addition to a financial contribution relating to small site affordable housing and carbon offsetting. These contributions would be secured by way of a Unilateral Agreement.
- 11.6 As such, the proposed development is considered to accord with the policies in the London Plan, Islington Core Strategy, Islington Development Management Policies, and the National Planning Framework and is recommended for approval subject to appropriate conditions and Unilateral Agreement.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS.

RECOMMENDATION A

That the grant of planning permission be subject to the prior completion of a unilateral undertaking in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/ Head of Service – Development Management or, in their absence, the Deputy Head of Service.

- a) A financial contribution of £80,000 towards the provision of off-site affordable housing.
- b) A financial contribution of £9000 towards CO2 off setting.
- c) A financial contribution of £20,000 towards tree replacement

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List: (Compliance)
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Town Planning Statement dated 05/08/2016; Financial Viability Assessment dated October 2016; Arboricultural Survey (BS5837:2012) & Impact Assessment Report dated 23 August 2016 (Appendix B and Appendix C); Daylight & Sunlight Report dated 4 August 2016; Design and Access Statement dated August 2016; Heritage Statement 2016; 1462_GA_E/Rev.C; GA_E_02/Rev.C; GA_P-01/Rev.C; GA_P_00/Rev.C; GA_P_01/Rev.C; GA_P_02/Rev.C; 1462_GA_P/Rev.J; 16049-16-01; GA_P_03/Rev.B; 1462_EX_E_01; OS Plan;</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
	Materials
3	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p>

	<p>a) solid brickwork (including brick panels and mortar courses)</p> <p>b) window treatment (including sections and reveals);</p> <p>c) roofing materials;</p> <p>d) balustrading treatment (including sections);</p> <p>e) garden fences;</p> <p>f) bin store; and</p> <p>g) divisions/ boundary treatment between gardens.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
	<p>Accessible Homes</p>
4	<p>CONDITION: The residential dwellings, in accordance with the Access Statement and plans hereby approved, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
	<p>Cycle parking</p>
5	<p>CONDITION The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 20 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
	<p>Car Free Housing</p>
6	<p>CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <p>(1) In the case of disabled persons</p> <p>(2) In the case of units designated in this planning permission as 'non car free';or</p> <p>(3) In the case of the resident who is an existing holder of residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least a year.</p>

	REASON: To ensure that the development remains car free.
	Construction Method Statement
7	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works viii. mitigation measures of controlling noise from construction machinery during business hours <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
	Green Roof
8	<p>CONDITION: 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"> a) biodiversity based with extensive substrate base (depth 80- 150mm); and 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>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. The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.
	Arboricultural Method Statement
9	<p>CONDITION: No development (including demolition works) shall take place on site unless and until an arboricultural method statement (AMS) including details of the replacement scheme has been submitted to and approved in writing by the Local Planning Authority. The replacement scheme shall include a mature specimen at least 25-30cm girth shall with the specification and species agreed in writing with the Local Authority. It shall include a watering programme during the first growing season (post planting) and also monitoring for the same period to ensure the long term health of the tree is guaranteed.</p> <p>REASON: In the interest of the protection of trees and to safeguard visual amenities.</p>
	Drainage Strategy
10	<p>CONDITION: Prior to the commencement of development a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved by, the local planning authority. The approved scheme shall be implemented in full, and maintained thereafter. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
	Sustainable Urban Drainage Systems (SUDS)
11	<p>CONDITION: Prior to the commencement of the development details of the implementation, adoption, maintenance and management of a sustainable drainage system shall be submitted to the Local Planning Authority and approved in writing . The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime. The approved scheme shall be implemented in full and maintained thereafter.</p> <p>REASON: To ensure sustainable drainage.</p>
	Sustainable Development
12	CONDITION: The dwellings hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d. No occupation of the dwellings shall take place until details of how these measures have been achieved

	<p>have been submitted to and approved in writing by the local planning authority.</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>
	Lift Shaft Insulation
13	<p>CONDITION: Prior to the operation of the lift hereby approved sound insulation shall be installed to the lift shaft sufficient to ensure that the noise level within the adjoining residential flats does not exceed NR25(Leq) 23:00 - 07:00 (bedrooms) and NR30 (Leq. 1hr) 07:00 - 23:00 (living rooms). The sound insulation and noise control measures shall be maintained as such thereafter and no change therefrom shall take place without the prior written knowledge of the Local Planning Authority.</p> <p>REASON: To protect the amenity of adjacent residents.</p>
	Structural Method Statement
14	<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 buildings has been submitted to and agreed in writing by the Local Planning Authority. 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 buildings.</p>
	No Plant Equipment
15	<p>CONDITION: In the event any plant equipment is proposed planning permission would be required.</p> <p>REASON: To protect the amenity of neighbouring residential properties.</p>
	Rooftop Enclosures
16	<p>CONDITION: No development shall be carried out until details of the rooftop enclosures/screening and the lift overrun are submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved plans and permanently maintained thereafter.</p> <p>Reason: To ensure the proposal does not have a detrimental impact on the street scene.</p>

List of Informatives:

1	Positive statement
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	<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>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	<p>CIL Informative (Granted)</p>
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
3.	<p>Party Walls</p>
	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations & the Party Wall etc. Act 1996 ("the Act"). Environmental Legislations and the Equality Act.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

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

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

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

DM3.1 Housing Mix

DM3.4 Housing Standards

DM3.5 Private Amenity Space

Energy and Environmental Standards

DM8.4 Walking & Cycling

DM8.6 Delivery & Servicing

Health and Open Space

DM6.3 Protecting open space

DM6.5 Landscaping, trees and biodiversity

5. Designations

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

Adjacent to Hillmarton Conservation Area
and two Grade II Listed Buildings

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

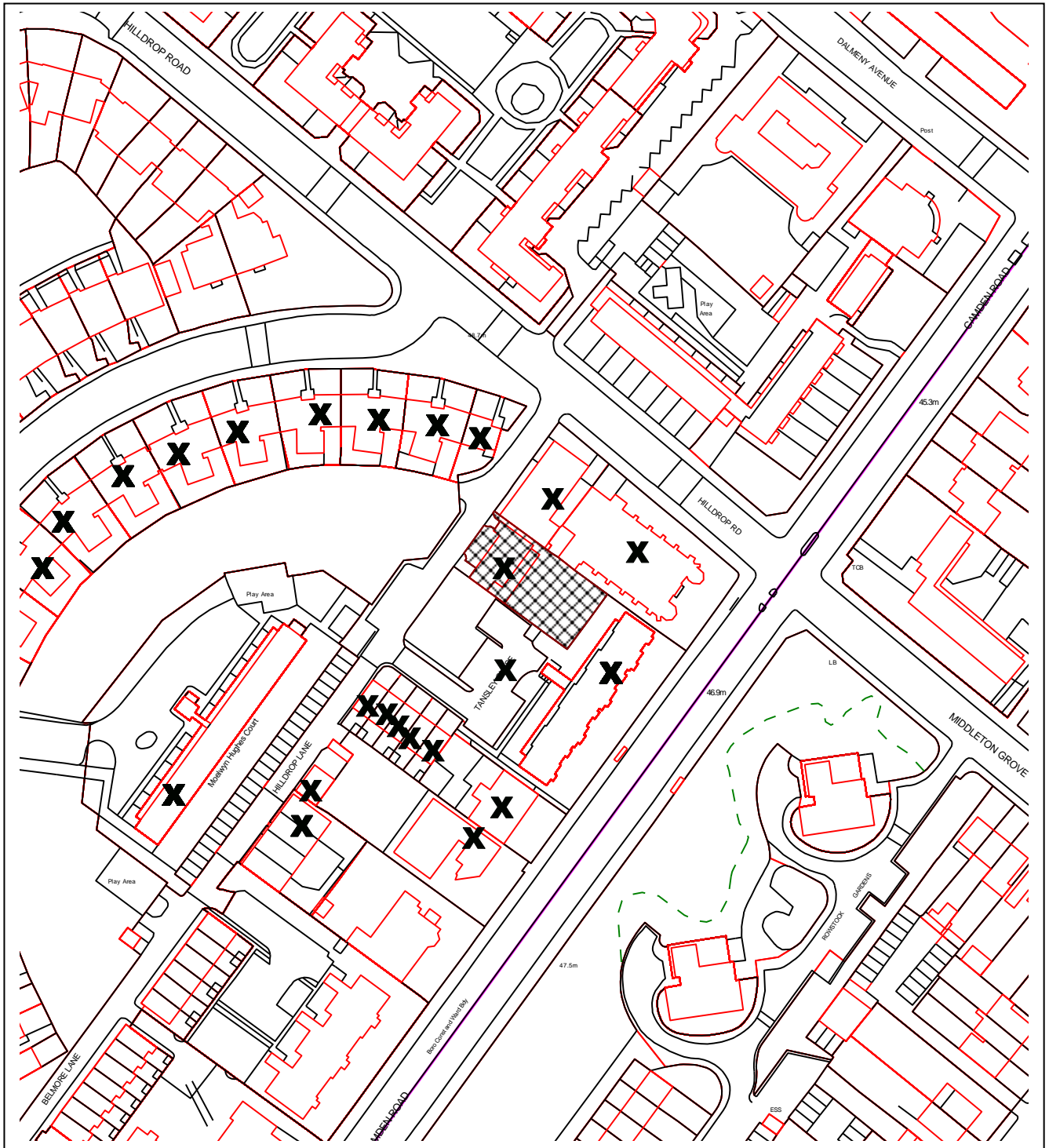
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Conservation Area Design Guidelines (2002)
- Urban Design Guide (2006)

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING SUB COMMITTEE A		
Date:	19 December 2016	NON-EXEMPT

Application number	P2016/2175/FUL
Application type	Full Planning Application
Ward	Highbury West Ward
Listed building	Not Listed
Conservation area	Highbury Fields Conservation Area
Development Plan Context	Local Cycle Routes
Licensing Implications	None
Site Address	Highbury Fields School, 16-26 Highbury Hill, London N5 1AR
Proposal	Removal of 47 existing light fixtures and replacement with 37 new down facing external security lights positioned at ground floor level to the north, south, east and west elevation of the school buildings, western boundary wall fronting the school playground and staff and visitors car park. Retention and reprogramming of existing movement sensors positioned to the north, south, east and west elevation of the school buildings.

Case Officer	Sandra Chivero
Applicant	Highbury Fields School
Agent	Mr Tom Eibich - Watkins Gray International LLP

1. RECOMMENDATION

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

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



3. PHOTOS OF SITE/STREET

Application Site



Image 1: Aerial View of site

Application Site



Image 2: Existing Street view of Application Site



Image 3: View of the main school entrance

SUMMARY

- 4.1 The application seeks planning permission for the removal of 47 existing external light fixtures and replacement with a reduced number of 37 new external security lights positioned at ground floor level to the north, south, east and west elevation of the school buildings, western boundary wall fronting the school playground and staff and visitors car park.
- 4.2 A detailed analysis was undertaken and light spill plans form part of the current submission. The replacement lights pointing downward will reduce light spillage. The existing movement sensors will be retained and reprogrammed to limit lighting hours with movement detections/CCTV activation controlled with a timer option and a manual override. This is considered to minimise the impact of light spill upon the neighbouring residential amenity.
- 4.3 The single pole mounted floodlight LED lamp proposed to the staff / visitors' car park would be operated during autumn / winter months in the evenings and will not be linked to movement sensor activated security lighting system. This is considered to minimise light pollution to the surrounding area. The 2 emergency lights proposed to the north western corner and southwestern corner of the school building will only be activated in the event of loss of power to each of the circuits of by test key switch for testing purposes.
- 4.4 In terms of appearance the lighting would be viewed in the context of the existing buildings and is not considered to unacceptably affect the appearance of the building and the character of the Highbury Fields Conservation Area.
- 4.5 Overall, the proposed development is considered to be acceptable with regards to the design and neighbour amenity and would also be in accordance with relevant planning policy.

SITE AND SURROUNDING

- 5.1 The site is located on the southern side of Highbury Hill with its rear boundary forming part of the northern boundary of Highbury Fields (Metropolitan open space). The site area is approximately 4,600sqm and it accommodates a range of buildings including a 3/4 storey Edwardian school building and 1960's science block. More recent additions including a new single storey reception entrance facing Highbury Hill and a 2 storey toilet block extension and a part 3 part 4 storey stair access extension to the science block roof at the southern end of the site.
- 5.2 The site is located within the Highbury Fields Conservation Area however none of the buildings within the site are locally or statutorily listed. The surroundings comprise of mainly residential uses contained within buildings of

generous 2-3 storeys in height many with semi-basement levels. Highbury Fields adjoins the site to the rear.

PROPOSAL (IN DETAIL)

- 6.1 It is proposed to remove 47 existing external light fixtures and replacement with 37 new external security lights. The new lights would comprise of 4 types of fittings namely, wall mounted LED low glare bulkhead with a wide distribution lamp (Type A), wall Mounted LED Lantern Die Cast Aluminium Asymmetrical Distributions (Type B), wall mounted LED low glare bulkhead (Type C) and a pole mounted floodlight LED lamp (Type D). The proposed new light fittings are selected to minimise light spillage.
- 6.2 The existing movement sensors will be retained and reprogrammed to limit lighting hours with movement detections/CCTV activation controlled with a timer option and a manual override.
- 6.3 11 no. Type A fittings would be located to the north (front) elevations of the existing school buildings and the main school entrance; 7 no. Type C lighting would be installed south (rear) elevations to the music/ drama block and to the Edwardian Block/ Main building at ground floor level; 2 no. Type A would be installed to the science block at ground floor level to south (rear) elevation, 6 no. Type A would be located to the east (side) elevation fronting the carpark, 4 no. wall Type B west elevation fronting the school playground, 5 no. Type A the western boundary wall fronting the school playground, 1 no. Type D is also proposed to the staff / visitors' car park, 2 no. Type A would be installed to the southwestern corner fronting the school playground and 1 no. Type A would be installed to the southwestern corner of the Georgian School building.
- 6.4 Type A light fittings are proposed to be fitted onto the existing perimeter masonry wall at 2.1m height above surface level and are designed to produce a narrow light beam to minimise light spillage. Type B light fittings will provide the required lighting levels to the playground and will predominantly be operated only when the playground is in use either by the School or as Community. The period of time the light fittings will stay on when activated by the movement sensors has been restricted to a maximum of 5 minutes by condition.
- 6.5 The pole mounted floodlight LED lamp proposed to the staff / visitors' car park would be operated during autumn / winter months in the evenings. The pole mounted floodlight will not be linked to movement sensor activated security lighting system.

RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Previous planning applications Refs:P2014/0988/FUL, P2014/1016, P2014/3515 submitted in March 2014, March 2014 for installation of replacement external lighting were all withdrawn by the applicant to carryout

a detailed study including calculations of area of light spill and provide further information details relating to what effect the new lighting will have to the surrounding area.

CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 295 adjoining and nearby properties along Highbury Hill, Framfield Road and Leigh Road, on 16 August 2015. Site and Press notices were displayed on 07 July 2016. The public consultation of the application expired on 04 August 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 four 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):
- Light pollution (Paragraphs 10.6 – 10.12)
 - Activation (Paragraphs 10.6 – 10.12)
 - Appearance of lighting (Paragraph 10.3 – 10.4)
 - Cost (Paragraph 10.13)

External Consultees

- 8.3 None

Internal Consultees

- 8.4 **Pollutions Team** – The Pollutions Officer does not object to the type and position of replacement lighting. In order to minimise the impact on neighbouring amenity a condition was recommended requiring external lighting to be controlled by photocell detector and timer switch and operation between hours to 0800 and 2200 hours Mondays to Fridays only. Operation outside of these hours would require only to be due to triggering of a movement sensor and to switch off after a maximum of 5 minutes from activation.

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:

- Highbury Fields Conservation Area.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

ASSESSMENT

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

- Design and Appearance
- Neighbouring Amenity

Design and Appearance

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

- 10.3 The proposed light fittings would incorporate four types of designs comprising of wall mounted bulkhead fittings (Type A), wall mounted die cast aluminium fittings (Type B), wall mounted bulk heard (Type C) and a pole mounted floodlight (Type D). There is currently a plethora of external lighting fittings (47) to the exterior of the existing buildings. The principle of the reduced

number of replacement 37 new external light fittings designed to minimise light spillage is therefore considered acceptable at this location.

- 10.4 The proposed light fittings are small in size and would not be prominent when viewed from the street. In addition, due to their size and positioning at a low level the proposed lighting fittings are considered not to significantly harm the architectural character of the existing buildings nor spoil the streetscene. It is therefore considered that the character and appearance of the surrounding Highbury Fields Conservation Area would be preserved.
- 10.5 Given the above, the proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character) of the London Plan 2015, CS8 (Enhancing Islington's character) of the Core Strategy 2011 and Development Management Policy DM2.1.

Neighbouring Amenity

- 10.6 Concerns have been raised in relation to light pollution and activation of lighting. The existing movement sensors will be retained and reprogrammed to limit lighting hours with movement detections/CCTV activation controlled with a timer option and a manual override. A detailed light spill analysis was undertaken including light spill calculations at various times of day and light spill plans form part of this current submission. The new light fittings will have reduced light spillage.
- 10.7 The building mounted security lights are predominantly the light fitting Type A which is designed to illuminate the area around the building using a narrow light beam projecting downwards to minimise light spillage. These would serve the front of the building and the car park area.
- 10.8 The playground would be served by Type A lights fitted onto the existing perimeter masonry wall at 2.1 m height above surface level to serve. Type B light fittings with asymmetrical distributions are to be located at ground floor level to the western elevation fronting the playground and will predominantly be operated only when the playground is in use either by the school or as community use.
- 10.9 The pole mounted floodlight LED lamp proposed to the staff / visitors' car park would be operated during autumn / winter months in the evenings. The light fitting and the height of the pole are designed to provide the most efficient coverage of the staff car park area and the light pollution beyond the site boundary is minimal. In order to minimise night-time light pollution the pole mounted floodlight will not be linked to movement sensor.
- 10.10 Emergency lighting proposed to the north-western corner and south-western corner of the school building will be activated in the event of loss of power to each of the circuits of by test key switch for testing purposes.
- 10.11 In order to minimise the impact of light spill upon the neighbouring residential amenity a condition has been attached requiring the external lighting to be

controlled by photocell detector and timer switch between the hours of 0800 and 2200 hours Monday to Friday only. The condition further requires playground lighting to be manually switched off when the area is not used for school activities. Operation outside of these hours would require triggering by a movement sensor and the operation of the lighting is to be localised to the specific movement sensor and will switch off after a maximum of 5 minutes from activation.

- 10.12 Given the above measures, the proposal is not considered to result in any significant impacts on residential amenity in terms of light pollution, safety and noise and disturbance. The proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 of the adopted Islington Development Management Policies 2013.

Other Issues

- 10.13 Concerns were raised regarding the new lighting being expensive and that the money could far better spent on other projects directly involving pupils. The cost of the new lighting is not a material consideration. The application therefore could not be refused for this reason.

11.0 SUMMARY AND CONCLUSION

Summary

- 11.1 The resulting reduced number of light fittings facing downwards are considered acceptable in principle. The proposed light fittings are small in size and would not be prominent when viewed from the street. In addition, due to their size and positioning at a low level the proposed lighting fittings are considered not to significantly harm the architectural character of the existing buildings nor spoil the streetscene. It is therefore considered that the character and appearance of the surrounding Highbury Fields Conservation Area would be preserved.
- 11.2 In order to minimise the impact of light spill upon the neighbouring residential amenity, a condition has been attached requiring the external lighting to be controlled by photocell detector and timer switch between the hours of 0800 and 2200 hours Monday to Friday only. The condition further requires playground lighting to be manually switched off when the area is not used for school activities. Operation outside of these hours would require to be triggered by a movement sensor and the operation lighting to be localised to the movement sensor and switch off after a maximum of 5 minutes from activation.
- 11.3 Overall, the proposal is not considered to result in any significant impacts on residential amenity in terms of light pollution, safety and noise and disturbance. The proposed development would therefore not harm the residential amenities enjoyed by the occupiers of neighbouring properties.

11.4 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

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION

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

List of Conditions:

1	Commencement
	<p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5)</p>
2	Approved plans list
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site Plan, 2810/EXT/E01, 1100062-CS P001, P002, P004, Lighting details – Colour Temperature Scale, Kelvin Colour Temperature Scale.</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	Lighting Hours
	<p>CONDITION: The external lighting shall be controlled by photocell detector and timer switch and operate between the hours of 0800 and 2200 hours Monday to Friday only. Playground lighting shall be manually switched off when the area is not used for after school activities. Operation outside of these hours shall only be due to triggering of a movement sensor and the operating lighting should be localized to the movement sensor and switch off a maximum of 5 minutes from</p>

	<p>activation.”</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
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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 the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

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

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 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.11 London View Management Framework

B) Islington Core Strategy 2011

Policy CS10 (Sustainable Design)

C) Development Management Policies June 2013

DM2.1 Design

DM2.3 Heritage

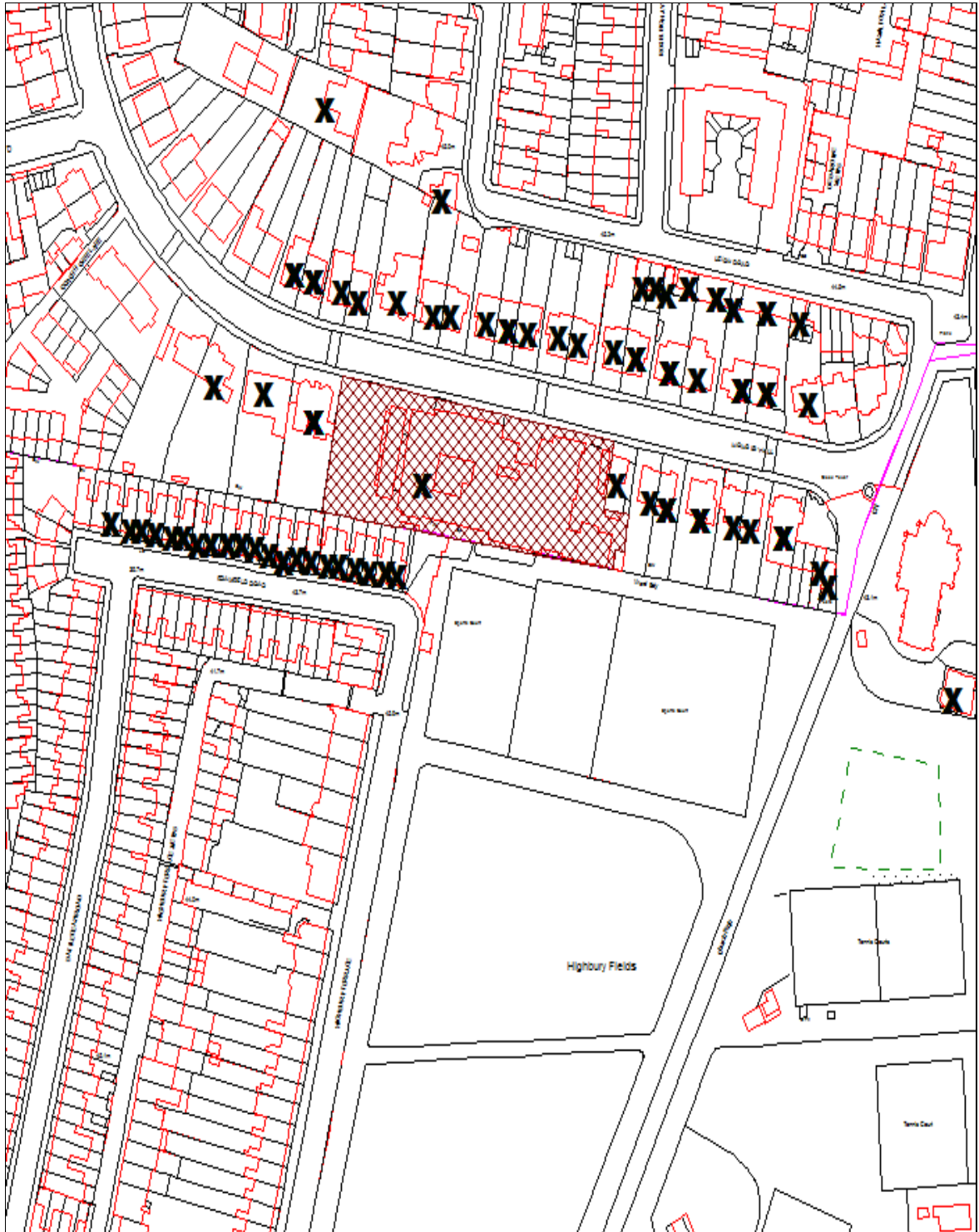
3. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan:

- Urban Design Guide
- Conservation Area Design Guidelines

Islington SE GIS Print Template



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P2016/2175/FUL

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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE A		
Date:	19 th December 2016	NON-EXEMPT

Application number	P2016/0197/FUL
Application type	Full Planning Application
Ward	Barnsbury Ward
Listed building	Not listed
Conservation area	Not in a conservation area Within 50m of both The Angel and Chapel Market/Baron Street Conservation Areas
Development Plan Context	<ul style="list-style-type: none"> - New Building - Central Activities Zone (CAZ) - Angel & Upper Street Core Strategy Key Area - Angel Town Centre - Site Allocation – AUS4: Islington High Street/Chapel Market/White Lion Street - Crossrail 2 Safeguarding Area - Mayors Protected Vista – Alexandra Palace viewing deck to St Pauls Cathedral - Within 50 metres of The Angel Conservation Area - Within 50 metres of Chapel Market/ Baron Street Conservation Area
Licensing Implications	None
Site Address	Land at 90-92 White Lion Street London N1 9PF
Proposal	Erection of five storey building on the vacant site at 90-92 White Lion Street to provide 350.8 square metres of A3 (restaurant use) on basement and ground floor levels, 650 square metres of B1 (office use) on 1st, 2nd and 3rd floors and 1 no. 3 bedroom residential unit on the top floor along with associated works and alterations.

Case Officer	Ben Oates
Applicant	Mr Stewart Schwartz
Agent	ZCD Architects - Mr John Crowley

1. RECOMMENDATION

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

1. The conditions set out in Appendix 1; and
2. Completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the contributions for affordable housing, carbon offsetting and ensuring the development remains car free

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of street elevation (looking north-east)



Image 2: Aerial view of rear elevation (looking south-west)



Image 3: Application site frontage



Image 4: Application site – view looking at the site from the west



Image 5: Property to the rear of the application site



Image 6: Property adjoining to the east



Image 7: White Lion Street – looking west from opposite application site



Image 8: 15-18 White Lion St – opposite application site to the south



Image 8: 10-14 White Lion St – opposite application site to the south

4. SUMMARY

- 4.1 The application seeks permission for the erection of a five storey building over basement on the vacant site at 90-92 White Lion Street, providing A3 (restaurant) at basement and ground floor levels, B1 (office) on first, second and third floor levels and 1 x 3 bedroom residential unit across the top floor.
- 4.2 The proposed development is a re-submission of a previously refused application (ref: P2015/0647/FUL). The council raised objections to the previous application in regards to the design, bulk, massing and height of the development. During pre-application discussions on an amended design following the refusal, concerns were again raised in regards to the overall bulk, the perceived blankness of the flank walls, the view from the western end of the street, the lack of set-back to the top floor flank elevation and the treatment of the ground floor. The current application has made further design amendments to address these concerns along with detailed justification of the design methodology having been submitted.
- 4.3 There is no objection to the overall principle of the A3/B1 uses given that both are acceptable town centre uses for the location and comply with the objectives of the area under the development plan. The principle of the roof level residential unit is also considered acceptable and would further compliment the mixture of commercial and residential uses in the area with sufficient private amenity space provided. The property, which is currently vacant, is not located within a conservation area and does not adjoining any listed buildings
- 4.4 The amended proposal generally addresses the previous objections of the refused application (ref: P2015/0647/FUL) by changing the footprint of the ground floor so that there is no set-back section and the alterations to the elevation treatment and materials to the top floor. The application has also provided much more extensive explanation of the design philosophy of the proposal to demonstrate that the scale, massing and articulation to the facades have been thoroughly considered in a holistic approach to allow the proposed building to be experienced in context from various viewpoints around the site. It is considered that the proposal is of a high quality and well thought out design that would provide visual interest to the public realm and would make a positive contribution to the streetscene and wider character of the area.
- 4.5 The proposal has been designed to mitigate amenity impacts to neighbouring residential properties and technical studies have been submitted in support of this. The council's public protection team are also supportive of the new commercial uses and that it would not result in harmful impacts to the neighbouring properties subject to relevant conditions.
- 4.6 The quality and sustainability of the resulting mixed use scheme is acceptable and would provide high quality commercial floorspace in an appropriate and highly accessible location. The proposed three-bedroom flat would also contribute to the stock of larger dwellings in this part of the borough with private amenity space provided in accordance with the Council's requirements. The new build dwelling would be constructed to meet the standards set by the Code for Sustainable Homes and national and local floorspace standards required by the National Housing Standards London Plan and Mayor's Housing SPG (Nov 2012)
- 4.7 The redevelopment of the site has no vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free. Appropriately located cycle parking facilities for residents have been allocated within the site in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'.

4.8 In summary, the proposal is considered to be acceptable and is broadly in accordance with the Development Plan policies.

5. SITE AND SURROUNDING

5.1 The application site is situated to the northern side of White Lion Street, close to the Chapel Market and Angel conservation areas. The surrounding area is characterised by residential and commercial buildings ranging from three to five storeys in height. The site is within the Angel Town Centre, retail and metropolitan in character.

5.2 To the north of the site is Chapel Market, which leads to the Angel Shopping centre and Upper Street begins to the east of the site. The application site is located to the rear of the Iceland and Marks & Spencers building, both are three storey buildings in A1 use with ancillary floor space above. The site is isolated with service roads and delivery yards to the east and west, and does not form part of the row of terraces which characterises most of the street. Despite being located in a densely populated area, the site is unusual in forming a standalone, detached premises.

5.3 The site is not located within a Conservation Area.

6. PROPOSAL (IN DETAIL)

6.1 The application seeks permission for the erection of a five storey building over basement on the vacant site at 90-92 White Lion Street, providing A3 (restaurant) at basement and ground floor levels, B1 (office) on first, second and third floor levels and 1 x 3 bedroom residential unit across the top floor.

6.2 The proposed development is a re-submission of a previously refused application (ref: P2015/0647/FUL). The council raised objections to the previous application in regards to the design, bulk, massing and height of the development. During pre-application discussions on an amended design following the refusal, concerns were again raised in regards to the overall bulk, the perceived blankness of the flank walls, the view from the western end of the street, the lack of set-back to the top floor flank elevation and the treatment of the ground floor. The current application has made further design amendments to address these concerns along with detailed justification of the design methodology having been submitted.

6.3 The final submitted proposal includes the following amendments from the 2015 refusal:

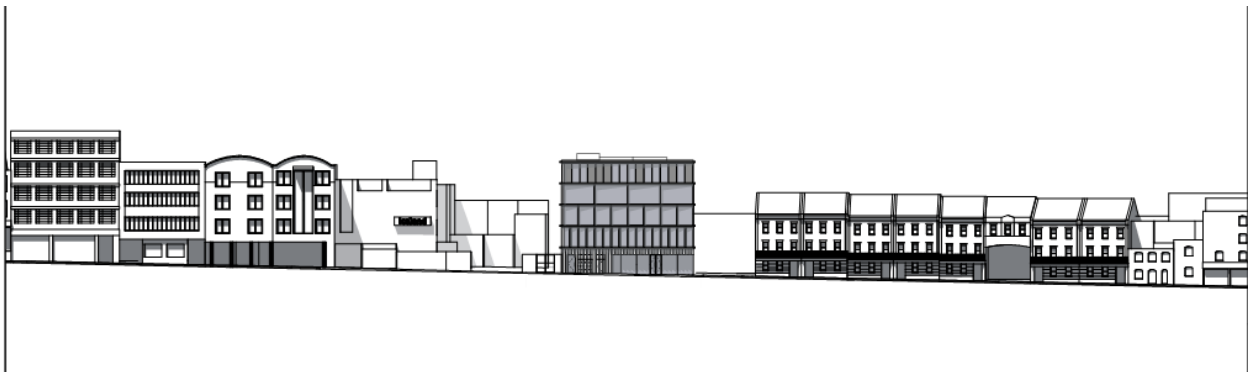
- Overall reduction in height by 600mm;
- Top storey is recessed from the frontage by a further 850mm;
- Top storey flank walls recessed by a further 550mm on each side;
- Height of top storey reduced to be visually subservient to other floors;
- Roof overhang reduced to minimise visual impact of top storey;
- The facade treatment and materials to the top floor have been amended to a lightweight glazed structure, with some areas of obscured glazing;

- Storey levels adjusted so stringcourses now align with neighbouring context;
- Flank elevations have been revised to increase the glazing and articulate the blank areas, with 14 windows introduced to the flank elevations; and
- The design of the ground floor has been wholly revised. The proposed set-back has been removed in order to promote an active frontage. The design and materiality of the ground floor now achieves a consistent treatment and is entirely glazed with obscured panels where necessary. The frontage is openable so that in summer months the glazing can be pulled aside to ventilate the space and further connect the restaurant with the street.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 P2015/0647/FUL - Erection of five storey building on the vacant site at 90-92 White Lion Street to provide A3 (restaurant) on basement and ground floor, B1 (office) on 1st, 2nd and 3rd floor and 1no. 3 bedroom residential unit on the top floor. Refused planning permission: 28/07/2015.



REASON: The proposed development by reason of its inappropriate detailed design, scale, massing, height, proportions, materials and lack of ground floor active frontage fails to form a contextual response which relates poorly to the existing street scene and is considered to have a detrimental impact on the character and appearance of the locality. The proposed building is considered to create a visually dominant and discordant feature when viewed from both the public and private realm. The proposal fails to accord with policies CS8 and CS9 of the Adopted Islington Core Strategy (2011), policy DM2.1 of the Adopted Islington Development Management Policies (2013) and Islington's Urban Design Guide (2006).

- 7.2 990648 - Renewal of unimplemented permission (ref: 94/0140) for redevelopment by the erection of a 5 storey office building – Approved (January 2000)
- 7.3 940140 - Redevelopment by the erection of a five-storey office building – Approved (August 1994)
- 7.4 880748 - Redevelopment by the erection of a five storey office building – Allowed on appeal (August 1989)

ENFORCEMENT:

- 7.5 E12/06535 – Erection of Unauthorised Fencing.

PRE-APPLICATION ADVICE:

- 7.6 Q2014/3376/MIN - Erection of five storey building on the vacant site at 90-92 White Lion Street to provide A3 (restaurant) on ground floor, B1 (office) on 1st, 2nd and 3rd floor and C3 (residential) on the top floor. (27/10/2014)
- 7.7 Q2015/3894/MIN - Erection of five storey building on the vacant site at 90-92 White Lion Street to provide A3 (restaurant) on ground floor, B1 (office) on 1st, 2nd and 3rd floor and C3 (residential) on the top floor. (Discussions between case officer and applicant ~ late 2015)

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of adjoining and nearby properties on 29/01/2016. A site notice was displayed on 04/02/2016. The public consultation of the application therefore expired on 25/02/2016; 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 2 objections had been received from the public with regard to the application. The issues raised can be summarised as follows:
- The proposal is unnecessarily large, bulky and modern (10.7 – 10.13)
 - Scale of the building overly tall for its width (10.7 – 10.13)
 - Loss of light, loss of outlook and overlooking of nearby properties (10.14 – 10.18)
 - Impacts on local traffic (10.24 – 10.27)
- 8.3 It must be noted that matters related to the manner and method of construction of the proposed extensions are not material planning considerations in the planning assessment of this application. These are matters that are covered by separate legislation including the Building Regulations, the Party Wall Act and the Environment Protection Act. However, a condition is proposed to ensure that construction traffic and methods would protect residential amenity as far as practicable. The applicant is entitled to submit new applications as long as they are materially different to previously determined schemes.

External Consultees

- 8.4 **Historic England (Archaeology):** No objection subject to a condition requiring approval of details to ensure the protection of archaeological artefacts and an informative.
- 8.5 **Crossrail 2:** No objection subject to a condition requiring approval of details to ensure the development does not impact the structural capacity of any Crossrail 2 structures.

Internal Consultees

- 8.6 **Planning Policy:** Concern of the large size of the proposed restaurant in proportion with the amount of proposed business space.
- 8.7 **Design and Conservation:** No objection subject to conditions for details and samples of materials. The reduction in scale and detailed justification of the design methodology together demonstrate that the previous concerns have been addressed if it is a high quality detail. It is accepted that the design is unusual, however could result in a high quality scheme. The proposal is on balance considered acceptable for the following reason:

- Surrounding context – very varied in terms of materials, styles and proportions of buildings
- Glazed bricks considered an acceptable material within the context
- Bulk reduced to top floor
- Height and bulk considered acceptable in light of other proposals in the area and street
- Recessed ground floor removed – more active frontage provided
- The site is not in a conservation area and within the surrounding context, provided the detail and materials are of a high quality, it could be a very interesting high quality new building, enhancing the street scene and the wider area.

- 8.8 **Public Protection (Noise):** No objection subject to conditions for approval of details of sound insulation to the residential unit, details of noise and vibration mitigation from the kitchen extraction and mechanical plant and details of a construction management plan.
- 8.9 **Public Protection (Odour):** No objection subject to a condition requiring any kitchen extract flue to discharge above the eaves of the building.
- 8.10 **Sustainability:** No objection subject to conditions for a biodiversity roof, commitment to 'Excellent' standard of BREEAM and approval of details addressing sustainable urban drainage requirements.
- 8.11 **Energy Services:** Further details and evidence is required to fully demonstrate that the proposal is acceptable.
- 8.12 **Inclusive Design:** Concern that the design does not provide a safe drop-off point, accessible cycle storage or charging facilities for mobility scooters.
- 8.13 **Refuse and Recycling:** No objection.

Other Consultees

- 8.14 None

9. RELEVANT POLICIES

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

National Guidance

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

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury

Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

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

- Central Activities Zone (CAZ)
- Angel & Upper Street Core Strategy Key Area
- Angel Town Centre
- Site Allocation – AUS4: Islington High Street/Chapel Market/White Lion Street
- Crossrail 2 Safeguarding Area
- Mayors Protected Vista – Alexandra Palace viewing deck to St Pauls Cathedral

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Design, Conservation and Heritage Considerations (including Archaeology)
- Neighbouring Amenity
- Standard of living environment
- Accessible and Inclusive Design
- Highways and Transport
- Sustainability
- Small Sites and Carbon Offsetting contribution

Land-use

10.2 The site is formed of a vacant plot within Angel Town Centre, the Central Activities Zone (CAZ) and an Employment Growth Area. The site also forms part of site allocation AUS4 under the Site Allocations Development Plan Document, which seeks the intensification of underused parts of the site for commercial and retail uses. The proposed development includes a restaurant (use class A3) at ground and basement levels with offices (use class B1) at first, second and third floor levels. There is no objection to the overall principle of the A3/B1 uses given that both are acceptable town centre uses for the location and comply with the objectives of the area under the development plan.

10.3 However, consideration should be given to the balance and mix of uses and the extent to which they can be considered to meet relevant policy requirements and how the proposal makes the most efficient use of the site to help deliver these objectives. The Core Strategy identifies White Lion Street as a corridor appropriate for the expansion of commercial-led floorspace. Policy CS5 supports opportunities for office-led mixed-use development and intensification within Angel Town Centre, and in this location in particular, to contribute towards B-use floorspace and employment growth. Policy CS13 places a strong emphasis on protecting and encouraging new business floorspace, particularly in the CAZ. Development Management Policy DM5.1 consequently seeks the provision of new business space, particularly within Town Centres and

Employment Growth Areas. New business floorspace and associated employment growth is therefore a priority on this site and is something that is therefore strongly encouraged.

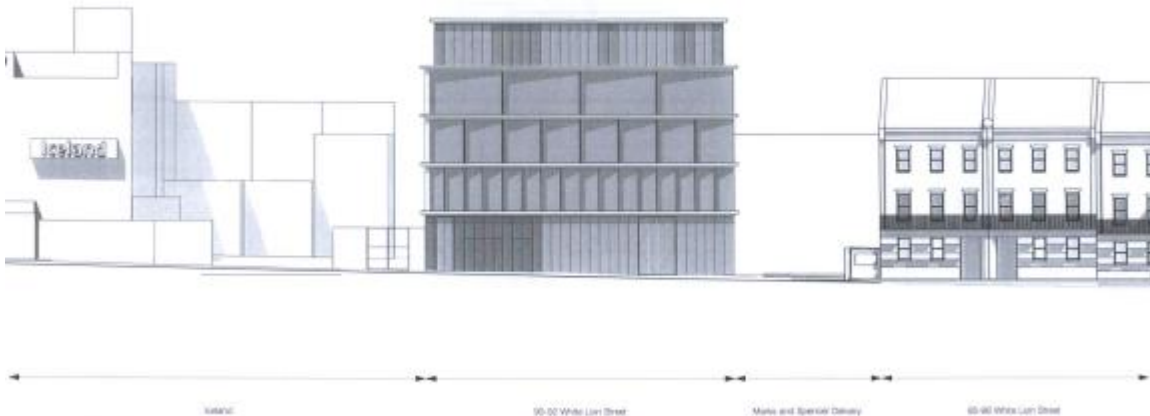
- 10.4 Within the proposal 649m² of 999.8sqmm² of the total floor space would be within business use, which is over half of the total floorspace. While the proposed development would also include basement and roof level non-B-uses, which reduce the maximum amount of B1 provision on the site, the site is located within Angel Town Centre where the provision of A use units over 80 sqm metres is encouraged. Furthermore, the provision of new residential units is supported. As such, whilst the residential and restaurant uses would reduce the overall percentage of B-use floorspace, it is not considered to undermine the objectives for maximising business floorspace in this area.
- 10.5 Development Management Policies DM4.2 and DM4.3 set out that night time economy uses, such as restaurants, should be located within Town Centres and where they would not result in an over concentration of such uses or impact upon neighbouring amenity. White Lion Street has a number of restaurants but is predominantly in other commercial uses, as such the provision of a restaurant at the site would not result in an overconcentration of restaurants in the immediate area. With regard to neighbour amenity, the restaurant would be located at ground and basement level and on the opposite side of the road from the nearest residential units and appropriate conditions are recommended to control the use of the site.
- 10.6 For the above reasons the proposed mix use of the site is considered to be acceptable subject to an assessment of all other considerations.

Design, Conservation and Heritage Considerations (including Archaeology)

- 10.7 The proposed development is a re-submission of a previously refused application (ref: P2015/0647/FUL). The council raised objections to the previous application in regards to the design, bulk, massing and height of the development. During pre-application discussions on an amended design following the refusal, concerns were again raised in regards to the overall bulk, the perceived blankness of the flank walls, the view from the western end of the street, the lack of set-back to the top floor flank elevation and the treatment of the ground floor. The current application has made further design amendments to address these concerns along with detailed justification of the design methodology having been submitted.
- 10.8 The final submitted proposal includes the following amendments from the 2015 refusal:
- Overall reduction in height by 600mm;
 - Top storey is recessed from the frontage by a further 850mm;
 - Top storey flank walls recessed by a further 550mm on each side;
 - Height of top storey reduced to be visually subservient to other floors;
 - Roof overhang reduced to minimise visual impact of top storey;
 - The facade treatment and materials to the top floor have been amended to a lightweight glazed structure, with some areas of obscured glazing;
 - Storey levels adjusted so stringcourses now align with neighbouring context;
 - Flank elevations have been revised to increase the glazing and articulate the blank areas, with 14 windows introduced to the flank elevations; and
 - The design of the ground floor has been wholly revised. The proposed set-back has been removed in order to promote an active frontage. The design and materiality of the ground floor now achieves a consistent treatment and is entirely glazed with obscured panels where necessary. The frontage is openable so that in summer months the

glazing can be pulled aside to ventilate the space and further connect the restaurant with the street.

- 10.9 The amended proposal generally addressed the previous concerns by changing the footprint of the ground floor so that there is no set-back section and the alterations to the elevation treatment and materials to the top floor. Whilst it doesn't strictly follow the advice to further break up the flank walls with additional glazing, it is considered that if appropriate detailing is applied this would be acceptable and would overcome the concerns regarding the perceived bulk of the building. The glazed bricks are considered to be an acceptable material within the context of the surrounding locality. There would be a large portion of the front elevation at ground floor level consisting largely of obscured glazing, however this would not significantly detract from the overall improvements to the ground level treatment. Given the proposed design will rely on high quality detailing and materials a condition is included requesting details and samples for the approval of all materials, joints between different materials, projecting floor plates and all other cladding.



- 10.10 In addition to the alterations to the design of the proposed building, the application has also provided much more extensive explanation of the design philosophy to the proposal within their Design and Access Statement. The additional details demonstrate that the scale, massing and new articulation to the facades have been thoroughly considered in a holistic approach to allow the proposed building to be experienced in context from various viewpoints around the site.
- 10.11 The proposal has been designed to be contextual to the area surrounding the site with an adequate massing to fit successfully with the commercial scale of the street. The size of the building is restricted by the size of the plot, which also results in it becoming a stand-alone building and therefore it is necessary for each façade to relate well to the front elevation. The use of a clear hierarchical treatment of floor levels (particularly the reduced bulk on the top floor), the projecting stringcourse at each storey, angled treatment of the façade and setback top floor together sufficiently reduce the bulk, mass and scale of the building. The proposed height and bulk is considered to be acceptable in the context of the other development in the area. The removal of the recessed ground floor has created a more active frontage. Overall, it is considered that the proposal is of a high quality and well thought out design that would provide visual interest to the public realm and would make a enhance the streetscene and wider area.
- 10.12 For the above reasons it is considered that the design of the proposed development is acceptable and would not harm character or appearance of the streetscene or surrounding

area. The application is therefore in accordance with Core Strategy policies CS5, CS8 and CS9, Development Management policies DM2.1 and DM2.3, the Conservation Area Design Guide and Urban Design Guide.

- 10.13 Historic England has advised that the development site is located in an area of archaeological interest. In their appraisal of the proposal using the Greater London Historic Environment Record and information submitted with the application it is advised that the development is likely to cause some harm to archaeological interest but not sufficient to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding. The recommended condition has been included to conserve the archaeological interest at this site.

Neighbouring Amenity

- 10.14 The Daylight and Sunlight Study submitted with the application provides a detailed assessment of the impacts on daylight and sunlight to the adjoining residential properties. No assessment has been provided to the neighbouring commercial properties, however the BRE guidelines are intended for use for rooms in adjoining dwellings but may be applied to any non domestic building where occupants have a reasonable expectation of daylight, including some offices. However there is no further expansion on when an assessment should be provided. It is acknowledged that two windows at 10-14 White Lion Street fail the Vertical Sky Limit (VSC) test, whilst a number of windows in 15 to 18 White Lion Street fail the Daylight Distribution (DD) test. However, those windows that fail VSC pass the DD tests and vice versa. Furthermore, as the windows to the neighbouring properties are not within 90 degrees of due south they do not require testing for sunlight.
- 10.15 Notwithstanding this, the affected properties are within buildings that are built up to their front boundary and, as stated in the study, the BRE Guide allows alternative targets derived by calculating the level of light that the affected windows would achieve if obstructed by a hypothetical copy of the existing neighbouring building at an equal distance from the boundary (mirror testing). The study confirms that the windows that do not achieve the conventional criteria achieve the alternative VSC and Daylight Distribution targets as part of the mirror testing and therefore the proposal satisfies the BRE daylight requirements.
- 10.16 Concerns have also been raised with regards to loss of privacy and overlooking. However, it is acknowledged that the affected properties are across the main road with a distance of 15 metres between the facing habitable room properties. While the Development Management Policies Document sets out that there should be 18 metres between habitable windows, it goes further to state that this does not apply across the public highway and that this would not constitute an unacceptable loss of privacy. Due to this and that there are no balconies on the front elevation facing these neighbouring habitable room windows, it is considered that the proposal would not result in overlooking.
- 10.17 The Council's Public Protection Team have advised that there is no objection to the proposed kitchen extraction and mechanical plant subject to conditions to control noise and odour pollution to prevent nuisance to neighbouring properties. A condition for approval of a Construction and Environmental Management Plan has also been recommended to mitigate disruption to nearby residents during the development. These conditions have been duly included in the recommended decision. Furthermore, the hours of use of the restaurant are controlled by condition to ensure there is no undue disturbance to the neighbouring occupiers.
- 10.18 For the above reasons and subject to the recommended conditions it is considered that the proposed development would not result in unacceptable amenity impacts on the nearby properties in accordance with policy DM2.1.

Standard of living environment

- 10.19 Development Management Policy DM3.4 requires all new accommodation to be dual aspect providing adequate sunlight and outlook for future occupiers. The proposed new residential unit (149sqm) would be dual aspect and would provide a good standard of living for future occupiers. The layout of the proposed flat is acceptable with sufficiently sized rooms, storage spaces and floor to ceiling heights. It is considered that the proposal would provide acceptable internal living environments and space standards.
- 10.20 Policy DM3.5 of the Adopted Development Management Policies requires all new development to provide good quality private amenity space. The minimum requirement is 5m² on upper floors for 1 and 2 person units and 30m² for 3 bedroom family size units. The proposal would provide 30m² of private amenity space for the three bedroom unit on the fourth floor in the form of a courtyard and terrace and the standard of amenity space provided is considered acceptable.

Accessible and Inclusive Design

- 10.21 The plans have been considered by the Council's Inclusive Design Officer who raised concerns that the development does not provide a safe drop off point, accessible cycle storage or charging facilities for mobility scooters. The proposed dwelling would generally comply with the accessibility requirements under policy DM3.4; however further details are required to demonstrate that it would comply with The Building Regulation Approved Document M for Category 2 dwellings. It is considered that this could be secured by way of a condition and therefore is not significant enough to warrant refusal of the application for this reason.
- 10.22 The proposed restaurant would have level access to the street, a separate lift to provide step free access to the basement level and an accessible WC at ground level. The proposed offices at 1st, 2nd and 3rd floors would also have access to a lift to provide step free access from the street and accessible WC's available on the 1st and 2nd floors, which could also be used by occupants of the 3rd floor office. The lift would be key operated so that the top floor residential unit maintains secure access. The proposed offices therefore appear to be accessible and visitable with step free access in accordance with Development Management policy DM2.2.
- 10.23 As such it is considered that subject to conditions the accessibility of the proposal is acceptable in accordance with policy DM2.2

Highways and Transportation

- 10.24 Cycle storage has been proposed at third floor level for the office and restaurant units and within the stairwell landing for the roof level residential unit. This would require bicycles to be brought up and down through the lift. Although not ideal, the lift is large enough to fit a bicycle and the scheme provides the required number of bicycle parking spaces. It is therefore considered that this would not warrant a reason for refusal. There are no car parking spaces proposed in accordance with the policy DM8.5 and the legal agreement would restrict the rights of the occupiers of the residential unit from applying for planning permission.
- 10.25 Crossrail 2 have advised that the site is within the limits of land subject to consultation by the Crossrail 2 Safeguarding Direction. Crossrail 2 have recommended a condition requiring further approval of the detailed design and details of the construction method statement to accommodate the proposed location of Crossrail 2 structures including tunnels, shafts, temporary works and to accommodate ground movement arising from the construction thereof, and mitigate the effects of noise and vibration arising from the operation of the Crossrail 2 railway within the tunnels and other structures. The condition has been included accordingly.

- 10.26 Further to this, due to the site's location within the Crossrail 2 Safeguarding Area, the applicant is liable to make a S106 contribution of £122,441 towards the funding of Crossrail conditional upon the amount payable under the Mayor's CIL to be secured by unilateral undertaking.
- 10.27 Due to the constrained nature of the site, close proximity of residential properties and its frontage onto a busy road, a condition is recommended requiring the submission of a Construction Environment Management Plan.

Sustainability

- 10.28 An Energy Statement has been submitted with this application, which confirms the proposal would meet Code Level 4 in the Code for Sustainable Homes. While the Code has now been removed, it is considered that adequate improvements and design features could be secured via condition if other aspects of the scheme were acceptable in this case. The Council's Energy Officer has advised that further evidence and clarification is required to fully demonstrate that the energy reduction within the scheme is acceptable. However, it is considered that sufficient detail has been submitted so far as not to warrant a refusal and the remaining required information can be secured through a condition.
- 10.29 The Council's Sustainability Officer has advised that there are no objections to the proposal subject to conditions securing a biodiversity / green roof incorporated into the development, commitment to achieve BREEAM Excellent standard for the commercial elements, and approval of details of a sustainable urban drainage system (SUDS). A Structural Method Statement (SMS) was not submitted with the application, which is now a requirement of the Basement Development SPD. However the SPD was adopted on 14th January 2016, which is the same as the valid date of the application, and given that there are no buildings immediately adjoining the site this would lessen the potential structural and basement impacts and therefore it is considered reasonable to request an SMS for approval via a condition.

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

- 10.30 The development requires a £50,000 contribution towards affordable housing in the Borough, in line with policy CS12 of the Core Strategy and the councils Supplementary Planning Document- 'Affordable housing- small sites' 2012. A £1,000 contribution is also required towards Carbon Off-setting. A legal agreement between the Council and the applicant has been agreed and signed to secure the full payment of the required contributions.
- 10.31 Therefore the application complies with policy CS12G of the Islington Core Strategy 2011 and the Islington Affordable Housing Small Sites Contributions SPD.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The details that have been submitted demonstrate progression of the scheme to comply with the requirements set under the relevant conditions without resulting in harmful impacts to the neighbouring properties. The site is a gap site located within the Angel Town Centre, the proposal is considered to be in keeping with the surrounding context which is very varied in terms of materials, styles and proportion of buildings. The bulk of the recessed top floor is considered to be an improvement over the previously refused scheme, and the height and overall bulk are considered appropriate in light of other development in the area and street. The site is not in a conservation area and within the surrounding context, provided the detail and materials are of a high quality, it is considered to be a very interesting high quality new building, enhancing the street scene and the wider area

- 11.2 The proposed development is not considered to have a detrimental impact upon the amenity of neighbouring residents. Overall the application is considered acceptable for the above reasons and subject to the recommended conditions in accordance with the guidance provided in the relevant Supplementary Planning Documents and policies within the Development Management Policies June 2013, the Site Allocations DPD 2013, the Core Strategy 2011, the London Plan 2015 and the NPPF. Therefore the application is recommended for approval subject to conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to the prior completion of a unilateral undertaking in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/ Head of Service – Development Management or, in their absence, the Deputy Head of Service.

- a) A financial contribution of £50,000 towards the provision of off-site affordable housing.
- b) A financial contribution of £1000 towards CO2 off setting.
- c) A financial contribution of £122,441 to be spent on the funding of Crossrail less any amounts paid or payable by the Owner pursuant to the Mayors CIL

RECOMMENDATION B:

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>PP-000, PP-001, PP-011, PP-021, PP-022, PP-023, PP-024, PP-025, PP-026, PP-031, PP-032, PP-101, PP-110 Rev A, PP-111 Rev A, PP-112, PP-113, PP-114, PP-115, PP-116, PP-121 (Proposed North Elevation), P-121 (Proposed South Elevation), PP-123, PP-124, PP-125, PP-126, PP-131, PP-132, View from East, View from West 01, View from West 02, Design and Access Statement, Planning Statement by ZCD Architects, Daylight and Sunlight Study by Right of Light Consultancy dated 20th May 2015, Ventilation and Extraction Statement April 2015, Energy Statement February 2015.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) any other materials to be used.

	<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>Structural Method Statement (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Structural Method Statement (SMS) has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be prepared in accordance with the SMS requirements in the Basement Development SPD (2016) Appendix B and any recommendations within the SMS shall be adhered to throughout the construction period. The SMS must be signed and endorsed by a Chartered Civil Engineer or Chartered Structural Engineer with relevant experience, appointed by the applicant.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To safeguard the structural stability of the existing building, nearby buildings, trees and any infrastructure.</p>
5	<p>Construction Environment Management Plan (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.</p> <p>The CEMP shall assess the environmental impacts of the development including, but not limited to: noise, air quality including dust, smoke and odour, vibration and TV reception. 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.</p> <p>The Statement shall also specifically provide for:</p> <ol style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>The development shall be carried out strictly in accordance with the details so approved and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
6	<p>Archaeological Investigation - Historic England (Details)</p> <p>CONDITION: No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority</p>

	<p>in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:</p> <p>A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</p> <p>B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.</p> <p>The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>REASON: Heritage assets of archaeological interest may survive on the site. The Local Planning Authority (in conjunction with Historic England) wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development.</p> <p>The archaeological details and/or design that are addressed by this condition relate to works that would take place either prior to any demolition commencing or at the beginning of the construction phase, and/or the details would affect the subsequent design of other critical elements of the scheme. Therefore, these details are required to be agreed prior to commencement of the development.</p>
7	<p>Foundations - Crossrail 2 Safeguarding (Details)</p>
	<p>CONDITION: No development hereby permitted shall be commenced until detailed design and construction method statements for all the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:</p> <p>(i) Accommodate the proposed location of the Crossrail 2 structures including tunnels, shafts and temporary works,</p> <p>(ii) Accommodate ground movement arising from the construction thereof,</p> <p>(iii) Mitigate the effects of noise and vibration arising from the operation of the Crossrail 2 railway within the tunnels and other structures,</p> <p>The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted that are required by points (i), (ii) and (iii) and of this condition shall be completed, in their entirety, before any part of the buildings is occupied.</p> <p>REASON: To ensure that the resulting development does not have an unacceptable impact on Crossrail 2 infrastructure.</p>
8	<p>Flues And Extraction (Details)</p>
	<p>CONDITION: Details of proposed flues / extraction systems for the A3 unit hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the unit to which they relate. The flue/stack shall discharge the extracted air no less than 1.0m above the roof eaves of the building to which it is affixed. The flue shall be fitted with fine filtration or Electrostatic Precipitation followed by carbon filtration (carbon filters rated with 0.1 second resistance time) or alternatively fine filtration followed by counteractant / neutralising system to achieve the</p>

	<p>same level as above.</p> <p>The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or replacement shall be easily accessible.</p> <p>The flues/extraction systems shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the commercial units to which they relate and maintained as such thereafter.</p> <p>REASON: In the interest of protecting future residential amenity and the appearance of the resulting building(s).</p>
9	<p>Sound Insulation (Details)</p> <p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast)</p> <p>Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour</p> <p>Dining rooms (07.00 -23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
10	<p>Fixed Plant (Compliance)</p> <p>CONDITION: A Noise Assessment report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter. The report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition.</p> <p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
11	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The bicycle storage area(s) hereby approved, which shall provide for no less than 17 bicycle spaces (including 6 dedicated spaces for the A1 unit; 8 spaces for B1 unit(s) and 3 spaces for the C3 unit) and shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p>

	REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.
12	Refuse/Recycling Provided (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. P-111 Rev A shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
13	Accessible Housing - Minor Schemes (Details)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, the residential unit shall be constructed to meet the requirements of 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 Local Planning Authority 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.</p>
14	Sustainability – Residential Units (Compliance)
	<p>CONDITION: The residential units hereby approved shall achieve the credits detailed in the Code Pre-Assessment Report (November 2010 Manual, 02 June 2014).</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
15	BREEAM (Compliance)
	<p>CONDITION: The commercial part of the development hereby approved shall achieve a BREEAM New Construction rating (2011) of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
16	Green/Brown Biodiversity Roofs (Details)
	<p>CONDITION: Notwithstanding the plans of the development hereby approved, details of the biodiversity green roof shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity green roof shall be:</p> <ol style="list-style-type: none"> biodiversity based with extensive substrate base (depth 80-150mm); designed to cover the maximum possible area of roof; and 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 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>
17	<p>Sustainable Urban Drainage System (Details)</p>
	<p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system in accordance with the principles as set out in London Plan policies: 5.13 and 5.15. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water.</p>
18	<p>Servicing and Delivery</p>
	<p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times, size of vehicles, number of bays anticipated to be suspended and frequency of trips shall be submitted to and approved in writing by the Local Planning Authority prior to the hereby approved sui generis use commencing.</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 in terms of their impact on highway safety and the free-flow of traffic</p>
19	<p>Car Free</p>
	<p>CONDITION: All future occupiers of the first floor and second floor residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as "non car free"; or iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>REASON: To ensure that the development remains car free.</p>
20	<p>Obscure Glazing</p>
	<p>All windows shown on the plans hereby approved as being obscurely glazed shall be</p>

<p>provided as such prior to the first occupation of the development.</p> <p>All obscurely glazed windows shall be fixed shut, unless revised plans are submitted to and approved in writing by the Local Planning Authority which confirm that those windows could open to a degree, which would not result in undue overlooking of neighbouring habitable room windows.</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
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List of Informatives:

1	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	S106 Agreement
	<p>SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60 day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-</p>

	infrastructure-levy/.
4	Definitions
	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.
5	CAR-FREE DEVELOPMENT
	CAR-FREE DEVELOPMENT: All new developments are car free. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
6	HISTORIC ENGLAND
	Historic England: GLASS - Watching Brief: A watching brief involves the proactive engagement with the development groundworks to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive. Further information on archaeology and planning in Greater London including Archaeological Priority Areas is available on the Historic England website. For further information and assistance please contact the Historic England - Greater London Archaeological Advisory Service.
7	TRANSPORT FOR LONDON
	Transport for London has advised that they are prepared to provide to information about the proposed location of the Crossrail 2 tunnels and structures. It will supply guidelines about the design and location of third party structures in relation to the proposed tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the construction and use of the tunnels. Applicants are encouraged to discuss these guidelines with the Crossrail 2 engineer in the course of preparing detailed design and method statements.
8	SATELLITE DISHES OR ANTENNA
	Please be advised that the installation of any satellite dishes or antenna require a separate application for planning permission should they be required.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

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

2. Development Plan

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

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London
Policy 2.10 Central Activities Zone – Strategic Priorities
Policy 2.11 Central Activities Zone – Strategic Functions
Policy 2.12 Central Activities Zone – Predominantly Local Activities
Policy 2.15 Town centres

3 London's people

Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 3.15 Coordination of housing development and investment

4 London's economy

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

5 London's response to climate change

Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage

6 London's transport

Policy 6.2 Providing public transport capacity and safeguarding land for transport
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

offices
Policy 4.7 Retail and town centre
development

B) Islington Core Strategy 2011

Spatial Strategy

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

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS13 (Employment Spaces)
Policy CS14 Retail and Services

C) Development Management Policies June 2013

Design and Heritage

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

Housing

DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.7 Noise and vibration (residential
uses)

Shops, culture and services

DM4.2 Entertainment and the night-time
economy
DM4.3 Location and concentration of uses
DM4.4 Promoting Islington's Town Centres
DM4.8 Shopfronts

Employment

DM5.1 New business floorspace
DM5.4 Size and affordability of workspace

Energy and Environmental Standards

DM7.1 Sustainable design and construction
statements
DM7.4 Sustainable design standards

Transport

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

Infrastructure

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

5. Designations

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

- Central Activities Zone (CAZ)
- Angel & Upper Street Core Strategy Key Area
- Angel Town Centre
- Site Allocation – AUS4: Islington High Street/Chapel Market/White Lion Street
- Crossrail 2 Safeguarding Area

- Mayors Protected Vista – Alexandra Palace viewing deck to St Pauls Cathedral

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

The following SPGs and/or SPDs are relevant:

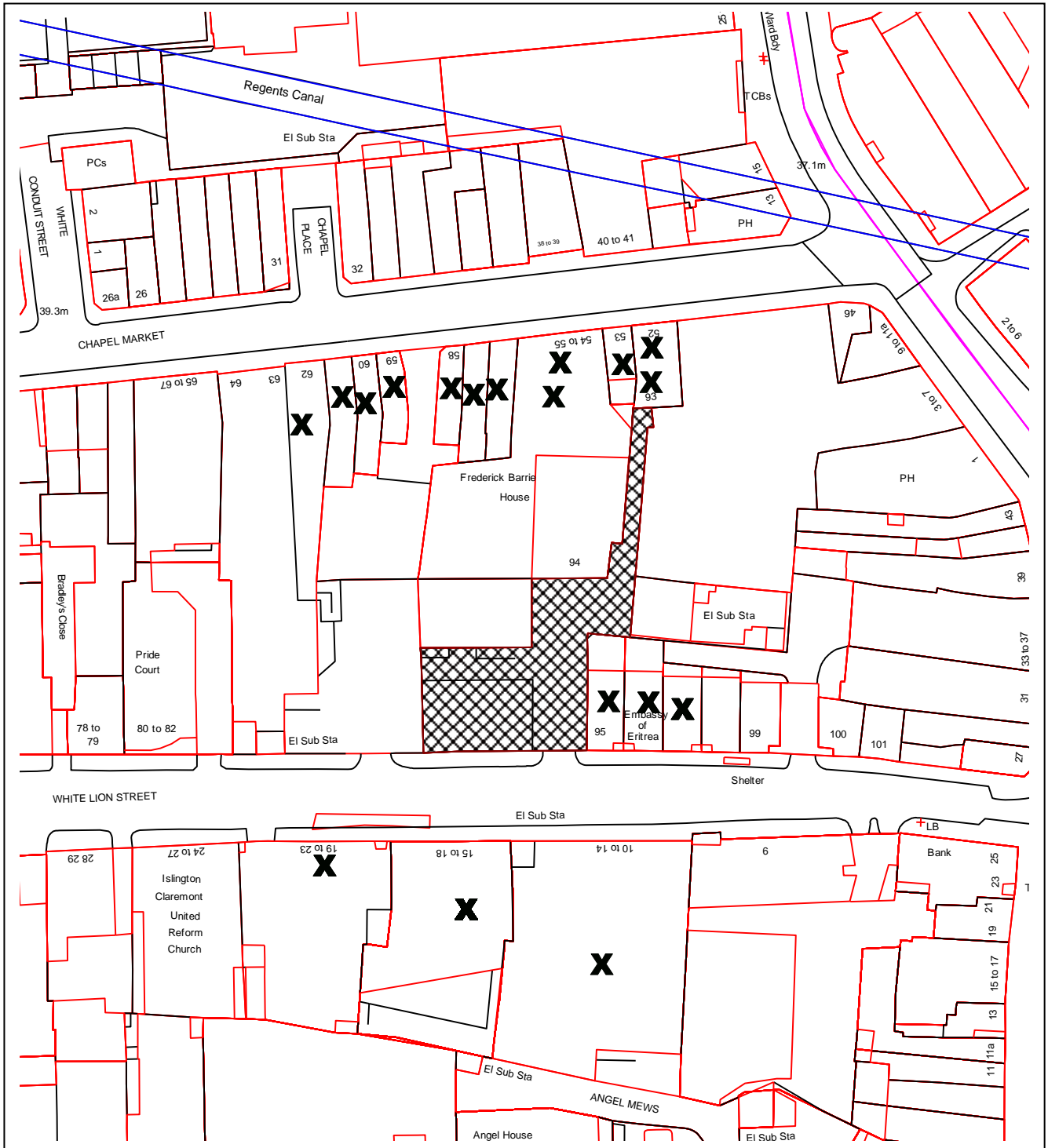
Islington Local Plan

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

London Plan

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

Islington SE GIS Print Template



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