



AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on **19 March 2018 at 7.30 pm.**

Yinka Owa
Director – Law and Governance

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Despatched : 9 March 2018

Welcome:

Members of the public are welcome to attend this meeting.

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


Committee Membership

Wards

Substitute Members

Councillor Khan (Chair)	- Bunhill;	Councillor Chowdhury	- Barnsbury;
Councillor Donovan-Hart (Vice-Chair)	- Clerkenwell;	Councillor A Clarke-Perry	- St Peter's;
Councillor Picknell (Vice-Chair)	- St Mary's;	Councillor Williamson	- Tollington;
Councillor Nicholls	- Junction;	Councillor Gill	- St George's;
Councillor Fletcher	- St George's;	Councillor Wayne	- Canonbury;
Councillor Court	- Clerkenwell;	Councillor Poyser	- Hillrise;
Councillor Gantly	- Highbury East;	Councillor O'Halloran	- Caledonian;
Councillor Kay	- Mildmay;	Councillor Turan	- St Mary's;
Councillor Ward	- St George's;	Councillor Webbe	- Bunhill;
Councillor Convery	- Caledonian;		

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.

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B.	Consideration of Planning Applications	Page
1.	Dixon Clark Court, Canonbury Road, London, N1 2UR	11 - 86
2.	Dover Court Estate, including land to north of Queen Elizabeth Court and	87 - 118

garages to west of and land to north and east of Threadgold House, Dove Road; garages to east of Illford House, Wall Street; Romford House Mitchison Road; land to east of Westcliff House and Ongar House, Baxter Road; land to east of Greenhills Terrace; and garages to rear of and ball court to west of Warley House, Baxter Road, Islington, London, N1.

C. Consideration of other planning matters **Page**

D. Urgent non-exempt items (if any)

Any non-exempt items which the Chair agrees should be considered urgent 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 Committee, 23 April 2018

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

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

The Planning Committee consists of ten locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning 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 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 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 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 Committee operates and how to put your views to the Planning Committee please call Ola Adeoye on 020 7527 3044. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.

COMMITTEE AGENDA

1 Dixon Clark Court
Canonbury Road
London
N1 2UR

2 Dover Court Estate, including land to north of Queen Elizabeth Court and garages to west of and land to north and east of Threadgold House, Dove Road; garages to east of Illford House, Wall Street; Romford House Mitchison Road; land to east of Westcliff House and Ongar House, Baxter Road; land to east of Greenhills Terrace; and garages to rear of and ball court to west of Warley House, Baxter Road, Islington, London, N1.

1 Dixon Clark Court
Canonbury Road
London
N1 2UR

Ward: St. Marys

Proposed Development: The construction of 41 new dwelling units comprising 6 x 1B2P, 6 x 2B3P, 25 x 2B4P, 3 x 3B5P and 1 x 4B6P with associated amenity space, for affordable and private homes, provided in five residential mews blocks ranging from 1 to 4 storeys in height and one residential block of 6 storeys in height, bicycle parking spaces and improvements to the public realm; the provision of 39sqm of space for community use; and the demolition of lock-up storage units and site management office, the demolition and relocation of the sub-station; and the conversion of two existing dwellings to bicycle, refuse and ancillary storage.
Reason For Reconsultation additional information / amended design.

Application Number: P2017/2936/FUL

Application Type: Full Planning (Council's Own)

Case Officer: Stefan Sanctuary

Name of Applicant: London Borough of Islington - Ms Rosemarie Jenkins

Recommendation:

2 Dover Court Estate, including land to north of Queen Elizabeth Court and garages to west of and land to north and east of Threadgold House, Dove Road; garages to east of Illford House, Wall Street; Romford House Mitchison Road; land to east of Westcliff House and Ongar House, Baxter Road; land to east of Greenhills Terrace; and garages to rear of and ball court to west of Warley House, Baxter Road, Islington, London, N1.

Ward: Canonbury

Proposed Development: Application to vary condition 20 (Ballcourt Playspace Management and Maintenance Strategy) and 28 (Opening hours of ballcourt and associated floodlighting) of planning permission P2016/0391/S73 which granted permission for (summary): Demolition of existing two-storey residential building and 81 garages to allow for 70 new homes across 9 infill sites; alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms; a part two, part three-storey terraced row facing Wall Street; a part single, part three and part four-storey extension to the north east corner of Ongar House; a four-storey extension to the west elevation of Ongar House; a three storey terraced row replacing Romford House; a four-storey block between Warley House and No.53 Mitchinson Road; part single, part two-storey terraced row to the end of Warley House; provision of new green space and sports/play facilities, including new ball court, cycle storage, public realm improvements across the estate; and relocation of Baxter Road to the front of Romford House; and associated amendments including increase in overall building heights.
CHANGES NOW PROPOSED: To extend the opening hours (including floodlighting) by 1.0 hour to 9.00pm.

Application Number: P2017/2621/S73

Application Type: Removal/Variation of Condition (Section 73)

Case Officer: Evie Learman

Name of Applicant: Pollard Thomas Edwards - Ms Charina Coronado

Recommendation:

Agenda Item A6

London Borough of Islington

Planning Committee - 1 March 2018

Minutes of the meeting of the Planning Committee held at Council Chamber - Town Hall on 1 March 2018 at 7.30 pm.

Present: Councillors: Khan (Chair), Donovan-Hart (Vice-Chair), Picknell (Vice-Chair), Fletcher, Gantly, Kay, Convery, Williamson and Gill
Also Present: Councillors: Williamson and Gill (substitutes)

Councillor Robert Khan in the Chair

368 **INTRODUCTIONS (Item A1)**
Councillor Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.

369 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies were received from Councillors Ward and Nicholls.

370 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillors Gill and Williamson substituted for Councillors Ward and Nicholls.

371 **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.

372 **ORDER OF BUSINESS (Item A5)**
The order of business would be B2 and B1.

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

RESOLVED:

That the minutes of the meeting held on 6 February 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

374 **RICHARD CLOUDESLEY SCHOOL, 99 GOLDEN LANE, LONDON, EC1Y 0TZ (Item B1)**
Demolition of the former Richard Cloudesley School, City of London Community Education Centre; garages and substation; erection of a 3 storey building with rooftop play area (Class D1) (2300.5 sqm GEA) and a single storey school sports hall (Class D1) (431 sqm GEA) to provide a two form entry primary school; erection of a 14 storey building (plus basement) building to provide 66 social rented units (Class C3) (6135sqm GEA), and affordable workspace (Class B1a) (244sqm GEA), landscaping and associated works.

(Planning application number: P2017/2961/FUL)

In the discussion the following points were made:

- The Planning Officer informed Members that since the publication of the agenda a second despatch paper had been published on the Council website which

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addresses objectors concerns especially regarding the noise levels from the playground. Members were advised of the response from the Acoustics officer that the levels of noise were deemed acceptable and expected. However, he has suggested a condition which would restrict the hours of playground use only and not applicable to the MUGA (Multi Use Ground Use) as 7.30am – 6.30pm, Monday to Friday to account for out of school hours. In addition the Planning Officer advised that the uploaded updated report included issues relating to highways, transportation and fire safety as well as a formatting error on paragraph 11.280 of the Committee report which is now correctly presented.

- Since the publication of the updates 2 further objections had been received, one objector raised no new issues while the other objector mentioned the prevalence of bats living in the school building and has requested surveys be undertaken. Although the prevalence of bats was not observed as part of the ecological survey carried out by the applicant's consultant.
- The Planning Officer highlighted a number of corrections in the report. On page 11.124 of page 126, reference to the size of the MUGA has been incorrectly given as 420 sqm instead of 482sqm (the MUGA and the area around it). At page 56 paragraph 10.1 the last sentence which states the 'relevant development plans...' to be deleted. The Planning Officer also noted that the updated servicing condition would be secured by way of condition and not by section 106 and a condition requiring obscure glazing of the southern elevation over floors 1-4.
- In response to concerns about a single staircase, the Planning Officer advised that no objections were submitted by the Fire authority but had suggested a few things such as installation of sprinklers. Members were advised that the applicant had submitted a fire strategy (condition 45 of the report) and on the issue of a single staircase, the Planning Officer advised that this was a scheme different from the Grenfell Tower in London.
- Neighbouring residents questioned the need for a two form entry school as school places were available at a nearby primary school. Objections also raised concerns about the height and massing of the scheme, substantial loss of daylight and sunlight, impact on the amenity of the residential amenity, impact on the character and appearance of the scheme, lack of open spaces, fire safety concerns and parking issues.
- In response, the agent advised that there was a pressing need for a two form school as the school was presently in a temporary location, highlighted a number of benefits such as the provision of affordable homes, delivery of workspaces for small businesses, the improvement of the public realm and the regeneration of the area. In addition, the agent informed Members that with the delivery of social homes, the school would be within the catchment area.
- The agent reminded Members that considering 18,000 people are on the waiting list and 70,000 residents were living in temporary accommodation, social housing would be a significant benefit of the scheme.
- In response to a question from the Chair, the Legal Officer acknowledged that as the site being considered by the Committee straddles both the boundaries of both Islington Council and the City of London Corporation, a decision to grant planning permission would still have to be considered by the planning committee of the City Corporation. In summary for the scheme to proceed, it would require permissions

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from both authorities.

- The Chair informed the meeting that he had attended a site visit with Councillors Donovan-Hart, Kay and Williamson which had been helpful in providing an understanding of the context of the application site.
- The Chair reminded Members that, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) the application should be determined in accordance with the development plan unless other material considerations indicate otherwise. Furthermore, in accordance with Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 there is a statutory duty to give considerable weight and importance to the desirability of preserving the setting of listed buildings. The Chair also reminded Members that Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that, with respect of any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Members were further reminded that Paragraph 134 of the National Planning Policy Framework states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- The Chair noted that the Officer's report made clear that there was policy harm in terms of conflict with the Council's tall buildings policy and the acceptability of that harm is something that the committee would have to consider. The Chair advised that the committee would have to reach a decision on harm to heritage assets and if they decide that there is substantial harm to the significance of designated heritage assets then they should refuse the application. However, if there is less than substantial harm to the significance of designated heritage assets then the committee can consider that harm against the public benefits of the proposal. The Chair noted that there was some contention that there would be substantial harm, some contention that there would be less than substantial harm and some contention that there would be nil harm to the significance of designated heritage assets.
- The Chair noted that the GLA considered there would be no harm to heritage assets. It was also noted that Historic England at pre-application stage noted that the height of the residential block should be lower than Great Arthur House, and that this is the case. The Chair observed that the Council's Design and Conservation Officer concluded that there would be less than substantial harm albeit at the higher end of less than substantial harm, and that the Barnwell judgement indicated that, even when it is considered that there will be less than substantial harm, the more harm that is identified the more carefully that harm should be balanced against the benefits of the proposal. The Chair reminded Members that the City of London, in their observations, concluded that the degree of harm to the Golden Lane Estate would be less than substantial and should be weighed against the public benefits, whilst there would be slight, less than substantial harm to the setting of the Barbican (listed building and registered landscape). The Chair sought the views of the committee regarding the degree of harm to the significance of designated heritage assets.
- Councillor Convery noted that the proposal would clearly not result in harm to the fabric of heritage assets. However, it would result in some harm the setting of these assets but the extent of this harm is a subjective judgement. Councillor Convery

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considered that the detailing of the proposed residential building would complement that of the Golden Lane Estate whilst not representing a pastiche of, or attempting to mimic, the Estate. Councillor Convery recalled that, at the time of its construction, the Barbican was considered the most 'hideous' development in London, and was now a heritage asset within the setting of the application site. It was noted that the proposed building may not immediately appear entirely in keeping with its surroundings but it has a quality and may one day be viewed as part of the established heritage of the area. Councillor Convery concluded that the harm to designated heritage assets would be slight.

- Councillor Williamson advised that she was broadly in agreement with Councillor Convery's views and observed that, having visited the site, it is clear that it is located within a high density area and in this regard the proposed residential building would not appear out of context. Accordingly, Councillor Williamson concluded that there would be some harm to the significance of designated heritage assets but this harm would be limited.
- Councillor Fletcher commented that there would be some impact on the street scene but in terms of impact on heritage assets it should be noted that the City of London is characterised by tall, high density buildings juxtaposed with much smaller buildings. Councillor Fletcher concluded that the harm from the proposal to designated heritage assets would be minimal.
- Councillor Kay noted that, whilst the degree of harm to the significance of designated heritage assets would not be substantial, she was in agreement with the views of Officers that there would be a significant change which should be carefully considered against the public benefits. The proposal would by no means represent a small change to the character of the site and the development would be highly visible from some viewpoints in the surrounding area.
- The Chair noted that the proposal would result in harm in residential amenity terms, including impacts on daylight and sunlight affecting residents of Basterfield House. Councillor Picknell noted that the design of the Basterfield House flats was such that, whilst there would be a loss of light to bedrooms and kitchens, the dual aspect design of the block was such that there would be no impact on the main living rooms. Councillor Picknell noted that any redevelopment of the site would be likely to result in some impact in terms of loss of light therefore, on balance, it was considered that this harm would be acceptable.
- Councillor Donovan-Hart also noted the dual aspect design and layout of the Basterfield Road flats was such that the main living areas would be unaffected by the proposed development in daylight and sunlight terms.
- The Chair drew a comparison with the Finsbury Tower application approved by the Committee which was considered acceptable in daylight terms as neighbouring residents had previously benefitted from low rise development on the application site and an increase in the height and massing of built form resulted in high losses due to the very high existing Vertical Sky Component.
- Councillor Convery noted that the school roll projections demonstrated an acute educational need for the proposed school within this part of the borough, noting that there has historically been a tendency to underestimate population growth in London whilst the geographical Planning Areas used for planning school places are not perfect. Councillor Convery further noted that the school has already opened and is

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currently in unsatisfactory, temporary accommodation and he could not think of another site where the school could be accommodated if the proposal were not accepted. Furthermore, it was noted that the Education Funding Agency were supporting the proposal, as were the City of London and Islington as Education Authorities. Councillor Convery concluded that the education need case was indisputable.

- Councillor Kay noted the views of the parents who had spoken in support of the proposals and observed that there was a clear and compelling case for working with the City of London to deliver the proposed school.
- Councillor Fletcher noted that the current housing crisis dictated that there was a compelling case to support the proposal in terms of a pressing need for the delivery of more social housing within the borough.
- The Chair noted that the 33 units for which Islington would have nomination rights would represent 5% of the annual requirement for the delivery of new social housing units.
- The Chair concluded that in the committee's view the proposed development would result in some harm to the significance of designated heritage assets and some harm to neighbouring amenity but that there was a compelling educational and housing need.
- Councillor Donovan-Hart concluded that there was a justification for granting approval in this case having regard to the context of the application site and the compelling education and housing need.

Councillor Khan proposed a motion to grant planning permission for the reasons set out in the report and the considerations of the committee in the discussions. This was seconded by Councillor Fletcher and carried.

RESOLVED:

That planning permission be granted for the part of the proposed development within the London Borough of Islington for the reasons outlined above and subject to:

- a) the conditions set out in Appendix 1; and
- b) 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; and
- c) the City of London resolving to grant planning permission in respect of duplicate application reference 17/00770/FULL on the same terms as 1 a) and b) for that part of the proposed development within the City of London; and
- d) any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

AND to delegate to the Corporate Director of Environment & Regeneration in consultation with the Chair of the Committee to make minor amendments to the Heads

of Terms and conditions following the resolution of the City of London to ensure consistency.

375 WINDSOR STREET CAR PARK, ISLINGTON, LONDON N1 8QF (Item B2)

Demolition of 12 (twelve) existing garage units and removal of adjacent car parking facilities to facilitate construction of a three storey (plus basement), 11-bedroom (plus staff sleep-in unit) building to accommodate a supported living scheme (use Class C2). The proposal also includes communal kitchen/living/dining facilities, staff offices, laundry, plant room, and accessible bathroom facility. Associated landscaping including courtyard garden areas, refuse and cycle storage provision for both residents and staff, is also proposed.

(Planning application number: P2017/3493/FUL)

In the discussion the following points were made:

- The Planning Officer highlighted a number of typographical errors in the report. Members were informed that the report (paragraphs 6.6 and 24.4) incorrectly refers to the removal of 6 trees and 2 trees respectively instead of the removal and replacement of 4 trees and 1 tree stump. Members were advised that the removed trees would be replaced as part of the landscape strategy submitted by the applicant. Also throughout the report, the number of PV panels is referred to as being reduced from 73 to 40; the number has actually reduced from 73 to 55. The Planning Officer also informed Members that the report erroneously describes 13 Windsor street in paragraph 20.19 as commercial instead of residential but that the BRE assessment remained accurate and did not need to be corrected.
- The Planning Officer informed the meeting that since the publication of the agenda, 4 new objections had been received and 4 further objections had been made. In addition, a further 15 new letters of support for the scheme had been received.
- With regard to the objectors concerns of possible contamination, the Planning Officer informed Members advised that this could be addressed by way of a condition which will ensure an investigation survey for any possible residue is undertaken before any works commences.
- In response to a resident's concern that the loss of a tree was a subject of a Tree Preservation Order, the Planning Officer advised that although Packington Street lies within a conservation area, and as such the tree would be afforded some level of protection as a result of this, Council records did not indicate that the tree in question had a TPO attached to it.
- Members were advised that the loss of the off street car parking and garages due to the proposed scheme was welcomed as Islington Council promotes schemes that deters car movement and car ownership in the borough and aligns with council policy on parking.
- Objections raised included loss of light, light pollution, noise & disturbance and quality of accommodation. Concern was raised that the scheme would not result in a satisfactory level of accommodation for future occupiers of the building. Members were advised by neighbouring residents that the design of the buildings would not be suitable for residents as it represents a form of institution which was not ideal for the intended client group. Other concerns included inadequate and inaccurate consultation, overdevelopment of the site and the loss of parking resulting in parking

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pressures to neighbouring streets.

- The Project Manager of the scheme informed Members that the building would provide accommodation for adults with a range of support needs. Members were informed that due to accommodation shortages within the borough, the Council has had to place over 130 residents outside the borough and providing a building within the community would provide a place for tenants with family ties. Members were advised that the building has been designed to ensure that tenants having been fully assessed would be able to live independently and still interact with the community.
- The meeting was also informed that accessibility to shops and close proximity to transport modes was welcomed and that Adult Social Services would be responsible for the allocation of rooms in accordance with the standard procedure and it remains in Council ownership in perpetuity.
- Members were advised that the scheme had been revised prior to the formal submission of the planning application, to take into consideration concerns raised by neighbouring residents. The building had been moved further back from the boundary of the residents of Packington Street and the height of the scheme had been reduced to address overlooking concerns. Also the number of units had now been reduced from 14 to 11 with the result that additional facilities such as communal space had been able to be incorporated into the design to meet the request from the client user and Family Carers Reference Group.
- In response to concerns raised by the objector the applicant informed Members that the revised scheme was as a result of extensive consultation with members of the local community and a number of meetings had been facilitated with local residents. Members were advised that resident's input had informed the design process of the proposals and if planning permission was granted, consultation with residents of Packington street would still continue in order to resolve any issues.
- Members acknowledged the pressing demand for this type of accommodation in the borough especially as most of the Council's residents were being accommodated outside the borough. Members noted the arguments around the application of social care policy and discussions on the best solutions of housing people with learning disabilities, however noted that this was not a matter for planning committee as Members of the Committee were guided solely on planning matters and policy.
- Members welcomed Officers reassurances that any provider of the services would have to be registered with the Care Quality Commission.
- Members acknowledged the objectors concerns around sunlight, daylight, density and scale of the scheme, but noted that with any scheme sited within a dense setting, this scheme appears to be a modest application in terms of any breaches such as sunlight/daylight loss and overlooking.
- The Chair noted the sensitivity of this application and that this would require a balancing act between future residents being able to live in appropriate accommodation and possible impact of those that would potentially be affected. Members noted the slight breaches in terms of daylight and sunlight, the overlooking concerns but considered the separation distances of over 18 metres between the scheme and windows of residents in Packington Street as sufficient and that any loss of privacy was minimal.

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- Members agreed that in planning terms, the scheme was policy compliant, was set within a community and in close proximity to transport modes, that the design of the building would provide sufficient amenity space for residents it serves and have minimal impact on the amenity of neighbouring residents and benefit the area in terms of its attractiveness.
- A suggestion to include as a condition for a contamination survey to be undertaken to identify whether there were any contaminants on the site which would need to be treated, was agreed.

Councillor Convery proposed a motion to address site contamination issues raised by the Objector. This was seconded by Councillor Picknell and carried.

RESOLVED:

That planning permission be granted subject to the conditions and set out in Appendix 1 of the officer report plus the amendments above and the additional condition outlined above relating to contamination concerns and conditional upon the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1 of the officer report.

The meeting ended at 10.30 pm

CHAIR



PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 333
 Town Hall
 LONDON N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO: B1
Date:	19th March 2018	

Application number	P2017/2936/FUL
Application type	Full Planning Application
Ward	St. Marys Ward
Listed building	Within Setting of Grade I and II Listed Buildings
Conservation area	Adjacent to Canonbury Conservation Area and Upper Street North
Development Plan Context	<p>Highbury Corner & Holloway Road Special Policy Area Local / Strategic Cycle Routes Highbury Corner Employment Growth Area Within 100m of TLRN and SRN Road Adjacent to Canonbury Conservation Area Adjacent to Upper Street (North) Conservation Area Rail Land Ownership – TfL Surface</p>
Licensing Implications	None
Site Address	Dixon Clark Court, Canonbury Road, London, N1 2UR
Proposal	<p>The construction of 41 new dwelling units comprising 6 x 1B2P, 6 x 2B3P, 25 x 2B4P, 3 x 3B5P and 1 x4B6P with associated amenity space, for affordable and private homes, provided in five residential mews blocks ranging from 1 to 4 storeys in height and one residential block of 6 storeys in height, bicycle parking spaces and improvements to the public realm; the provision of 39sqm of space for community use; and the demolition of lock-up storage units and site management office, the demolition and relocation of the sub-station; and the conversion of two existing dwellings to bicycle, refuse and ancillary storage.</p>

Case Officer	Stefan Sanctuary
Applicant	Rosemarie Jenkins - New Build and Regeneration Team, London Borough of Islington.
Agent	Sarah Eley - HTA Design LLP

1 RECOMMENDATION

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

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

2 SITE PLAN (SITE OUTLINED)



3 PHOTOS OF SITE/STREET

Photograph 1: Aerial View of Site looking east



Photograph 2: View from Highbury Roundabout



Photograph 3: View from entrance of estate across existing green buffer



Photograph 4: View of existing car park within the estate



Photograph 5: View from existing car park looking north-east



Photograph 6: View of main entrance to Dixon Clark Court



Photograph 7: View of existing estate car park looking east



Photograph 8: Looking east across Keen's Yard towards Compton Road



Photograph 9: Looking west towards Highbury Roundabout



Photograph 10: From within the estate looking south-east towards school



4

SUMMARY

- 4.1 The application proposes the construction of 41 new dwelling units comprising 6 x 1B2P, 6 x 2B3P, 25 x 2B4P, 3 x 3B5P and 1 x4B6P with associated amenity space, for affordable and private homes, provided in five residential mews blocks ranging from 1 to 4 storeys in height and one residential block of 6 storeys in height, bicycle storage and improvements to the public realm; the provision of 39sqm of space for community use; and the demolition of lock-up storage units and site management office, the demolition and relocation of the sub-station; and the conversion of two existing dwellings to bicycle, refuse and ancillary storage.
- 4.2 The development proposes a mix of high quality residential accommodation, including family-sized homes, in the form of development on underused spaces and existing car parking in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. The application proposes a total of 41No. new homes of which 27No. would be affordable homes for social rent (though across the whole scheme there is a net increase of 39 units due to alterations to accommodate refuse stores within the base of the central tower, which result in the loss of 2 social rented homes). The development delivers a significant increase in affordable homes in accordance with London Plan (Policy 3.3) and Islington Planning Policies (CS12), which seek to ensure a supply of affordable housing for residents.
- 4.3 Overall, the proposal is considered to deliver an appropriate balance between respecting the integrity of the estate on the one hand and providing high quality contemporary design on the other. One of the proposed buildings has been designed to introduce an active street frontage and serves as a marker for the estate. The remaining buildings to the rear of the estate are lower rise and have been designed to be sympathetic to the surrounding Conservation Areas and to respect the existing Dixon Clark Court tower. The proposal is thus considered to be well-designed and to conserve the character and appearance of the adjacent Upper Street (North) and Canonbury Conservation Area as well as the setting of the listed Union Chapel.
- 4.4 Though the application includes building on existing green space, the proposal also includes the provision of two new residents' gardens and an increase in permeable surface across the estate. The proposal involves building on existing car parking and hardstanding, the re-provision of useable amenity space and qualitative improvements to the estate's landscaping. The proposal's housing density is considered acceptable and the dwelling mix proposed would meet the needs of Islington residents. The proposed housing is considered to be of a high quality in terms of unit sizes, amenity space, natural lighting, floor-to-ceiling heights, storage provision and access to refuse, recycling and bicycle storage facilities.
- 4.5 The proposal is not considered to have an unacceptable impact on neighbouring residential amenity in terms of loss of daylight, sunlight, outlook, privacy, noise and disturbance or an increased sense of enclosure. The application is considered to be a sustainable form of development in terms of energy efficiency, renewable energy and the provision of sustainable forms of transport. For the reasons given above and explained in more detail in the subsequent sections of this report, the proposal is considered to be acceptable and in accordance with relevant planning policy and is thus recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation measures.

5

SITE AND SURROUNDING

- 5.1 The application site is known as Dixon Clark Court Estate and comprises the full extent of the estate, including the 15-storey residential tower, concrete hardstanding and car parking, the vehicular access route, storage, substation, communal garden

and green buffer with mature trees along the street frontage. The residential tower was built in 1967 and is somewhat of a local landmark because of its height. By contrast, the surrounding built form is generally of a period style, i.e. Victorian and Georgian terraces, and lower rise at 3- and 4-storeys in height.

- 5.2 The site is bordered to the north by the rear boundary of Victorian terraced properties on St Pauls Road, which are locally listed, and by Keen's Yard at grade car parking to the east. Beyond Keen's Yard is a row of Grade II Listed Georgian terraced properties. Bordering the site to the south is the playground of Canonbury Road Primary School. The site has street frontage onto Highbury Roundabout and Canonbury Road to the west. It is noted that plans are under consideration for the redesign of Highbury Corner gyratory.
- 5.3 While the site is not itself in a Conservation Area, the site is bordered by Upper Street North Conservation Area to the south-west as well as Canonbury Conservation Area to the north and east. To the south-west of the subject site is the Grade I listed Union Chapel. The site is within the Highbury Corner and Holloway Road key area as designated by the Islington Core Strategy.
- 5.4 The site has a Public Transport Accessibility Level (PTAL) rating of 6b and thus has excellent public transport connections. The site is also adjacent to Highbury Corner (forming the junction of Holloway Road and Upper Street) which is part of Transport for London's Strategic Road Network.

6 PROPOSAL (IN DETAIL).

- 6.1 The application proposes the construction of 41 new dwelling units comprising 6 x 1B2P, 6 x 2B3P, 25 x 2B4P, 3 x 3B5P and 1 x 4B6P with associated amenity space, for affordable and private homes, provided in five residential mews blocks ranging from 1 to 4 storeys in height and one residential block of 6 storeys in height, bicycle storage and improvements to the public realm; the provision of 39sqm of space for community use; and the demolition of lock-up storage units and site management office, the demolition and relocation of the sub-station; and the conversion of two existing dwellings to bicycle, refuse and ancillary storage.



Proposed Site Layout

- 6.2 On the south-western corner of the estate, adjacent to the existing vehicular access route, the application proposes a new 6-storey residential building with frontage onto Canonbury Road. This building provides 14No. new homes for private sale with bicycle and refuse storage, plant room and associated amenity space. Along the site's northern boundary, the application proposes a series of part 1-, part 4-storey mews buildings providing 9No. new homes for social rent together with associated amenity space, refuse and bicycle storage.
- 6.3 In the north-eastern corner of the estate, the application proposes a new part 2-, part 4-storey apartment building providing 7No. new homes for social rent together with associated refuse and bicycle storage and private amenity space. Along the eastern and southern edge of the estate, a further 11No. new homes for social rent are provided in a 1-, 2- and 4-storey mews / apartment block with associated amenity space and bicycle storage. A further single storey addition is proposed at the end of this building to provide refuse storage and a new community space with access onto a new community garden along the boundary with the adjacent school.
- 6.4 The ground floor of Dixon Clark Court itself is to be remodelled, with two of the existing dwellings (two 2-bed social rented dwellings) converted to refuse / recycling storage and bicycle storage, resulting in overall net increase of 39 new units. The application proposes the reduction and reconfiguration of the existing estate-wide car parking, new hard and soft landscaping, new tree planting, new child playspace as well as new bicycle and refuse storage within the existing Dixon Clark Court building.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 The following is the most recent and relevant planning history:
- P092383: An application for the renewal of existing single glazed crittal windows and doors with PVC-U double-glazed windows and doors was approved on the 15th February 2010.
 - P092412: An application for the installation of new boiler flues was approved on the 8th January 2010.
 - P121178: A prior approval application for a 1 x 10m high telecommunications pole with 2 x antennas within a shroud, 1 x equipment cabinet and 1 x meter pillar was refused on the 20th July 2012.

PRE-APPLICATION ADVICE:

- 7.2 The proposal has been subject to ongoing pre-application discussions throughout the last 3 years. The points raised at pre-application stage have informed the design of the scheme being considered here. The following are the most important improvements that have arisen as a result of pre-application discussions:
- The frontage building onto Highbury Roundabout / Canonbury Road has been improved and refined since earlier iterations with more coherent fenestration, a differentiated ground floor and a set-back top floor.
 - The proposal has been reduced in scale since previous versions with the result that more trees are retained and impacts on neighbouring amenity are minimised.

- The proposal now includes more substantial landscape and public realm improvements, involving a reduction in hardstanding and an overall enhancement in biodiversity and green space on the estate.
- The design and heights of the proposed buildings are now more consistent with (and sensitive to) their surroundings.
- The additional top floor on Dixon Clark Court has been omitted following concerns by the Design & Conservation Manager on its impact on the Grade I Listed Union Chapel.
- The quality of accommodation proposed in terms of size of units, natural lighting and access to amenity space has been improved.

ENFORCEMENT

7.3 None relevant

8 CONSULTATION

Relevant Statutory Duties & Development Plan Considerations & Policies

8.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990); and,
- to determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);

8.2 As the development is perceived to affect the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features or special architectural or historic interest which it possesses (S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;

8.3 Paragraph 131 of the NPPF advises:

“In determining planning applications, local planning authorities should take account of:

- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and*
- *The desirability of new development making a positive contribution to local character and distinctiveness.”*

8.5 The NPPF states at paragraph 14 that:

“at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay...”

8.6 It further states at Paragraph 2 that:

“Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”.

8.7 It states at paragraph 7 that sustainable development has an economic, social and environmental role.

8.8 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

8.9 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

8.10 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person’s rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

8.11 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Public Consultation

8.12 Letters were sent to occupants of 296 adjoining and nearby properties in Dixon Cark Estate as well as on Canonbury Road, St Paul’s Road, Compton Road, Compton Terrace, Colebeck Mews, Corsica Street, Canonbury Avenue, The Union Chapel Hall and Canonbury Primary School on the 15th August 2017. A number of site notices and a press advert were also displayed on 17th August 2017.

8.13 Following amendments to the proposal and additional information provided by the applicant a further consultation was carried out on the 15th January 2018 to all internal

and external consultees as well as all neighbouring occupiers who had responded to the initial consultation.

- 8.14 A total of 12 letters of objection were received to the initial consultation, including two letters from Savills, one representing the estate's TMO and the other representing the owner of Keen's Yard. Five of the objectors reiterated their objections following the amendments made and a further two objections were received from new objectors. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

Objections:

- 8.15 The following is a list of the objections received in response to the proposal:

- The proposal would have a detrimental impact on neighbouring amenity in terms of loss of daylight and sunlight. [10.92 – 10.107];
- The proposal would have a detrimental impact on neighbouring properties' sense of privacy, in particular the building's proposed along Keen's Yard and the boundary to St Paul's Road would result in unacceptable overlooking [10.108 – 10.112];
- Block 6 is too high and would result in a loss of daylight / sunlight residential properties on Compton Terrace [10.51 & 10.104]
- The impact of the construction works would affect the quality of life of surrounding residents [10.121];
- Heavy construction could undermine the structure of the grade II listed buildings along Compton Road [10.117];
- The proposal would result in an unacceptable loss of open space [10.56 – 10.73]
- The proposal should be more sensitive to the surrounding heritage assets such as the Canonbury Conservation Area and the Grade II listed terrace along Compton Road [10.49 – 10.50];
- The proposal for new family dwellings on the heavily trafficked Highbury Roundabout is inappropriate [10.128 – 10.131];
- More parks should be created rather than more buildings [10.13 – 10.14];
- The application would result in an unacceptably high housing and population density [10.74 – 10.78];
- The proposal would have unacceptable impacts on the neighbouring primary school [10.129];
- There is insufficient infrastructure to deal with this increase in population resulting from the proposal [10.171 – 10.175];
- The proposal is at odds with surrounding architecture and would have a detrimental impact on iconic buildings such as the Union Chapel. [10.40 – 10.53];
- The proposal would result in a loss of trees which should be avoided [10.66 – 10.70];
- The introduction of roof terraces will have an unacceptable impact in terms of loss of privacy and noise and disturbance [10.108 – 10.116];

- The borough is exceeding its housing targets and therefore does not need to deliver new housing [10.6 – 10.26];
- The proposal introduces an unsustainable relationship between new buildings and existing trees which could result in existing trees being removed [10.70];
- The application would result in an unacceptable loss of car parking [10.168 – 10.170];
- Most of the housing proposed seems to be for private sale [10.20 – 10.30].
- Concerns over gas, electricity and water supply [8.8 - 8.12 & 10.147 – 10.153];
- Not given sufficient time to comment on the application [8.1 – 8.6];
- The proposal will lead to an increase in crime and anti-social behaviour [10.114 – 10.116];
- The proposal would not provide satisfactory accommodation for future residents [10.120 – 10.133];
- Sufficient views of the proposal have not been provided in order to make an informed judgement on the impacts of the proposal on the townscape [10.44 – 10.54]
- That the proposal would prejudice development of Keen's Yard – it should be noted here, that there have been pre-application discussions on Keens Yard but having reviewed the development potential for the site, it is not considered that this current proposal prejudices any development coming forward.

Applicant's consultation

- 8.16 Whilst there is no statutory requirement (although it is encouraged) for the applicant to carry out their own consultation, Islington Housing Strategy and Regeneration have carried out extensive consultation with residents of the estate and have carried out a number of drop-in sessions. Some of the residents' input at these meetings has informed the final design of the proposal.

External Consultees

- 8.17 **Crime Prevention Officer** – raised no objection to the proposal from a crime prevention point of view, subject to the proposal achieving Secured by Design status and the following being incorporated into the proposal:
- Routes for pedestrians, cyclists and pedestrians that are open, direct and not segregated from one another;
 - Public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings;
 - Communal areas designed to allow supervision from nearby dwellings;
 - No windowless gable end walls adjacent to spaces for which the public have access.

These measures, discussed in more detail in subsequent sections of this report, have been incorporated into the proposal.

- 8.18 **UK Power Networks** – raised no objection.
- 8.19 **Crossrail 2 (Hackney – SW)** – offered no comment on the application.
- 8.20 **London Underground** – raised no objection to the proposal.
- 8.21 **London Fire & Emergency Planning** – the London Fire Brigade confirmed that the proposal accords with fire safety standards and regulations. Moreover, the proposal should accord with Approved Document B Part B5, which requires access to within 18 metres of base of tower block and to within 45 metres of furthest points of mews flats. This detail can be discussed at building control submission.
- 8.22 **Thames Water** – No objection, subject to informatives and conditions on sewerage infrastructure, surface water drainage, impact piling and water infrastructure.
- 8.23 **Historic England** – the proposal is unlikely to have any impact on heritage assets of archaeological interest and thus no objection raised.
- 8.24 **Transport for London** – TfL responded as follows:
- The site is adjacent to A1 Highbury Corner Roundabout, which forms part of the TfL road network.
 - The site of the proposed development is on Canonbury Road, which forms part of the Strategic Road Network. No skips or construction materials shall be kept on the footway or carriageway of the SRN at any time.
 - The proposed cycle parking provision is London Plan compliant.
 - There are no cycle docking stations in the vicinity of the site and the current TfL scheme doesn't include immediate plans for further expansion in this area.
 - Due to the close proximity of the TLRN, TfL requests that Construction and Logistics Plan (CLP) is secured by condition and discharged in consultation with TfL (*condition 26*).
 - Highbury Corner is currently undergoing enhancement works as part of TfL's Road Maintenance Plan and Highbury Corner enhancements are due to start in 2018, after the Highbury Corner Bridge works conclude. The CLP should take these works into account.

Internal Consultees

- 8.14 **Access Officer** - The Access Officer praised the quality of the individual units but raised the following concerns with the proposal:
- Shared surfaces are proposed which incorporate vehicular traffic and parking, pedestrians, planting and play. This does not allow for ease of movement by people with mobility or sight issues.
 - It is noted that new play facilities for younger children is reasonably central but the facility for older children is marginalised and less overlooked.
 - No new parking bays are proposed for the new wheelchair units although these will be designated one space each as they become available in the future. Clarification is requested. Accessible cycle storage and storage/charging facilities for mobility scooters are proposed – these are welcome.

- Some of the internal layouts are not Category 2 or Category 3 compliant and should be amended.

8.25 Amendments have been made to the application which address some of the issues raised, e.g. designated wheelchair accessible parking is now provided for the new wheelchair units. Justification has been provided by the applicants for non-compliance on a number of inclusive design criteria. In essence, a number of units do not achieve either the Category 2 or 3 standard because of the limitations of the site and the small floorplate of the mews-style typology being proposed. This is discussed in more depth in subsequent sections of this report.

8.26 **Planning Policy** – No objection to the proposal, subject to the following being satisfied:

- That the maximum amount of affordable housing has been achieved;
- That there is satisfactory justification and mitigation for the loss of existing green space;
- That there is no negative impact on adjacent heritage assets;
- That space standards have been suitably adhered to; and
- That the quality and quantity of child playspace is satisfactory.

It can be confirmed that all of these points have been addressed and are considered within this report.

8.27 **Design and Conservation Officer** – have been involved in the proposal from the outset and support the design being proposed. From a design and conservation perspective, the height, scale and massing of the proposal is now supported and the architecture is considered to achieve the right tone of high quality architecture that respects the integrity of its surroundings. The following more detailed points were made:

- The proposed new units have been laid out in a sympathetic manner to allow sufficient permeability through the site and are generally well articulated. There is also the positive benefit of provision of housing, community centre and improvements to the landscaping.
- It is not considered that the six storey building will harm the setting of the conservation area or the Union Chapel. Its height is comparable to many other buildings within the conservation area and around the Chapel. This building will not block important views and will not dominate any views of the heritage assets from the documentation I have seen.
- At early stages of the application we raised some concerns in relation to the detailed design of elevations which have now been addressed and it is important that conditions will ensure the high quality implementation of the scheme.
- Generally, we believe the height, scale, massing, distribution on site and architectural approach are acceptable. Conditions should be in place to ensure the quality of the materials and detailing.

8.28 **Energy Officer** - The Energy Officer requested additional information on CO2 reduction targets, solar PV output, thermal modelling and justification for not connecting to a DHN or proposing a CHP.

A revised Energy / Sustainability Statement with appended feasibility studies has been submitted. The revised strategy deals with the issues previously raised and conditions are recommended to secure these changes (*conditions 7 and 11*).

- 8.29 **Sustainability Officer** – raised no objections to the proposal subject to appropriate conditions on sustainability (*conditions 7-10*).
- 8.30 **Transport Planning Officer** – no issues were raised.
- 8.31 **Highways** – standard clauses and conditions apply. TfL should be consulted because of gyratory works; Keen’s Yard is not public highway.
- 8.32 **Tree Preservation / Landscape Officer** – additional information was initially requested regarding the loss of canopy cover, tree protection of existing trees and the tree replacement strategy. The tree officers confirmed that the additional information provided addressed the points raised. The proposal is thus acceptable subject to appropriate conditions on landscaping and tree protection (*conditions 12-14*) and a legal agreement requiring financial contributions towards tree planting in the vicinity of the site.
- 8.33 **Biodiversity and Nature Conservation** – no objections subject to bird boxes being installed and landscaping to maximise biodiversity (*conditions 12 and 20*).
- 8.34 **Refuse and Recycling** – no objections or issues raised subject to adherence to Islington guidance.
- 8.35 **Public Protection** – If permission is granted then the following condition is advised to protect residential amenity within the new flats:

“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):

*Bedrooms (23.00-07.00 hrs) 30 dB $L_{Aeq, 8 \text{ hour}}$ and 45 dB $L_{max (fast)}$
Living Rooms (07.00-23.00 hrs) 35 dB $L_{Aeq, 16 \text{ hour}}$
Dining rooms (07.00 –23.00 hrs) 40 dB $L_{Aeq, 16 \text{ hour}}$*

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.”

- 8.36 It is noted that recent permission has been granted to Canonbury Primary School for a MUGA on the playground facing this development. It will abut the development although the windows facing this side are marked as obscured. The windows will need to be specified with their sound insulation properties with screening of light intrusion taken into account (*condition 3*).
- 8.37 The balcony/terrace areas for the Canonbury Road block (block 6) are proposed to be winter gardens i.e. enclosed. The northern mews properties appear to have two balconies that face onto the junction – as a minimum they should be designed to maximise the acoustic screening effect with a solid imperforate barrier to the area. Again this might be something to form part of the materials AOD (*condition 3 and 27*).
- 8.38 The ground floor Block 6 flat seems to have some really small windows and the bedroom backs onto the plant room. There should be upgraded sound insulation

between this plant room and the ground floor flat and first floor flat above, conditioned (*condition 15*) as below:

“Prior to the first occupation of the residential flats hereby approved sound insulation shall be installed to the Block 6 plant room sufficient to ensure that the noise level within those residential flats does not exceed NR25(L_{eq}) 23:00 – 07:00 (bedrooms) and NR30 (L_{eq}) 07:00 - 2300 (living rooms and bedrooms).”

- 8.39 The app includes an air quality assessment. Predicted NO₂ annual means are just below the 40µg/m³ but within 5% (and indeed there is no safe level of exposure). The following condition (17) is advised and is expected to cover the ventilation and drawing in of clean/filtered air, information for residents on reducing their exposure, specification of ultra-low NO_x boilers, any greening measures to reduce exposures and any other relevant measures:

“Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimise the development’s future occupiers’ exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.

There will be considerable disruption with the demolition and construction of a new development here. The following condition (4) requiring a CEMP to address the mitigation of the impacts should be conditioned:

“A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise & vibration and air quality including dust, smoke and odour) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.”

The CEMP should pay reference to BS5228:2009+2014, the GLA’s SPG on control of dust and emissions from construction and demolition, the Non Road Mobile Machinery register and any other relevant guidance.

Other Consultees

- 8.40 **Design Review Panel** – At pre-application stage the proposal was considered by the Design Review Panel on the 12th July 2016. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The proposal’s description was largely as is it now and the proposed site layout presented to the DRP is shown below.



Site Layout presented to DRP

8.41 The panel's observations are attached at Appendix 3 but the main points raised in the most recent review are summarised below:

- The Panel considered that the general design concept and principles were sound, but raised a number of questions and suggestions for possible improvement.
- The Panel questioned whether improvements could be made to the existing building, such as a communal garden on the roof to compensate for impacts on existing residents and whether improvements could also be made to the elevation and improved relationship at ground floor level.
- The Panel felt that the proposals needed to show how the development could best connect with the proposed public realm works to Highbury Corner and how these changes could positively impact the public realm outside the site. Panel members commented that street-facing buildings should make a substantial positive contribution to the streetscape and that the boundary treatment between site and Highbury Roundabout should provide a positive feature, both visually and functionally and should not be an obtrusive barrier.
- Panel members questioned whether some of the proposed green roofs could be made accessible as private terraces. The Panel welcomed the retention of trees where possible on the site. Panel members questioned the positioning of the bin store overlooking the public space outside the existing building entrance and felt that this could be improved.
- The Panel were supportive of the general massing, articulation and permeability of the proposals, however, they thought it would be possible to increase the number of units proposed on the site, particularly by re-considering the north and south east corner blocks. Panel members also suggested that an additional set back storey could be explored.
- The Panel felt that integrating the proposals with the adjoining school access and providing much needed additional space was a very positive move, though commented that combining the access would require careful handling. Although not within the development site, the Panel suggested that allowing the potential for further integration with Keens Yard would be welcome and would open up opportunities for greater density and permeability.

8.42 The proposal was significantly altered and amended following the Design Review Panel in response to the panel's suggestions. The points raised have been addressed as follows:

- The proposal now includes significant improvements for existing residents and the existing Dixon Clark Court building; e.g. by introducing accessible refuse provision and improvements to landscaping, entrances and bicycle storage.
- The proposal is now better connected to the surrounding area, in particular to Highbury Roundabout and surrounding public realm by keeping the site's street frontage visually permeable and maintaining a visual link between the estate and the streetscene.
- The application maximises tree retention and incorporates a well-balanced provision of green roofs and amenity space.
- The proposal maximises the number of units on site, while protecting neighbouring residential amenity.
- The new building with frontage onto Canonbury Road has now been significantly refined and improved, in particular by setting back the top floor, differentiating the ground floor and designing more coherent fenestration.

8.43 The proposal's design and appearance and response to DRP comments are considered in further detail in subsequent sections of the report.

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. Since March 2014 planning practice guidance for England has been published online.

Development Plan

9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

9.3 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013.

- Highbury Corner & Holloway Road Key Area
- Local & Strategic Cycle Routes
- Adjacent to Employment Growth Area (Highbury Corner)
- Adjacent to TLRN and SRN Road Network
- Within 50m of Canonbury Conservation Area
- Within 50m of Upper Street (North) Conservation Area
- Rail Land Ownership – TfL Surface

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Affordable housing (and financial viability)
- Design and Appearance
- Open Space and Landscaping
- Density
- Accessibility
- Neighbouring amenity
- Quality of residential accommodation
- Dwelling mix
- Energy conservation and sustainability
- Highways and transportation
- Planning obligations/mitigations

Land Use

10.2 The application site is an existing Council Estate in St. Mary's Ward, adjacent to Highbury Roundabout. Given the proposal for new housing on the estate, the following planning policies are of particular relevance in assessing the planning application: London Plan Policy 2.9 (Inner London), Policy 3.3 (Increasing Housing Supply) and Policy 3.9 (Mixed and Balanced Communities); Policy CS4 (Highbury Corner and Holloway Road), CS8 (Enhancing Islington's Character), and Policy CS12 (Meeting the housing challenge).

London Plan

10.3 London Plan Policy 3.3 states that boroughs should seek to achieve and exceed the relevant minimum borough annual average housing target and to identify and seek to enable development capacity to be brought forward to meet these targets having regard to the other policies of the London Plan and in particular the potential to realise brownfield housing capacity through sensitive renewal of existing residential areas.

10.4 In accordance with Policy 2.9, London boroughs and other stakeholders should, work to realise the potential of inner London in ways that sustain and enhance its recent economic and demographic growth while also improving its distinct environment, neighbourhoods and public realm, supporting and sustaining existing and new communities, addressing its unique concentrations of deprivation and improving quality of life and health for those living, working, studying or visiting there. Boroughs should develop more detailed policies and proposals taking into account the above principles.

10.5 Policy 3.9 (Mixed and Balanced Communities) states that communities mixed and balanced by tenure and household income should be promoted across London through incremental small scale as well as larger scale developments which foster social diversity, redress social exclusion and strengthen communities' sense of responsibility for, and identity with, their neighbourhoods. They must be supported by effective and attractive design, adequate infrastructure and an enhanced environment.

Islington Core Strategy (ICS)

- 10.6 Policy CS12 of the Core Strategy seeks to meet the housing challenge by identifying sites which can significantly increase the supply of good quality residential accommodation across the borough. The Policy seeks to ensure that Islington has a continuous supply of land for housing, but crucially also that the housing supply is affordable for existing and future residents. Islington's Housing Needs Study, which informs the policy, demonstrates that affordability is, and will continue to be, a major issue in the borough. In addition to the existing backlog of unmet need, which has led to overcrowding, there will be future need made up of newly formed households unable to buy or rent in the borough.
- 10.7 At the same time, Policy CS8 seeks to maintain the successful urban fabric of streets while improving on poorer quality of public realm and enhancing open space and the pedestrian environment around them. Core Strategy Policy CS15 protects all existing local open spaces and seeks to improve access to open space while maximising opportunities for further provision across the borough. In addition, the policy looks to make better use of housing amenity spaces so that they can provide an open space function.
- 10.8 DM Policy DM6.3 supports CS15 and states that development is not permitted on any public open space or on semi-private amenity spaces, including open space within housing estates, unless the loss of amenity space is compensated for and the development has over-riding planning benefits. Islington Core Strategy CS4 recommends that the historic character of Highbury Corner and Holloway Road will be protected and enhanced with high quality design so that it respects the local context of Highbury and Islington / Holloway Road and its surroundings.

Proposed Development

- 10.9 The development proposes a mix of high quality residential accommodation, including family-sized homes, in the form of infill housing and development on underused spaces in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. The application proposes a total of 41No. new homes, of which 27No. would be affordable homes for social rent. The development delivers a significant increase in affordable homes in accordance with London Plan (Policy 3.3) and Islington Planning Policies (CS12), which seek to ensure a supply of housing, in particular affordable housing, for residents.
- 10.10 Whilst Dixon Clark Court contains both private housing (leaseholders) as well as social housing (Council tenants), the majority of the existing housing is occupied by Council tenants. In accordance with Policy 3.9 of the London Plan, there is a logic to introducing some private housing into the estate in order to provide more mixed and balanced communities. Notwithstanding the policy support for mixed and balanced communities, it is also a policy requirement to achieve the maximum reasonable amount of affordable housing on a site. The overall proportion of affordable housing is subject to a financial viability assessment which is considered in detail in subsequent sections of this report.
- 10.11 The application site does not include any designated open space, though the application does propose new buildings on semi-private estate open space. The application site is not in an area of open space deficiency; it is nonetheless crucial that any loss of open space is suitably justified as well as adequately compensated with overriding planning benefits to support the proposal. The total site area is 5,067sqm, of which 420sqm is currently built on. The majority of open space on the estate, some 2,767sqm, is hardstanding in the form of access roads and car parking. The existing residents' garden in the south-east corner of the estate measures 804sqm, while the remainder of open space totals 1,076sqm of green space and comprises a strip of

land characterised by mature trees on the western boundary and a smaller triangular shaped piece of land on the southern boundary.

- 10.12 The proposal involves building on existing car parking spaces and hardstanding as well as on existing green spaces, while at the same time providing new green and open spaces for residents. The resulting change in open space, including green spaces and hardstanding, private and communal, as well as building footprint is as follows:

Description	Existing	Proposed	Change
Designated Communal Garden Space	804sqm	904sqm	+ 100sqm
Private Garden Space	0	315sqm	+ 315sqm
Other Communal Open Space (Green)	1,076sqm	659sqm	- 417sqm
Other open space (hard surfacing / car parking)	2,767sqm	1,514sqm	- 1,253sqm
Total Estate Open Space	4,647sqm	3,392sqm	- 1,255sqm
Built Footprint	420sqm	1,675sqm	+ 1,255sqm
Total Estate Area	5,067sqm	5,067sqm	

- 10.13 Though the table above shows there to be a loss of estate open space, this should be seen in context and scrutinised in more detail. Due to the proposed building fronting Canonbury Road / Highbury Roundabout, there is a reduction in some of the existing green buffer, though this is essentially compensated for by the overall increase in designed garden space, both private and communal, in other parts of the estate. The increase in building footprint essentially results in a reduction in some 1,250sqm of the existing hard surfacing and car parking.

- 10.14 Whilst the potential of converting existing hardstanding to useable green space should not be dismissed, it remains a Council priority to deliver affordable housing. It also remains a Council priority to reduce car parking and the reliance on the car, particularly in areas of high public transport accessibility. As such, the replacement of hardstanding and car parking for high quality new affordable housing is considered to be a benefit in planning terms. Whether the quality of landscaping and design of new buildings fully justifies the proposed building on existing open space will be considered in subsequent sections of this report.

- 10.15 Finally, the application proposes a new community room on the estate which replaces, and increases in size (from 26sqm to 39sqm), an existing community facility / office. The new facility is considered to cater for the needs of the growing population on the estate and provide an improved facility. New social infrastructure must meet the following criteria: (i) be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes; (ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards

which meet the requirements of intended occupants; (iii) be sited to maximise shared use of the facility, particularly for recreational and community uses; and (iv) complement existing uses and the character of the area, and avoid adverse impacts on the amenity of surrounding uses.

- 10.16 It is understood that the use of the community room is for all estate residents and it is considered that the facility would be in easy access for all residents on the estate. Its location adjacent to the new communal garden provides a new focal point for the estate. The proposed entrance is separate from the entrances to dwellings which ensures that there is no conflict between users of the community space and residents. At 39sqm in size, the community room is modest in size but is considered to meet the objectives of relevant planning policies. The proposal is thus considered to be in accordance with Core Strategy Policy CS14 and Development Management Policy DM4.12, which seek to protect and enhance community and cultural uses in the borough.
- 10.17 Overall, in land use terms, the proposal is considered to meet the objectives of adopted planning policy.

Affordable Housing and Financial Viability

- 10.18 The London Plan, under Policy 3.11, identifies that boroughs should set an overall target for the amount of affordable housing provision needed over the plan period in their area with separate targets for social rented and intermediate housing that reflect the strategic priority afforded to the provision of affordable family housing. Point f) of this policy identifies that in setting affordable housing targets, the borough should take account of *“the viability of future development taking into account future resources as far as possible.”*
- 10.19 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G establishes that *“50% of additional housing to be built in the borough over the plan period should be affordable”* and that provision of affordable housing will be sought through *sources such as 100% affordable housing schemes by Registered Social Landlords and building affordable housing on Council own land”*. With an understanding of the financial matters that in part underpin development, the policy states that the Council will seek the *“maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. It is expected that many sites will deliver at least 50% of units as affordable subject to a financial viability assessment, the availability of public subsidy and individual circumstances of the site.”*
- 10.20 The Affordable Housing Offer: The proposed development would provide a total of 41 residential units (both for private sale and affordable housing). Of the 41 units (126 habitable rooms, hr), 27 of these units (83 hr) would comprise affordable housing (social rent tenure). Affordable housing provision is typically calculated with reference to the number of habitable rooms provided and in this instance the scheme would provide 66% affordable housing. When factoring in the loss of the two existing 2-bed dwelling on the ground floor of Dixon Clark Court, this reduces to 64%.
- 10.21 Within the affordable housing provision there is a policy requirement for 70% of the provision to be social rent and 30% as intermediate/shared ownership. The proposal however does not include any shared ownership units as this form of housing is considered ‘unaffordable’ in this part of the borough given excessively high property values.
- 10.22 The proposal does not provide the aspiration of 100% affordable housing as sought by policy CS12 for developments on Council’s own land. In accordance with policy requirements, a financial assessment has been submitted with the application to

justify the proportion of affordable housing offered. In order to properly and thoroughly assess the financial Viability Assessment, the documents were passed to an independent assessor to scrutinise and review.

- 10.23 The applicant's Viability Assessment identified that the development as proposed is unviable in a purely commercial sense as it still requires an amount of public subsidy to address the shortfall between the revenues generated by the development and the costs of providing it. The independent assessor has considered the information submitted and has agreed that the scheme would be unviable without such a subsidy. The independent advisor's viability report is attached as Appendix 4.
- 10.24 It is apparent that in a typical commercial sense, the proposed scheme and level of affordable housing proposed is unviable. However, the applicant LBI Housing is not a commercial developer and in line with Council corporate objectives, is primarily seeking to deliver housing and public realm improvements to meet identified needs. The affordable housing offer proposed in terms of the quantity, quality and mix is considered to make a positive contribution to the housing needs of the borough.
- 10.25 Although Core Strategy Policy CS12 seeks 100% affordable housing schemes from development on Council land, it is not considered that a failure to provide 100% affordable housing on Council owned land is contrary to that policy where it is shown that public subsidy is required to support the lower provision as detailed above. It should be noted that in a standard commercial viability appraisal an existing use value of the site and its buildings is included to calculate a scheme's viability. In this instance, no existing use value for the land has been factored in. This enables the amount of affordable housing to be further maximised.
- 10.26 Housing New Build Programme: The proposal forms part of a wider Islington Housing New Build programme to provide affordable housing to meet identified needs within the borough. The current programme includes 33 schemes across the borough at various stages of progress with the aim of delivering 500 new affordable social rented units within the borough by 2019. The programme factors in Right-to-Buy receipts, s106 contributions, some GLA grant and receipts from the sale of private build units. The level of these resources informs the amount of HRA (Housing & Revenue Account) subsidy required to balance the financing of the programme.
- 10.27 One of the key drivers in terms of determining the level of resources generated and hence the level of HRA subsidy required to balance the programme is the ratio of private sale to affordable units. In addition, schemes of less than 10 units do not contribute any private sale receipts as they are built as 100% social rent and as such need to be subsidised wholly by the HRA and excess private sale receipt of larger schemes.
- 10.28 The introduction (as part of the Welfare Reform & Work Bill) of the 1% rent reduction over the next 4 years has severely restricted the capacity within the HRA to subsidise the new-build programme. The overriding strategy is to maximise the number of social rented properties delivered as part of each scheme whilst at the same time ensuring that the subsidy called upon from the HRA to balance the funding of the overall new build programme remains affordable in the context of the financial viability of the wider HRA, i.e. does not jeopardise their ability to continue to provide and resource the functions relating to Islington's existing stock; housing management, repairs and long-term investment.
- 10.29 Overall, the proposal provides good quality affordable housing, estate-wide improvement and a new community room and is considered to contribute towards delivering mixed and balanced communities. In this context, the offer of 66% (and 64% when factoring in the existing units lost) affordable housing is considered to deliver a good mix of tenures and is considered acceptable and in accordance with

London Plan Policies 3.9 and 3.11 as well as Islington Core Strategy Policy CS12. This provision is secured through a Directors Level Agreement.

Design & Appearance

- 10.30 The National Planning Policy Framework states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. All proposals for development in Islington are expected to be of good quality design, respecting their urban context in accordance with planning policy and guidelines.
- 10.31 The London Plan (2016) Policy 7.6 expects architecture to make a positive contribution to a coherent public realm, streetscape and wider cityspace. It should incorporate the highest quality materials and design appropriate to its context. Moreover, buildings and structures should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architecture.
- 10.32 Islington's Core Strategy Policy CS8 states that the scale of new development will reflect the character of a surrounding area. Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. Moreover, where areas of Islington suffer from poor layout, opportunities will be taken to redesign them by integrating new buildings into surviving fragments of historic fabric and by reconfiguring spaces based on streets and perimeter blocks, particularly in housing estates. All development will need to be based on coherent street frontages and housing developments should not isolate themselves from surrounding areas.
- 10.33 Islington's Development Management Policy DM2.1 requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place. Finally, Islington's Urban Design Guide (2017) provides guidelines and principles for good urban design, e.g. how buildings look and fit into their setting, the layout and organisation of public spaces and the appearance of street frontages.

The Application Site

- 10.34 Dixon Clark Court is a post-war housing estate that was built on previously bomb-damaged land in the 1960s. However, much of the pre-war Victorian and Georgian terraces that characterise the area still exist and are an important part of the urban context. The estate is essentially made up of one 15-storey residential tower surrounded by a large area of hardstanding and car parking and with areas of green and landscaping on the perimeter.
- 10.35 Whilst the 15-storey residential tower appears as a landmark in the surrounding area because of its height, the lower levels of the estate are somewhat hidden from the street because of the canopy of mature trees which lines the street frontage of the estate. Though the residential tower is not of any particular architectural significance, some of the architectural features of the existing building, particularly its geometric form and its front entrance, are of interest and should be respected.
- 10.36 Moreover, the estate is bordered by two significant conservation areas, Upper Street (North) and Canonbury Conservation Area and the listed buildings of Compton Road and the Union Chapel are also in close proximity. The challenge with developing on

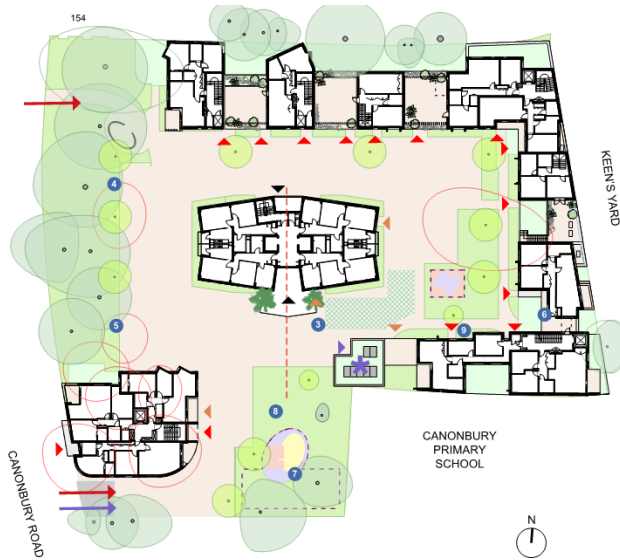
the Dixon Clark Court Estate involves arriving at the right balance between respecting the existing architecture of the residential tower while at the same time respecting the surrounding heritage assets. Furthermore, a successful proposal here will need to involve well-designed new buildings which relate to their individual context while at the same time expressing a coherent whole. Further analysis of the impact on nearby heritage assets is set out below.

Amendments to Proposal

- 10.37 The proposal has been amended since the original submission following comments by the Planning Officers, Design & Conservation Officers and neighbouring residents. The changes can be summarised in the following paragraph.
- 10.38 Additional glazing has been provided at ground floor level to create a more animated façade. Equally, additional decorative brickwork has been proposed to the elevations of the mews buildings in order to create more attractive and decorative elevations. More elegant boundary treatment and entrance doors are now proposed on the proposed frontage building. A number of other changes are proposed to the frontage building, including fenestration, brickwork and rooftop treatment. Finally, a number of amendments have been proposed to internal layouts and landscaping in order to improve access arrangement and to create a more inclusive environment.

Layout

- 10.39 Like many large residential towers of its time, Dixon Clark Court, is set within a large plot. The urban design principle and philosophy being, that if you built upwards there would be significant amounts of useable outdoor space around the buildings to provide amenity space for residents. Moreover, buildings such as Dixon Clark Court were designed as standalone structures in an urban landscape rather than integral parts of a streetscape. While the majority of the area around Dixon Clark Court is hardstanding dedicated to vehicular access and car parking, the principle of maintaining space around its perimeter in order to protect its integrity is still relevant.
- 10.40 One of the other main characteristics of the estate, apart from its “iconic” residential tower, is the green buffer between the estate and Highbury Roundabout, created by a line of mature trees. Previous iterations of the proposal included the removal of the trees to create a residential terrace along the street frontage or a high / solid boundary wall between the estate and Highbury Roundabout. The proposal being considered here retains the majority of trees and maintains a more transparent boundary treatment to retain a more open appearance from the street, as recommended by the Design Review Panel.
- 10.41 Although the estate’s transparent boundary and visual permeability from Highbury Roundabout would be maintained, a new building (Block 6) is proposed with street frontage on the estate’s south-western corner adjacent to the existing vehicular access route. The proposal establishes a street presence that is currently lacking on the estate, while at the same time maintaining the green buffer and respecting the integrity of Dixon Clark Court, as shown on the proposed site plan below:



Proposed Site Plan

10.42 Further into the estate, the proposal includes new mews-style buildings around the perimeter. The layout of the proposed buildings has been designed in order to maximise distances between the existing Dixon Clark Court tower, surrounding built form and the proposed development. Moreover, given the back-land nature of the proposed perimeter buildings and the retention of the canopy of trees facing Highbury Roundabout, the residential tower would still read as a stand-alone building when viewed from public vantage points.

Architecture

10.43 With the intention of creating a more harmonious and sympathetic relationship with surrounding architecture, in particular the adjacent Canonbury Conservation Area, the height of the proposed 'courtyard' blocks along the perimeter would be restricted to a maximum four storeys, with single storey elements allowing views through onto or from within the estate. The mews-style blocks encircle the base of the existing Dixon Clark Court block creating a new setting in the form of an attractive courtyard environment. This area, which is currently a concrete and tarmac car park, would be enhanced through the provision of new surface finishes and extensive planting. The landscape proposal is considered in detail in subsequent sections of the report.



'Mews-style' buildings along northern perimeter

10.44 A large number of new entrances to these new dwellings activate the 'mews' and create 'street level' activity and a sense of place. The perimeter blocks have a castellated form (stepping up from 1-, to 3- and 4-storeys) which permit light and views through and create courtyard style gardens and roof terraces. The form, massing and fenestration has been carefully designed to prevent overlooking to and from the existing Dixon Clark Court tower block and also neighbouring properties. Many of the thin vertical windows of the northern perimeter 'mews' block is obscured or angled to prevent overlooking. The punctuated elevation also allows for roof terraces and courtyard gardens to be provided.



Buildings along eastern perimeter

10.45 The eastern mews block is further away from surrounding properties and thus larger windows are proposed. These buildings also incorporate courtyard gardens between blocks and the ground floor includes hit-and-miss brick walls that separate the private gardens from the communal gardens. In terms of materials, the proposal involves a simple palette of materials, including a light buff/yellow brick, zinc metal cladding, fenestration with precast stone cills and window surrounds. The architecture is consistent across all proposed buildings and provides a transition between the brickwork of the Dixon Clark Court tower and that of the surrounding period properties. The new dwellings along the eastern boundary look onto the communal courtyard garden spaces with fenestration kept to a minimum along the boundary.



10.46 The perimeter block on the site's southern boundary is part 4- part 2-storey in height but terminates with a single storey community building facing the new communal garden. A glazed brick pattern on the flank wall to the circulation core provides light internally during the daytime. The elevation facing the Canonbury Primary school will have obscured glazing or angled windows. The area of land within the school which is overlooked is in use as a ball court. Given the reduced number of windows on this elevation, areas of brick diapering are used to animate this façade. As with the rest of the proposal, the materials involve a simple palette, including a light buff/yellow brick, zinc metal cladding, fenestration with precast stone cills and window surrounds.



New Proposed Frontage Building

10.47 The new Canonbury Road fronting block (Block 6) helps to re-define the historic building line and address the street by providing a new entrance direct from Canonbury Road. This block would also ‘frame’ the existing tower when viewed from Highbury Corner while at the same time respecting its setting. An objection has been received about the building’s height at six storeys and that the building should be reduced by two storeys. Given the site’s context on the corner of Highbury Roundabout and surrounding built form which ranges from three to fifteen storeys, the height is considered appropriate. The Design Review Panel’s own view on the proposal was that the height was appropriate. This area itself will also be improved with extensive new planting. The new community room is proposed directly opposite to the existing front entrance to the Dixon Clark Court block and will also open onto the new south-facing central resident’s garden. This facility is in a very central location that is easily accessed by all residents and is in a convenient location for visitors to the estate as well.



New Proposed Entrance to Dixon Clark Court

10.48 As suggested by the Design Review Panel, the proposal now includes more significant improvements to the residential tower of Dixon Clark Court. The entrance lobby will be improved as part of the proposal and new refuse / recycling and bicycle

stores will be provided. The proposal also includes new external cladding at ground floor level to define the base of the block and give it a refreshed appearance, which also relates to the new Block 6. It is proposed to provide a new planted buffer to the retained ground floor residential units, improved signage and lighting as well as new fully glazed double doors with lighter finishes creating a brighter entrance lobby.

Impact on Heritage Assets

- 10.49 In considering whether to grant planning permission for development which affects a listed building or its setting, Section 66 of the Town and Country Planning Act states *“that the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*. Moreover, Section 72 of the Act, affirms with respect to any buildings or other land in a conservation area, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.50 The proposed mews blocks around the perimeter of the estate are adjacent to the Canonbury Conservation Area, in which listed and locally listed buildings are located. The Grade II Listed terrace on Compton Road lies to the east and is separated from the site by Keen’s Yard. The terrace is noted for its symmetry as well as the windows, doors, stucco, railings, iron balconies and porches on the front elevation. The proposed development is quite some distance from these listed buildings and is not considered to have any negative impact on them. Crucially, the most significant and important aspect of these buildings is their front elevation, which would not be affected by the proposal as you would not perceive the proposal at any location from which the front elevation is experienced or seen.
- 10.51 Block 6 proposed on the south-west corner of the estate is located on the eastern side of Canonbury Road. On the western side of Canonbury Road is the Upper Street (North) Conservation Area, in which is located the Grade I Listed Union Chapel as well as Grade II Listed Compton Terrace. Although the proposed building would be viewed together with these heritage assets from some public vantage points, it is not considered to harm their setting. Its height is comparable to many other buildings within the conservation area and around the Chapel. This building is not considered to block important views and would not dominate any views of the heritage assets. The application includes a townscape view of the proposal in context with the Union Chapel. Although this view would not be perceived from street level as the proposed building would be largely obscured by the Arboretum on Highbury Corner, it provides a useful guide in comparing building heights and massing.



- 10.52 Given the generally contextual and sympathetic height and massing of the proposal, the proposed block is considered to successfully redefine the historic building line along Canonbury Road and create a positive addition to the streetscape, both conserving and enhancing the neighbouring heritage assets.

Overall Development

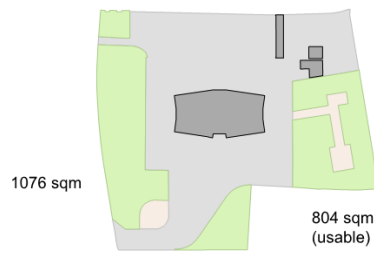
- 10.53 Overall, the proposal is considered to deliver an appropriate balance between respecting the integrity of the estate on the one hand and providing high quality contemporary design on the other. Block 6 has been designed to introduce street frontage and serves as a marker for the estate. The remaining buildings to the rear of the estate are lower rise and have been designed to be sympathetic to the surrounding Conservation Areas and to respect the existing Dixon Clark Court tower. The same architectural language has been adopted where suitable and matching materials in the form of brickwork and fenestration have been proposed where this is considered appropriate. The proposal is considered to be well-designed and to conserve the character and appearance of the adjacent Upper Street (North) and Canonbury Conservation Area.
- 10.54 The architecture of the proposal is considered to make a positive contribution to a coherent streetscape and the buildings and structures are of a proportion, scale and orientation that enhance and appropriately define the public realm. The proposal retains substantial gaps between most buildings and the development is considered to be sympathetic in scale and appearance to the local aesthetic and identity. Moreover, the proposal is considered to incorporate high quality materials and design appropriate to its context.
- 10.55 Whilst the proposal will reduce the open area in which Dixon Clark Court currently sits, it is considered that the proposed mews typology introduces activity and engages better at ground level. Samples of materials would be required by condition (3) in order to ensure that the development is built out to the highest quality. The proposal is considered to be in accordance with Policy 7.6 of the London Plan, Policy CS8 and CS9 of Islington's Core Strategy and the aims and objectives of Development Management Policy DM2.1 and DM2.3.

Open Space and Landscaping

- 10.56 Islington's Core Strategy Policy CS15 on open space and green infrastructure states that the council will provide inclusive spaces for residents and visitors and create a greener borough by protecting all existing local spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens. Policy DM6.5 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.
- 10.57 Regarding open space, Development Management Policy DM6.3 states that development is not permitted on semi-private amenity spaces, including open space within housing estates and other similar spaces in the borough not designated as public open space, unless the loss of amenity space is compensated and the development has over-riding planning benefits. Moreover, both Development Management Policies DM2.1 and DM8.4 encourage improvements to movement through areas and seek an enhanced pedestrian environment.
- 10.58 As existing, Dixon Clark Court is characterised by a green buffer along its street frontage, a residential tower within a large amount of hardstanding and a communal garden to the rear of the site. The proposal involves the following landscape and open space changes: the relocation of the communal garden from its current location along the site's eastern boundary to the site's southern boundary; building on the existing hardstanding around the perimeter of the estate; building on a proportion of the green buffer towards the front of the site and the re-provision of lost green space by providing

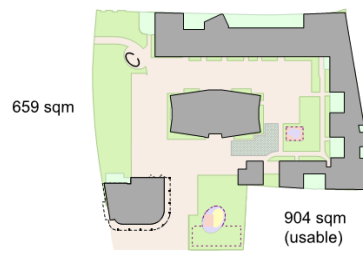
private amenity space and a small residential garden towards the rear in front of the proposed mews buildings.

Fig. 3 - Existing Open Space Plan



Existing	
Designated communal garden space	804 sqm
Private garden space	0 sqm
Total garden amenity space	804 sqm
Other communal open space (green)	1076 sqm
Other communal open space (hard)	2767 sqm
Total estate open space	4647 sqm
Built footprint	420 sqm
Total estate area	5067 sqm

Fig. 4 - Proposed Open Space Plan



Proposed	
Designated communal garden space	904 sqm
Private amenity garden space	315 sqm
Total garden amenity space	1219 sqm
Other communal open space (green)	659 sqm
Other communal open space (hard/planters)	1514 sqm
Total estate open space	3392 sqm
Built footprint	1675 sqm
Total	5067 sqm

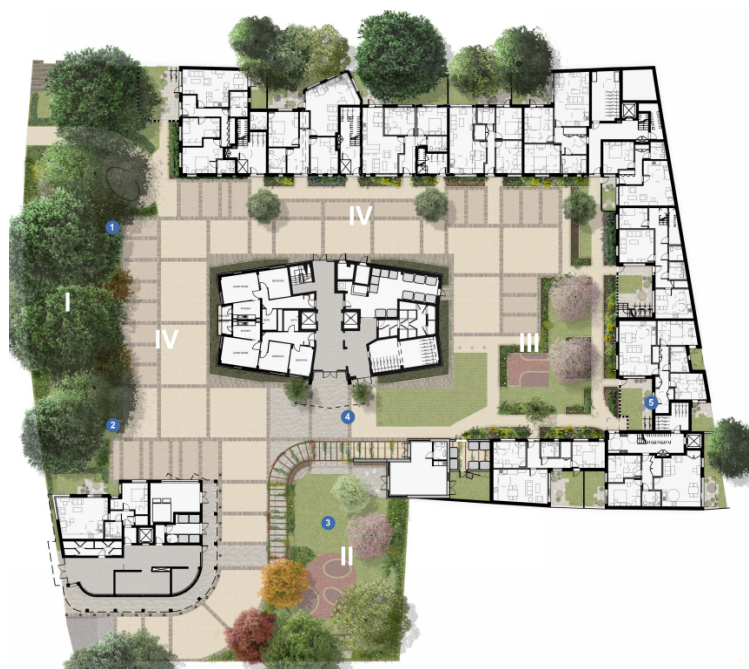
10.59 Though the proposal increases the built footprint on the estate by 1250sqm, this is at the expense of essentially the same amount of hardstanding. Though most of the hardstanding on the estate is dedicated car parking and vehicular access routes, some of this space could be considered to have an amenity value and is such protected by Policy DM6.3 which states that development is not permitted on semi-private amenity spaces, including open spaces within housing estates and other similar spaces in the borough not designated as public open space within this document, unless the loss of amenity space is compensated and the development has over-riding planning benefits.

10.60 There is clearly a distinction to be made between areas of hardstanding that happen to not be built upon and genuinely useable open green space. This distinction is also made in planning policy through Policy CS15 of the Core Strategy which specifically refers to incidental green space, trees and private gardens as well as Policy DM6.5 which focuses on the importance of protecting green space and biodiversity. Nonetheless, as mentioned previously some areas of hardstanding can indeed have amenity value and also have a potential to be converted into useable green space.

10.61 In this case, it is proposed to build good quality affordable housing on the existing hardstanding and re-provide the almost same amount (2sqm less) of useable green amenity space as existing on the estate. Given policy objectives to provide housing and maximise affordable housing as outlined in previous chapters on 'land use' and 'affordable housing', an argument can be made to support a proposal that maintains the level of green space and builds on underused hardstanding / car parking to provide affordable housing. That being said, the proposed landscaping will need to be of sufficient quality in order to fully justify the proposal.

10.62 Looking at the landscape strategy in more detail, it is considered that the proposal would increase the quality of provision on the estate. As it stands a third of the site is occupied by grassed areas while a half of the site is occupied by impermeable concrete and tarmac. The proposal maintains the amount of grassed areas at a third of the site, however increases the amount of permeable surface so that the majority of the site would be green or permeable areas. Moreover, the strategy that emerges is one that consists of two new communal garden spaces, each with a new children's play area. Whereas the existing estate has no children's playspace as such, the play

spaces proposed are designed to cater for children of different ages and are in convenient locations on the estate so that children can be supervised.



Landscape Proposal

- 10.63 The proposed scheme provides a large communal garden area, comprised of a larger south facing area located along the boundary with the neighbouring school and a quieter area located to the east of the existing tower as shown above. The remaining green space along the western boundary is reduced in size but would be improved with extensive new planting, including new trees, wildflowers and permeable surfaces. The proposed scheme also has several new private gardens and new soft landscaping and tree planting along the frontage of the proposed mews buildings.
- 10.64 In addition to the reprovided green space and landscape strategy described above, the planning application involves over-riding planning benefits. New high quality residential accommodation would be created, 66% of which would be for social rent. Moreover, the proposal has been well-designed with a consideration and respect for both the existing estate and the adjoining Conservation Areas as well as the setting of the listed buildings.
- 10.65 Given the aspiration to reduce car parking and deliver genuinely affordable housing, the building of affordable housing on hardstanding on the perimeter of an estate is considered to suitably compensate the loss of open space. Moreover, the quality of the landscape strategy together with the overall planning benefits derived from the proposal are considered to fully mitigate against the loss of existing open spaces, in accordance with Core Strategy Policy CS15 and Development Management Policy DM6.3. While the landscape strategy is supported in principle, further details would be required by condition (12) in the event of permission being granted to ensure that the final design of the landscaping is of the highest quality and properly implemented.

Trees:

- 10.66 Development Management Policy DM6.5 requires developments to minimise any impacts on trees, shrubs and other significant vegetation. Developments within proximity of existing trees are required to provide protection against damage during construction. Moreover, development proposals must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of a development site and maximise the provision of soft landscaping, including trees, shrubs and other vegetation.

- 10.67 There are currently 47 trees on site or off-site with canopy overhanging onto the site as well as two hedges and four groups of trees (mainly shrubs). Existing trees consist of mainly Norway Maple, Silver Maple, Horse Chestnut, Cherry and Whitebeam. The proposal would result in a loss of 17No. trees, one small palm and four groups of trees/shrubs to facilitate development. 10No. of these trees are of low quality (Category C) while 7No. are of moderate quality (Category B). Looking at trees loss in more detail, the majority of the existing trees, including the Whitebeam, Sycamore and Cherry trees in the existing communal garden at the rear of the site would be removed to facilitate the development. Moreover, 7No. trees, including the Norway maples, Horse Chestnut and a Sycamore, would be removed along the site's western boundary to enable the construction of Block 6.
- 10.68 All remaining trees will be retained and protected. The submitted Arboricultural Impact Assessment has been considered and assessed by the Council's tree preservation officers who have accepted the assumptions and recommendations within it. All existing retained trees would be protected during the construction process to ensure their health and future growth and details of all works to trees will required by condition to ensure they meet required standards (*conditions 13 and 14*).
- 10.69 Though trees would be removed along the site's street frontage, this area will be added to with additional wild grasses and indigenous plants contributing to a greater range of wildlife while also combating the effects of pollutants. Three new Crab Apple trees are also proposed at this location to compensate for some of the trees lost. A total of 12No. new trees will be planted. A variety of species has been selected to respond to their particular location on site, including 3No. new Crab Apple trees, 1No. new Spanish Oak and 2No. new Sweet Gum. The planting of these trees would be required by condition (12). Further off-site tree planting is recommended and a Directors' Level Agreement would require financial contributions towards the planting of trees in the vicinity of the site.
- 10.70 While the canopy cover gained over a 30-year projection equates to some 470sqm of canopy, this does not quite compensate for the 768sqm of canopy lost as a result of the felling of the trees on site to facilitate to development. It should be emphasised that care has been taken to minimise the loss of trees with the majority of trees now retained along the site's street frontage. The new planting would provide a greater species variety and visual interest and will be planted at a size that would provide some immediate visual interest. Moreover, off-site tree planting would further compensate for the loss of trees on site.

Overall Strategy

- 10.71 The new Central Garden replaces the existing communal garden space and involves the retention of all existing trees, a new pergola which forms a boundary to the garden, new child playspace and access directly from the proposed new community rooms. Whilst the proposed building on the site's eastern boundary result in the loss of the existing trees and shrubs in the existing communal garden, part of the area would be converted into a new 'quiet' residential garden with new hedge and evergreen planting as well as new tree planting including two new Sweet Gum.
- 10.72 The proposal includes an increase in the amount of permeable surface on site as well as a greater variety of plant and tree species which would enhance the overall ecological value of the site. Green roofs are proposed to new buildings (where possible) to enhance biodiversity and reduce water run-off with further details required by condition (9). The application includes a significant improvement to semi-private open space and communal garden space which would provide an enhancement to the amenity of local residents.
- 10.73 Subject to appropriately worded conditions, the proposal is considered to be in accordance with the Core Strategy Policy CS15 and Development Management

Policy DM6.5. To ensure the protection of the trees to be retained at the site and secure a high quality landscape scheme, conditions are recommended which require the submission of and compliance with an agreed Landscape Management Plan (12), an Arboricultural Method Statement (13) and a Scheme of Site Supervision (14).

Density

- 10.74 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The existing Dixon Clark Court Estate comprises a total of 60 residential units across a site of some 0.5 hectares. The development scheme proposes a net increase of 39 residential dwellings, resulting in a total of 99 dwellings on the estate. This equates to 280 habitable rooms on the estate. As such, the proposed development would result in a residential density on the estate of some 560 habitable rooms per hectare.
- 10.75 In assessing the appropriate housing density for the application site and the wider estate it is also necessary to consider the London Plan in more detail, which notes that it would not be appropriate to apply these limits mechanistically. In particular, the local context as well as design considerations should be taken into account when considering the acceptability of a specific proposal.
- 10.76 The site has a public transport accessibility level (PTAL) of 6A because of the connections at Highbury & Islington station and the number of bus routes running from Highbury Corner. For central areas with a PTAL of 6A, the London Plan Policy 3.4 (Table 3.2) suggests that a density level of between 650 and 1100 habitable rooms per hectare would be most appropriate. Central areas are defined as areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.
- 10.77 It could be argued that the area is more akin to an urban area which is defined as areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. In these areas, a density of between 200 and 700 hr / hectare is recommended.
- 10.78 In any case, this level of housing density, at 560 hr / hectare, is considered be an appropriate housing density in this particular context given the surrounding heritage assets.

Accessibility

- 10.79 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 the Council can no longer apply its flexible housing standards nor local wheelchair housing standards. 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 Islington's present wheelchair accessible housing standard. Planning is required to check compliance with these standards and condition the requirements.
- 10.80 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 need for such housing has been evidenced and London Plan 2016 Policy 3.8 Housing Choice requires that 90% of new housing be built to Category 2 and 10% to Category 3.

- 10.81 Development Management Policy DM3.4 'Housing Standards' provides various standards in housing including for accessibility and inclusive design. The policy states that the overall approach to all entrances should be logical, legible and level or gently sloping; and common entrances should be visible from the public realm, clearly identified and illuminated and have level access over the threshold. Moreover, the number of dwellings accessed from a single core should not be more than eight and communal circulation corridors should be a minimum of 1200mm wide. Finally, in terms of circulation within new homes, space for turning a wheelchair should be provided in living rooms, dining rooms and in at least one bedroom.
- 10.82 It can be confirmed that the majority of new dwellings would meet Category 2. The exceptions are five 2nd/3rd floor maisonettes which either have a stepped approach or have lift access but only to bedrooms and not to living rooms. Three further upper storey apartments have provision for a 'future' platform lift which would qualify them for Category 2 Housing. In order to achieve Category 2, new dwellings should provide usable living spaces and easy, step-free access between a living area, a WC and the principal private entrance. However, the standards also suggest that site-specific factors should be taken into account which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. In this instance, given the constrained site and the mews-style typology proposed with dwellings over various levels, it is considered that an exception can be made.
- 10.83 Moreover, 4No. of the new dwellings would be wheelchair accessible dwellings. As such, 10% of the units would be built to Category 3 standard and will be conditioned as such (*condition 6*). The wheelchair accessible dwellings are provided as follows: a 2B4P unit referred to as 1A; a 2B4P unit referred to as 2A; a 2B4P dwelling referred to as 4A; and a further 2B4P dwelling referred to as 5A.
- 10.84 The applicant has submitted a Design and Access Statement and has outlined how inclusive design principles have been considered and addressed. The plans have also been amended since the original permission in order to ensure that the proposal meets inclusive design principles. It can be confirmed that level access is provided to the vast majority all new dwellings, as described above. Moreover, there are no steps externally anywhere on the estate and all path gradients are less than 1:21. The external landscaping, which is considered in more detail in other sections of this report, has been designed to allow mobility or visually impaired residents to move easily around the site and access all facilities readily.
- 10.85 All shared and private entrances are covered and clearly marked with signage and well-lit. Communal stairs have been designed to meet accessibility requirements and there is adequate space in front of lifts, stairwells and entrances to manoeuvre wheelchairs. All new dwellings have been designed to incorporate appropriately sized internal corridors, doors and accommodate wheelchair turning circles and all bathrooms have been designed to allow for future adaption.
- 10.86 In the event of planning permission being granted, the above measures would be secured by planning condition (*conditions 6 and 12*) to ensure that the proposed development is accessible and meets inclusive design standards.

Neighbouring Amenity

- 10.87 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to

maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.

- 10.88 Daylight and Sunlight: In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.89 BRE Guidelines paragraph 1.1 states: *“People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by”*. Paragraph 1.6 states: *“The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”*.
- 10.90 Daylight: the BRE Guidelines stipulate that... *“the diffuse daylighting of the existing building may be adversely affected if either:*
- *the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value;*
 - *the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (No Sky Line / Daylight Distribution).*
- 10.91 At paragraph 2.2.7 of the BRE Guidelines it states: *“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”*
- 10.92 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.
- 10.93 At paragraph 2.2.8 the BRE Guidelines state: *“Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”*.
- 10.94 Paragraph 2.2.11 states: *“Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.”* The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

- 10.95 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is *"in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degree. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout"*
- 10.96 Paragraph 1.3.45-46 of the Mayor of London's Housing SPD states that:
- "Policy 7.6Bd requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.*
- The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm."*
- 10.97 Sunlight: The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11:
- "If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:*
- *Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and*
 - *Receives less than 0.8 times its former sunlight hours during either period and*
 - *Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours."*
- 10.98 The BRE Guidelines) state at paragraph 3.16 in relation to orientation: *"A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit."*
- 10.99 It goes on to state (paragraph 3.2.3): *"... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun."*
- 10.100 Open spaces: The Guidelines state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include: *'gardens to existing buildings (usually the back garden of a house), parks and playing fields and children's*

playgrounds, outdoor swimming pools and paddling pools, sitting out areas such as those between non-domestic buildings and in public squares, focal points for views such as a group of monuments or fountains’.

10.101 At paragraph 3.3.17 it states: “It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March.”

Assessment

10.102 The VSC has been assessed for all existing surrounding residential properties. The vast majority of windows serving existing properties retain good levels of daylight following the development and would not lose more than 20% of their former value. For example, windows in all nearby residential properties on St Paul’s Road, Compton Road, Compton Terrace and Canonbury Road as well as the majority of windows to properties in Dixon Clark Court Estate itself would retain 80% of their former VSC value. As such, loss of daylight to these properties would not be noticeable. It should be noted that the ground floor of properties on St Paul’s Road are in commercial use.

10.103 Nonetheless, some of the windows in lower-level apartments in Dixon Clark Court would be more noticeably affected by the proposed development. Some ground floor and first floor windows to habitable rooms would retain less than 80% of their former VSC value. However, all of these windows serve rooms whose overall daylight distribution will not be affected. Moreover, all other windows serving habitable rooms in this building from the 2nd floor up would retain good levels of natural daylight and thus overall residential amenity for these residents will be maintained. The daylight impacts on the lower levels of Dixon Clark Court are shown below:

Dixon Clark Court		Vertical Sky Component			No skyline (daylight distribution)
Room / Window	Room Use	Existing VSC (%)	Proposed VSC (%)	VSC % of former value Target 80%	Reduction (%) Target 80%
Ground / W1	Kitchen	9.59	8.98	94%	100%
Ground / W2	Living Room	33.84	32	95%	99%
Ground / W3	Living Room	33.89	24.97	74%	
Ground / W4	Living Room	33.56	24.01	74%	
Ground / W5	Bedroom	33.56	24.01	72%	100%
Ground / W17	Bedroom	27.97	22.47	80%	89%
Ground / W18	Bedroom	33.01	26.65	81%	99%
Ground / W19	Living Room	34.65	27.39	79%	100%
Ground / W20	Living Room	34.66	26.59	77%	
Ground / W21	Living Room	34.05	32.31	95%	
Ground / W22	Kitchen	10.44	10.44	100%	100%
First Floor / W1	Kitchen	10.19	9.56	94%	100%
First Floor / W2	Living Room	34.92	33.22	95%	100%
First Floor / W3	Living Room	35.67	28.88	81%	100%
First Floor / W4	Bedroom	35.43	28.27	80%	
First Floor / W5	Bedroom	15.02	12.66	84%	
First Floor / W6	Bedroom	14.15	11.26	80%	98%
First Floor / W7	Bedroom	34.44	27.68	80%	100%
First Floor / W8	Living Room	34.23	28.19	82%	100%
First Floor / W9	Living Room	34.94	30.45	87%	
First Floor / W10	Kitchen	10.79	7.47	69%	100%

First Floor / W11	Kitchen	10.33	8.06	78%	100%
First Floor / W12	Living Room	35.05	30.41	87%	100%
First Floor / W13	Living Room	36.11	31.96	89%	
First Floor / W14	Bedroom	36.13	32.84	91%	100%
First Floor / W15	Bedroom	36.13	33	91%	100%
First Floor / W16	Bedroom	35.9	31.12	87%	89%
First Floor / W17	Bedroom	35.91	30.49	85%	100%
First Floor / W18	Living Room	35.84	28.77	80%	100%
First Floor / W19	Living Room	35.09	33.55	96%	100%

10.104 An objection has been received regarding the daylight and sunlight impacts on residential properties on Compton Terrace and Compton Road. The loss of daylight and sunlight and retained levels of daylight and sunlight have been assessed for these properties and it can be confirmed that all windows, habitable rooms as well as outdoor amenity space would not suffer noticeable losses of daylight or sunlight and would retain unusually high levels of natural light for an urban location such as this, complying with all relevant BRE guidelines. The vast majority of windows within properties on Compton Road and Compton Terrace would retain over 27% of its potential VSC. None of the windows serving habitable rooms in other surrounding residential properties would suffer noticeable losses of VSC, nor would any rooms experience noticeable losses in daylight distribution.

10.105 In terms of sunlight, the proposed buildings are generally not positioned south of the closest residential properties and thus sunlight is not affected. In some instances, however, such as in St Paul's Road or windows within Dixon Clark Court which have a southerly aspect onto proposed development, there would be potential sunlight impacts. However, in the cases where annual probable sunlight hours falls below 0.8 of its former value, the levels of sunlight retained remains high, i.e. above 5% in the winter and above 25% annually. In these cases, there will be some loss of sunlight but this is considered to be within acceptable levels. This most affected windows within Dixon Clark Court facing within 90 degrees of due south are shown in the table below:

Dixon Clark Court		Annual APSH			Winter APSH		
Room / Window	Room Use	Existing	Proposed	% former value	Existing	Proposed	% former value
Ground/W1	Bedroom	16	15	94%	5	4	80%
Ground/W2	Liv. Room	42	38	90%	9	5	56%
Ground/W13	Liv. Room	84	69	82%	26	17	65%
Ground/W14	Liv. Room	82	64	84%	25	18	72%
Ground/W15	Bedroom	74	65	88%	24	18	75%
Ground/W16	Bedroom	61	53	87%	26	21	81%
Ground/W17	Bedroom	54	45	83%	24	17	71%
Ground/W18	Bedroom	69	59	86%	26	18	68%
Ground/W19	Liv. Room	82	69	84%	26	16	62%
Ground/W20	Liv. Room	82	70	85%	25	16	64%

10.106 The other affected residential windows in terms of loss of sunlight are on St Paul's Road. The losses of sunlight recorded are within acceptable limits. These are shown in the table below:

89-95 St Pauls Road		Annual APSH			Winter APSH		
Room / Window	Room Use	Existing	Proposed	% of former value	Existing	Proposed	% of former value
First Floor / W1	Living Room	71	61	86%	19	9	47%
First Floor / W2	Living Room	70	61	87%	20	11	55%

First Floor / W3	Living Room	70	62	89%	19	11	58%
First Floor / W4	Bedroom	64	58	91%	19	13	68%
Second Floor / W1	Living Room	73	71	97%	20	18	90%
Second Floor / W2	Living Room	73	71	97%	20	18	90%
Second Floor / W3	Living Room	74	72	97%	20	18	90%
Second Floor / W4	Bedroom	66	64	97%	19	17	89%
Second Floor / W5	Bedroom	75	73	97%	22	20	91%
Second / W6	Bedroom	76	76	100%	23	23	100%
Second / W7	Kitchen	78	78	100%	22	22	100%

10.107 In summary, the vast majority of neighbouring residential properties would not suffer noticeable losses of VSC and daylight distribution and would retain good levels of daylight and sunlight. There are a number of windows within Dixon Clark Court and on St Pauls Road that would experience reductions in VSC however the effect on the rooms that they serve is not considered to be noticeable. The overall impact on sunlight and daylight is considered acceptable in planning terms.

10.108 Overlooking / Privacy: Development Management Policy 2.1 identifies 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, overlooking across a public highway does not constitute an unacceptable loss of privacy’. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.

10.109 There are some instances where the proposed development would result in a less than 18m window-to-window distance. This is the case with the mews block along the site’s northern boundary, which is in close proximity to both Dixon Clark Court as well as properties on St Paul’s Road.



10.110 The vision cones shown on plan below provide an indication of to what extent one is able see out from within the proposed dwellings. As can be seen, the development has been designed so as to minimise overlooking by positioning and angling windows in such a way so that views generally face away from existing habitable windows. As such, the principal windows on Block 1 face towards the green buffer and Highbury Roundabout beyond, while windows within Blocks 2 and 3 are angled towards each

other's blank elevation or face out but are angled away from existing windows. In rare cases where windows face onto each other at a distance of less than 18 metres, then high level windows and obscured windows are proposed which would prevent direct overlooking.

- 10.111 There is however also the potential for mutual overlooking between windows within proposed buildings as well as the impact on privacy from proposed roof terraces. It is recommended that any permission be conditioned to require further details of privacy screens around the balconies and roof terraces and potential obscured glazing to ensure that overlooking does not result in a loss of residential amenity to this neighbouring residential property (*condition 5*).
- 10.112 Residential properties on Compton Road, Compton Terrace, Canonbury Road and Compton Avenue are all greater than 18 metres away from the proposed buildings and windows within them. As such, overlooking to and privacy of these properties is not considered to be of concern.
- 10.113 Safety / Security: Development Management Policy DM2.1 requires for developments to be safe and inclusive, enhance legibility with a clear distinction between public and private space and to include safety in design, such as access, materials and site management strategies. One of the key objectives of this proposal is to create a safe and secure environment for residents of the estate.
- 10.114 The proposed buildings around the perimeter would result in passive surveillance over parts of the estate that are currently poorly overlooked. The reconfiguration of the estate and the creation of street frontage is considered to enhance legibility, providing a clearer distinction between public and private space. The overall strategy is to ensure social (passive) surveillance is possible throughout the estate through active building frontage and windows overlooking common spaces. A number of other measures are also proposed such as the removal of the external storage areas, designing out vehicular routes through suitable barriers as well as a lighting strategy which would also create a safer environment.



Lighting Proposal

- 10.115 The proposed lighting strategy will address the issues with the estate's existing lighting with regard to inconsistent levels of illumination and existing areas of darkness. New column-top lights will be placed across the site which will direct light downwards to prevent unwanted glare. The column lights are proposed around vehicular and pedestrian areas and will also be located around the site to ensure that

residents feel safe when moving around the estate. It is considered that these measures would contribute significantly towards creating a safer and more secure environment for residents on the estate. Lighting details will be suitably conditioned to ensure a safer environment (*condition 19*).

- 10.116 Noise and Disturbance: adequate sound insulation would be provided to all new units to protect the amenities of existing and future residents and this is covered by Building regulations. Further details of screening around proposed roof terraces shall be provided to minimise noise and disturbance to surrounding residential occupiers (*conditions 3 and 27*). Moreover, the opening hours of the new community room would be controlled by condition in order to protect the living environment of residents. The community room is a very modest size and is not expected to attract large groups of people; its servicing requirements will be controlled by condition (*18*).
- 10.117 Construction: A number of objections have been received from neighbouring occupiers concerned with the construction impacts of the proposal on both the structure of the listed Georgian terrace on Compton Road as well as impacts on the living environment and amenities of local residents in terms of noise and disturbance, dust, noise, vibration and construction traffic. In the event that permission is granted, approval would be on condition (*condition 4*) that construction impacts are suitably mitigated through the submission of and adherence to a Construction Environmental Management Plan.
- 10.118 In summary, the proposal is not considered to result in an unacceptable impact on neighbouring residential amenity in terms of loss of daylight or sunlight, increased overlooking, loss of privacy, sense of enclosure and is considered to result in an improvement in terms of safety and security.

Quality of Resulting Residential Accommodation

- 10.119 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life for Islington residents, residential space and design standards will be significantly increased and enhanced from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards. In accordance with this policy, all new housing is required to provide functional and useable spaces with good quality amenity space, sufficient space for storage and flexible internal living arrangements.
- 10.120 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy. Part C of Policy 3.4 requires for floor-to-ceiling heights to be a minimum of 2.6 metres. All proposed units would meet this standard.
- 10.121 Aspect/Daylight Provision: Policy DM3.4 (part D) sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'.
- 10.122 All new dwellings proposed would achieve both dual aspect and all but four of the proposed windows of habitable rooms would achieve good levels of natural daylight. The exceptions include three living rooms which achieve marginally below the required 2% minimum and a bedroom within Block 2, which is partly overshadowed by Dixon Clark Court. The lesser levels of light are also a result in the rooms having been designed to minimise overlooking to neighbouring properties. These proposed dwellings meet all other standards and would have good levels of daylight in all other rooms as well as generous provision of private amenity space.
- 10.123 Amenity Space: Policy DM3.5 of the Development Management Policies Document 2013 within part A identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof

terraces and/or glazed ventilated winter gardens'. The policy in part C then goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on the ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above).

- 10.124 The private amenity space proposed for almost all of the proposed units would exceed minimum requirements. Three of the proposed units on ground floor, Units 4A, 4B and 5C would narrowly miss the respective minimum requirements of 15sqm and 25sqm however. That being said, the units would have direct access to a resident's garden as well as a toddler's play area.
- 10.125 Playspace: Policy DM3.6 requires all housing development of more than 10 dwellings to make provision of play based on anticipated child yield. The London Plan sets a benchmark standard of a minimum of 10sqm of suitable child playspace per child for new developments, with Islington's DM Policy 3.6 setting a minimum of 5sqm. With an estimated child yield of 29 as a result of the new development, there would be a requirement to provide 144.4sqm of child play space as a minimum. The proposal includes a total of 145sqm of child playspace, which would be sufficient for the proposed development.
- 10.126 While the calculation above does not take into consideration the children already living on the estate which are estimated to be about 30, it should be noted that there currently isn't any child playspace as such on the estate. Moreover, it is proposed to convert the vehicular dominated spaces on the estate to a more pedestrian-friendly environment. Finally, the site is in walking distance to excellent child playspace facilities on Highbury Fields as well as Laycock Green.
- 10.127 Therefore, it is considered that, together with the centrally located play area and the playspace located off-site, there is sufficient child playspace provision for existing and future residents. Further details of any playspace provided within the development would be required by condition (12).
- 10.128 Noise: There are a number of potential noise and disturbance sources which need to be considered in the context of this planning application. Firstly, given the proximity of Highbury Roundabout, a scheme for sound insulation and noise control will need to be submitted and approved by the Local Planning Authority prior to works commencing on site to protect residential amenity within the new flats and planning permission would be conditioned as such (*condition 16*).
- 10.129 It is noted that recent permission has been granted to Canonbury Primary School for a MUGA on the playground facing this development. Whilst the impacts of the proposal on the school itself will be mitigated through the provision of obscured glazing on the proposal's southern elevation, windows will also need to be specified with their sound insulation properties and permission would be conditioned accordingly (*conditions 3 and 16*).
- 10.130 The balcony/terrace areas for the Canonbury Road block (block 6) are proposed to be winter gardens i.e. enclosed. The northern mews properties appear to have two balconies that face onto the junction – as a minimum they should be designed to maximise the acoustic screening effect with a solid imperforate barrier to the area (*condition 3*). The ground floor Block 6 dwelling has quite modest windows and its bedroom backs onto the plant room. There will need to be upgraded sound insulation between this plant room and the ground floor flat and first floor flat above (*conditions 15 and 16*).
- 10.131 Air Quality: The application includes an air quality assessment. Predicted NO₂ annual means are just below the 40µg/m³ but within 5% (and indeed there is no safe level of exposure). A condition is recommended that covers the ventilation and drawing in of

clean/filtered air, information for residents on reducing their exposure, specification of ultra-low NOx boilers, any greening measures to reduce exposures and any other relevant measures (*condition 17*).

- 10.132 Refuse: Dedicated refuse and recycling facilities/chambers are provided for the residential uses. The location and capacity, and management of these facilities have been developed in consultation with the Council Street Environment Department and are considered acceptable (*condition 22*).

Dwelling Mix

- 10.133 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies. The policy also requires for provision to be made for intermediate or shared ownership housing.

- 10.134 The scheme proposes a total of 41 residential units (uplift of 39 units) with an overall mix comprised of:

Dwelling Type	Social Rent Units	Private Units	Total	
1 Bed	5	1	6	
2 Bed	19	12	31	10.135
3 Bed	2	1	3	10.136
4 bed +	1	0	1	10.137
TOTAL	27	14	41	10.138

- 10.139 Development Management Policies require a large amount of family-sized social rented dwellings to be provided. The dwelling mix proposed for the social rented units is not in accordance with dwelling mix required by policy. However, the applicant Islington Housing New Build has based the social rented mix on actual current demand taken from the Council housing waiting list rather than long-term Council aspirations.

- 10.140 The supporting text of policy DM3.1 relates to this objective stating 'There may be proposals for affordable housing schemes that are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation). In these situations, deviation from the required policy housing size mix may be acceptable. In such cases registered providers will need to satisfy the council that the proposed housing size mix will address a specific affordable housing need/demand and result in an overall improvement in the utilisation of affordable housing units in Islington'.

- 10.141 Changes in housing legislation to address the under occupation of social housing have created a greater demand for smaller social housing units, as reflected by the high proportion 2-bedroom units proposed. The applicant, LBI Housing proposes this dwelling mix to allow mobility within the social housing sector to accommodate these national changes to the welfare system. Furthermore, the provision of smaller units will allow for mobility within the estate and could address under-occupation. Given this, a deviation from the policy is considered reasonable and the housing mix is acceptable.

Sustainability, Energy Efficiency and Renewable Energy

- 10.142 The London Plan (2016) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 10.143 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). The London Plan sets out a CO2 reduction target, for regulated emissions only, of 35% against Building Regulations 2013. In accordance with Islington Planning Policy, developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock (CS10).
- 10.144 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, SUDS, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires for development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details and specifics are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Development Management Policy DM7.4 requires the achievement of BREEAM 'Excellent' on all non-residential major developments. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

Carbon Emissions

- 10.145 The applicant proposes a reduction in regulated emissions of 31.26%, compared to a 2013 Building Regulations baseline. In terms of overall emissions (both regulated and unregulated) the development is predicted to achieve a reduction of 15.09%. This is an increase on the original proposal and a number of changes including increasing solar PV output have resulted in this improvement. However, it still falls short of Islington's target. The Council's energy services team have accepted that this is the maximum achievable, given site constraints, and are satisfied with the assumptions and recommendations made. In order to mitigate against the remaining carbon emissions generated by the development a financial contribution of £85,189 will be sought by way of Director's Letter (pursuant to section 106).

Energy Reduction (Be Lean)

- 10.146 The proposed U-values for the development are as follows: external walls = 0.15, sheltered walls = 0.20, roof = 0.12, floors = 0.12, and windows = 1.3. These are generally better than the values recommended in the Environmental Design SPD. Mechanical ventilation with heat recovery is specified for the development, meaning that this is an appropriate value. Low energy lighting is proposed throughout the development, which is supported. It is proposed that heating used by the residents

from the communal system will be charged on a metered basis, with programmer and TRV control.

Low Carbon Energy Supply

- 10.147 London Plan Policy 5.6B states that Major development proposals should select energy systems in accordance with the following hierarchy:
1. Connection to existing heating or cooling networks;
 2. Site wide CHP network
 3. Communal heating and cooling
- 10.148 The applicant does not propose to connect to a District Heat Network as there is no planned and committed network within 500m of the application site. Notwithstanding this, suitable wording would be included in the application's section 106 agreement (Director's Letter) to ensure potential future connection in the event that a DEN is established in the future.
- 10.149 The submitted Sustainable Design and Construction Statement rules out the use of on-site CHP, on grounds that the development heat loads are too small to support a technically or economically feasible. It is considered that this conclusion is correct. Annual and monthly heating and hot water kWh loads have been provided to demonstrate that an on-site CHP is unrealistic.
- 10.150 Heating to the whole development will be provided through radiators, served ultimately via a communal heating system. Hot water will also be produced via the communal system. The primary low temperature hot water heating plant provides heating and domestic hot water to each dwelling. Within each dwelling, a dedicated heat interface unit shall provide heating and hot water via dual plate heat exchangers. Communal gas boilers will provide heating and hot water to the dwellings via HIUs. The HIUs will provide instantaneous hot water generation and will remove the need for hot water storage.

Renewables

- 10.151 The Mayor's SD&C SPD states that major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible. The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets.
- 10.152 The proposed 30.36kWp system is estimated to generate 26,219kWh/yr. Based on 92 panels, this equates to an approximate panel area of 147m² (excluding spacing between rows). The panels are proposed to be on the rooftops of blocks 4, 5, 6, the single storey community room and the existing tower. Each of these have a good amount of available roof area and easy access via communal corridors/stairwells (*condition 7*).
- 10.153 The remaining flat roofs have been discounted for installing PVs (or green roofs) based on their limited areas and difficulties with access (lack of communal circulation cores). Blocks 4 and 5 and the community room have the PVs combined with a green roof to provide the added benefits of reducing flood risk, improving ecology and biodiversity, reducing urban heat island effect, improving air quality etc.

Sustainable Design Standards

- 10.154 The council's Environmental Design Guide states "Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.
- 10.155 The residential element of the development has been assessed against the Code for Sustainable Homes, although this has been withdrawn. The submission demonstrates that the development would achieve a score of 68.98% which exceeds the threshold of 68% required to achieve a rating of Level 4 when the Code was previously in force. It is recommended that all reasonable measures throughout the design and construction process are taken to exceed the 68% target.

Sustainable Urban Drainage System

- 10.156 The application site is Flood Risk Zone 1 and therefore has a low probability of flooding from tidal or fluvial sources. In terms of drainage, surface water for the entire site will be drained via large permeable surface areas. Flow will be controlled via a flow device, outfalling into the existing combined water man-hole at the boundary of the site. Foul flows will discharge directly into the network on site, new chambers will be formed around the edge of the proposed landscaping to ensure that there is adequate maintenance access.
- 10.157 Through the use of permeable paving, attenuation tanks and green roofs, the proposal would achieve a water run-off rate of 4.8l/s. This is a 90% reduction in run-off rates and improves on the greenfield run-off rates in 1 in 30-year rainfall event. The drainage and SUDS strategy including green roofs will be secured by condition (9 and 10) and the responsibility of maintenance placed on the applicant, in this case Islington Housing.

Green Performance Plan

- 10.158 A draft Green Performance Plan has been submitted as an acceptable draft. A final version would be required through the Director's Letter (section 106).
- 10.159 *In summary*, the energy and sustainability measures proposed are in accordance with policy and would ensure a sustainable and green development that would minimise carbon emissions in the future.

Highways and Transportation

- 10.160 The application site has a PTAL of 6b given its close proximity to Highbury & Islington Station. As such, the estate is considered to have an excellent level of public transport accessibility. The site also has major and strategic cycle routes running alongside it as well as pedestrian routes providing access to a number of bus routes from St Pauls Road, Canonbury Road, Upper Street and Holloway Road. The site is in walking distance to London Underground and National Railway connections at Highbury & Islington and Essex Road stations.

Pedestrian / Cycle Improvements

- 10.161 Islington Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. Policy CS4 (Highbury Corner and Holloway Road) states that Highbury Corner will be redesigned and improvements made to the station frontage and forecourt area, which will result in improvements to the environment for pedestrians and cyclists, and increase access to open green space. Given that the improvement works will result in all vehicular traffic being rerouted round this side of Highbury Roundabout, thereby increasing the amount of traffic immediately in front of the application site, the improvements to pedestrian and cycle environments of Dixon Clark Court residents are less unambiguous.

- 10.162 That being said, the improvement works include significant enhancements to cycle routes and pedestrian crossings which will be experienced by existing and future residents of Dixon Clark Court. Moreover, the reconfiguration of the estate itself, in particular the removal of car parking and provision of clearer pedestrian routes in the estate, are considered to significantly improve the pedestrian and cycle environment. The proposal also provides an improved pedestrian environment by providing an enhanced definition between public and private space, improving accessibility as well as safety and security.
- 10.163 In terms of cycle parking, a total of 104 cycle spaces will be provided across the estate for the new residents (*condition 23*). Cycle parking requirements apply for any new residential / commercial units, and extensions of 100 square metres or more. Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. For residential land use, Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of one (1) space per bedroom.
- 10.164 The cycle parking will be provided in each of the new residential blocks for future residents at a rate of space per bedroom and a further 32 spaces would be provided in the ground floor of Dixon Clark Court for existing residents as well as for use by visitors of the community rooms. The provision exceeds the required amount and is in accordance with policy.

Servicing, deliveries and refuse collection

- 10.165 Refuse and recycling facilities would be provided for new residents in line with Islington's refuse and recycling storage requirements. Blocks 1, 2 and 3 would be served by a stand-alone refuse and recycling storage structure, while the refuse and recycling storage for Blocks 4 and 5 would be provided adjacent to the community rooms and Block 6's storage would be located in the ground floor of this building. A further bin store would be provided in the ground floor of Dixon Clark Court (*condition 22*).
- 10.166 Refuse vehicles would access the site from Canonbury Road with a turning head provided within the estate so that service and delivery vehicles can enter and exit in forward gear in accordance with Policy DM8.6.

Vehicle parking

- 10.167 Core Strategy Policy CS10 (Sustainable development), Part H, requires car free development. Development Management Policy DM8.5 (Vehicle parking), Part A (Residential parking) requires new homes to be car free, including the removal of rights for residents to apply for on-street car parking permits.
- 10.168 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking).
- 10.169 There are currently 58 car parking spaces on the estate. The existing car parking will be reduced to 25 car parking spaces. A total of 7 of these spaces would be accessible parking bays for the proposed wheelchair accessible dwellings, and existing residents. It is welcome that the car parking spaces and garages on the estate will be reduced in number in accordance with Islington's Development Management Policies.

Construction Traffic

- 10.170 In the event that planning permission is granted, the permission would be subject to a condition requiring a Construction and Logistics Plan (CLP) to be submitted and approved in writing to the local planning authority in the interests of residential

amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development (*condition 26*)

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.171 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 10.172 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. As the development would be phased and the affordable housing is exempt from CIL payments, the payments would be chargeable on implementation of the private housing.
- 10.173 This is an application by the Council and the Council is the determining local planning authority on the application. It is not possible legally to bind the applicant via a S106 legal agreement. It has been agreed that as an alternative to this a letter and memorandum of understanding between the proper officer representing the applicant LBI Housing and the proper officer as the Local Planning Authority will be agreed subject to any approval.
- 10.174 A number of site-specific contributions will be sought, which are not covered by CIL. None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.
- 10.175 The letter and memorandum of understanding (pursuant to section 106) will include the contributions listed in Appendix 1 of this report.

National Planning Policy Framework

- 10.176 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The application proposes the construction of 41 new dwelling units comprising 6 x 1B2P, 6 x 2B3P, 25 x 2B4P, 3 x 3B5P and 1 x 4B6P with associated amenity space, for affordable and private homes, provided in five residential mews blocks ranging from 1 to 4 storeys in height and one residential block of 6 storeys in height. The proposal also includes bicycle parking spaces and improvements to the public realm; the provision of 39sqm of space for community use; and the demolition of lock-up storage units and site management office, the demolition and relocation of the sub-station; and the conversion of two existing dwellings to bicycle, refuse and ancillary storage.
- 11.2 The development proposes a mix of high quality residential accommodation, including family-sized homes, in the form of development on underused spaces and existing car parking in accordance with the aims and objectives of London Plan and Islington Core Strategy Policies. The application proposes a total of 41No. new homes (net increase of 39 units) of which 27No. would be affordable homes for social rent. The development delivers a significant increase in affordable homes (the maximum achievable) in accordance with London Plan (Policy 3.3) and Islington Planning Policies (CS12), which seek to ensure a supply of affordable housing for residents.
- 11.3 Overall, the proposal is considered to deliver an appropriate balance between respecting the integrity of the estate on the one hand and providing high quality contemporary design on the other. One of the proposed buildings has been designed to introduce street frontage and serves as a marker for the estate. The remaining buildings to the rear of the estate are lower rise and have been designed to be sympathetic to the surrounding Conservation Areas and to respect the existing Dixon Clark Court tower. A consistent architectural language has been adopted where suitable and the proposal is considered to be well-designed and to conserve the character and appearance of the adjacent Upper Street (North) and Canonbury Conservation Area as well as that of nearby listed buildings.
- 11.4 Though the application includes building on existing green space, the proposal also includes the provision of two new residents' gardens and an increase in permeable surfaces. The proposal involves building on existing car parking and hardstanding, re-provision of useable amenity space and qualitative improvements to the estate's landscaping including an additional 145sqm of child playspace.
- 11.5 The proposal's housing density is considered acceptable and the dwelling mix is informed by actual demand for housing in the borough. The proposed housing is considered to be of a high quality in terms of unit sizes, amenity space, natural lighting, floor-to-ceiling heights, storage provision and access to refuse, recycling and bicycle storage facilities.
- 11.6 The proposal is not considered to have an unacceptable impact on neighbouring residential amenity in terms of loss of daylight, sunlight, outlook, privacy, noise and disturbance or an increased sense of enclosure subject to conditions of consent. The application is considered to be a sustainable form of development in terms of energy efficiency, renewable energy and the provision of sustainable forms of transport.
- 11.7 For the reasons given above and explained in more detail in the main body of this report, the proposal is considered to be acceptable and in accordance with relevant planning policy and is thus recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation measures.

Conclusion

- 11.8 It is recommended that planning permission be granted subject to conditions and director level agreement securing the 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 a Directors' Agreement between Housing and Adult Social Services and Environment and Regeneration or Planning and Development 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:

- On-site provision of affordable housing in line with submission documents including a provision of 66% affordable housing. All measured by habitable rooms.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 2 work placements with each placement lasting a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage).
- Compliance with the Code of Construction Practice, including a monitoring fee (£4,100) and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). The figure is £85,189.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect).
- Submission of a Green Performance Plan.
- The provision of 4 accessible parking bays;
- Removal of eligibility for residents' on-street parking permits for future residents.
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- A contribution of £1,200 towards the planting of trees off-site.
- Council's legal fees in preparing the Directors Agreement and officer's fees for the preparation, monitoring and implementation of the Directors Agreement.

That, should the Director Level Agreement not be completed prior to the expiry of the planning performance agreement the Service Director, Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Directors’ Level Agreement is not acceptable in planning terms.

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (Compliance)</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 (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Numbers: Existing Plans AL(0)100; AL(0)101; AL(0)150; AL(0)151; AL(0)170; AL(0)180; AL(0)185; AL(0)190; Proposed Plans AL(0)200 P7; AL(0)201 P7; AL(0)202 P7; AL(0)203 P7; AL(0)204 P7; AL(0)205 P8; AL(0)206 P8; AL(0)210 P1; AL(0)211 P4; AL(0)212 P4; AL(0)213 P4; AL(0)214 P4; AL(0)221 P4; AL(0)222 P4; AL(0)223 P4; AL(0)224 P4; AL(0)231 P4; AL(0)232 P4; AL(0)233 P4; AL(0)234 P4; AL(0)241 P4; AL(0)242 P4; AL(0)243 P4; AL(0)244 P4; AL(0)251 P4; AL(0)252 P4; AL(0)253 P4; AL(0)254 P4; AL(0)255 P5; AL(0)256 P5; AL(0)260 P3; AL(0)261 P2; AL(0)270 P3; AL(0)271 P2; AL(0)280 P3; AL(0)281 P1; AL(0)282 P3; AL(0)283 P3; AL(0)284 P3; AL(0)290 P2; AL(0)291 P2; AL(0)292 P3; AL(0)293 P2; AL(0)300 P3; AL(0)301; AL(0)302; AL(0)303; AL(0)304;</p> <p>Planning Statement by HTA dated January 2018; Design & Access Statement (Rev A) by BFF dated December 2017; Statement of Community Involvement by HTA; Transport Statement and Travel Plan by Vectos dated January 2018; Flood Risk Assessment and Sustainable Drainage Statement by MLM; Arboricultural Survey and AIA by Sharon Hosegood Associates; Addendum AIA Report by SHA dated November 2017; Arboricultural Report by SHA dated November 2017; Extended Phase 1 Habitat Survey by DF Clark; Sustainable Design and Construction Statement Revision B dated November 2017; Code for Sustainable Homes Pre-Assessment by Ingleton Wood; Thermal Comfort Analysis by Ingleton Wood; Site Services Plan by Ingleton Wood; Air Quality Assessment by Bureau Veritas; Environmental Noise and Vibration Survey Assessment by AIRO; Daylight & Sunlight Report (Revised) dated December 2017 by Malcolm Hollis; Townscape Elevation by BFF; Drainage Statement by MLM dated November 2017; Facing Materials Palette uploaded 10th January 2018; Proposed Accommodation Schedule Revision C; Proposed Area Schedule Revision D; Additional views uploaded 10th January 2018;</p>

	<p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Details)</p> <p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work of the relevant phase commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, pointing and diapered / decorative brickwork and boundary walls shall be provided; b) Window details including sound insulation properties where relevant; c) Roof materials; d) Zinc cladding; e) Perforated metal f) Balcony detail including acoustic specification of screening; g) Doors and access points; h) Pre-cast stone cills; i) Canopies; j) Green procurement plan; and k) 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>Construction Environmental Management Plan</p> <p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise & vibration and air quality including dust, smoke and odour) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
5	<p>Obscure Glazing and Privacy Screens</p> <p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens to prevent overlooking from Blocks 1, 2 and 3 to neighbouring properties on St Pauls Road and within the estate itself as well as from Block 5 to the neighbouring school shall be submitted and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.</p>
6	<p>Accessible Homes (Compliance)</p> <p>ACCESSIBLE HOUSING – MAJOR SCHEMES (DETAILS): Notwithstanding the</p>

	<p>Design and Access Statement and plans hereby approved, 29 of the new residential units 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) and 4 units shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3).</p> <p>A total of 4 x 2B4P units shall be provided to Category 3 standards.</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>
7	<p>Solar Photovoltaic Panels</p>
	<p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels on existing buildings at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Output of panels - Area of panels; and - Design (including elevation plans). <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
8	<p>Water Use (Compliance)</p>
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
9	<p>Green/Brown Biodiversity Roofs (Details)</p>
	<p>CONDITION: Prior to any superstructure work commencing on the development details of the biodiversity (green/brown) roofs shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The green/brown roof shall:</p> <ol style="list-style-type: none"> a) Be biodiversity based with extensive substrate base (depth 80 -150mm); b) Contribute towards a 50% reduction in surface water run-off; and c) Be planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roofs should be maximised across the site and 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 as approved, shall be laid out within 3 months of next available appropriate planting season after the construction of the building it is located on and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats, valuable areas for biodiversity and minimise run-off.</p>
10	<p>Drainage and SUDS</p> <p>CONDITION: The SUDS measures as outlined in the approved Drainage Statement (by MLM dated 22nd November 2017) shall be installed and operational prior to the occupation of the development hereby approved. Further details shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include:</p> <p>I. a timetable for its implementation, and II. 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 operation of the sustainable drainage scheme throughout its lifetime.</p> <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details.</p> <p>The scheme shall thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
11	<p>Energy Efficiency – CO2 Reduction (Compliance/Details)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Sustainable Design & Construction Statement (by Ingleton Wood dated 3rd July 2017) which shall provide for no less than a 15.09% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 and for no less than a 31.26% on-site total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved SDCS, the following should be submitted and approved:</p> <p>A revised SDCS, which shall provide for no less than a 15.09% onsite total C02 reduction in comparison with total emissions from a building which complies with Building Regulations 2013.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the relevant phase.</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 addressing climate change and to secure sustainable development.</p>
12	<p>Landscaping (Details)</p> <p>CONDITION: Notwithstanding the submitted detail and the development hereby</p>

	<p>approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species, size and section showing rooting area; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) inclusive design principles adopted in the landscaped features; h) phasing of landscaping and planting; i) all playspace equipment and structures; and j) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
13	<p>Arboricultural Method Statement (Details)</p>
	<p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> a) Location and installation of services & utilities. b) Location and installation of drainage. c) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees. d) Details of construction within the RPA or that may impact on the retained trees. e) a full specification for the construction of any roads, parking areas and

	<p>driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.</p> <ul style="list-style-type: none"> f) Arboricultural input into the location, size and shape of the turning area for waste collection vehicles. g) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses. h) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing. i) A specification for scaffolding and ground protection within tree protection zones. j) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. k) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires. l) Boundary treatments within the RPA m) Methodology and detailed assessment of root pruning n) Arboricultural supervision and inspection by a suitably qualified tree specialist o) Reporting of inspection and supervision p) Methods to improve the rooting environment for retained and proposed trees and landscaping <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with (Insert relevant policies here) and pursuant to section 197 of the Town and Country Planning Act 1990.</p>
14	<p>Site Supervision (Details)</p>
	<p>CONDITION: Prior to the commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with (Insert relevant policies</p>

	here).
15	Noise of Fixed Plant
	<p>CONDITION: Prior to the first occupation of the residential flats hereby approved sound insulation shall be installed to the Block 6 plant room sufficient to ensure that the noise level within those residential flats does not exceed NR25(L_{eq}) 23:00 – 07:00 (bedrooms) and NR30 (L_{eq}) 07:00 - 2300 (living rooms and bedrooms).”</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
16	Sound Insulation
	<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 style="padding-left: 40px;">Bedrooms (23.00-07.00 hrs) 30 dB L_{Aeq,8 hour} and 45 dB L_{max (fast)} Living Rooms (07.00-23.00 hrs) 35 dB L_{Aeq, 16 hour} Dining rooms (07.00 –23.00 hrs) 40 dB L_{Aeq, 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 ensure that an appropriate standard of residential accommodation is provided.</p>
17	Air Quality
	<p>CONDITION: Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimise the development’s future occupiers’ exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
18	Community Room (Details)
	<p>CONDITION: Full details of the operation of the community room shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details include:</p> <ul style="list-style-type: none"> - Opening times; - Inclusive design measures; - Details of delivery & servicing. <p>The inclusive design 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 ensure that an appropriate standard of residential accommodation is provided.</p>

19	Lighting Plan (Details)
	<p>CONDITION: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the relevant phase of the development hereby approved.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minimised. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
20	Nesting Boxes (Compliance)
	<p>CONDITIONS: Details of bird and bat boxes shall be submitted to and approved by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The bird and bat boxes shall be installed prior to the first occupation of the building to which they form part, or the first use of the space in which they are contained, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
21	No Plumbing or Pipes (Compliance/Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
22	Refuse/Recycling Provided (Details)
	<p>CONDITION: Details of refuse / recycling storage shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site.</p> <p>The dedicated refuse / recycling enclosure(s) approved 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>
23	Cycle Parking (Details)
	<p>CONDITION: Details of bicycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site.</p> <p>The approved bicycle storage shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p>

	<p>REASON: To ensure adequate cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
24	<p>Lifts (Compliance)</p> <p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
25	<p>Roof-Level Structures (Details)</p> <p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts and plant room) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</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. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene or the character and appearance of the area in accordance with policies 3.5, 7.4, 7.6 and 7.8 of the London Plan 2016, policies CS8 and CS9 of Islington's Core Strategy 2011, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
26	<p>Construction and Logistics Plan (Details / Compliance)</p> <p>CONDITION: Prior to works commencing on site, a Construction and Logistics Plan (CLP) shall be submitted to and approved (in consultation with TfL) by the Local Planning Authority.</p> <p>The recommendations within the approved CLP shall be adhered to at all times during the construction process.</p> <p>REASON: To suitably manage impacts on road maintained by TfL.</p>
27	<p>Roof Terrace Screens (Details)</p> <p>CONDITION: Details of screens around proposed roof terraces shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</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 minimise noise and disturbance as well as overlooking.</p>

List of Informatives:

1	<p>Planning Obligations Agreement</p>
	<p>You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.</p>
2	<p>Superstructure</p>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p>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>
4	<p>Car-Free Development</p>
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. 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, or other exemption under the Council Parking Policy Statement.</p>
5	<p>Groundwater</p>
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.</p> <p>Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
6	<p>Water Pressure</p>
	<p>INFORMATIVE: Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
7	<p>Surface Water Drainage</p>
	<p>INFORMATIVE: In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined</p>

	<p>public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.</p>
8	<p>Working in a Positive and Proactive Way</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are 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>
9	<p>Materials</p> <p>INFORMATIVE: In addition to compliance with condition 3 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
10	<p>Construction Management</p> <p>INFORMATIVE: You are advised that condition 4 covers transport and environmental health issues and should include the following information:</p> <ol style="list-style-type: none"> 1. identification of construction vehicle routes; 2. how construction related traffic would turn into and exit the site; 3. details of banksmen to be used during construction works; 4. the method of demolition and removal of material from the site; 5. the parking of vehicles of site operatives and visitors; 6. loading and unloading of plant and materials; 7. storage of plant and materials used in constructing the development; 8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; 9. wheel washing facilities; 10. measures to control the emission of dust and dirt during construction; 11. a scheme for recycling/disposing of waste resulting from demolition and construction works; 12. noise; 12. air quality including dust, smoke and odour; 13. vibration; and 14. TV reception.
11	<p>Sprinkler Systems</p> <p>INFORMATIVE: Though fire safety and floor layout will be further considered though the building control process, you are strongly advised by the London Fire and Emergency Planning Authority to install sprinkler systems as these significantly reduce the damage caused by fire and the consequential cost to business and housing providers, and can reduce the risk to life.</p>

APPENDIX 2: RELEVANT POLICIES

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

National Guidance

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

Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 as amended - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.11 Inner London

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

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

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.7 Renewable energy

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.12 Road network capacity

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

Policy 7.13 Safety, security and resilience to emergency

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS4 (Highbury Corner and Holloway Road)
Policy CS8 (Enhancing Islington's Character)

Policy CS12 (Meeting the Housing Challenge)
Policy CS15 (Open Space and Green Infrastructure)
Policy CS16 (Play Space)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes
DM3.2 Existing housing
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.6 Play space
DM3.7 Noise and vibration (residential uses)

Health and open space

DM6.1 Healthy development
DM6.3 Protecting open space
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

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
DM7.5 Heating and cooling

Transport

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

Infrastructure

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

Designations

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013:

- Highbury Corner & Holloway Road Special Policy Area
- Local / Strategic Cycle Routes
- Employment Growth Area
- Within 100m of TLRN and SRN Road
- Adj. to Canonbury Conservation Area
- Adj. to Upper Street (North) Conservation Area
- Rail Land Ownership – TfL Surface

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Islington Local Plan**
- Environmental Design

- London Plan**
- Affordable Housing & Viability

- Accessible Housing in Islington
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide 2017
- Conservation Area Design Guidelines

- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples
Play and Informal Recreation
- Planning for Equality and Diversity in
London

APPENDIX 3: Design Review Panel

ISLINGTON DESIGN REVIEW PANEL

RE: Dixon Clark Court Estate, Highbury Corner, N1 – pre-application reference Q2016/0657/MJR

Thank you for attending Islington's Design Review Panel meeting on 12 July 2016 for a review of the above scheme. The proposed scheme under consideration is for the creation of 38 new residential dwellings across Dixon Clark Court as well as the removal of existing car park hardstanding and improvements to landscaping and access arrangements.

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (Chair), Lee Mallett, Neil Williamson, Simon Carne and Stuart Piercy on 12 July 2016 including a site visit, presentation from the design team followed by a question and answers session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Panel considered that the general design concept and principles were sound, but raised a number of questions and suggestions for possible improvement.

Panel members felt that there should be greater consideration for the existing building and its residents, in terms of how it is integrated within the proposals but also the impact of the proposals on them. The Panel questioned whether improvements could be made to the existing building, such as a communal garden on the roof to compensate for impacts on existing residents and whether improvements could also be made to the elevation. Panel members felt that there may be an opportunity to provide a penthouse addition that would add value and could be tied in with the alterations at ground floor level. The Panel felt it was important to consider how the existing building could successfully relate to the proposals at ground floor. It was also felt that by including flat layouts of the existing building, the architects could better assess the impact of the proposals on existing residents.

The Panel felt that the proposals needed to show how the development could best connect with the proposed public realm works to Highbury Corner and how these changes could positively impact the public realm outside the site. Panel members commented that street facing buildings



should make a substantial positive contribution to the streetscape. Concerns were raised over the proposed wall fronting the planned Highbury Corner public realm works and how this could be seen as privatising the green space and closing it off when it would be better to make a positive contribution to the public realm. The Panel stated that any proposal for a boundary treatment here should provide a positive feature, both visually and functionally and should not be an obtrusive barrier.

Panel members questioned whether some of the proposed green roofs could be made accessible as private terraces. The Panel welcomed the retention of trees where possible on the site. Panel members questioned the positioning of the bin store overlooking the public space outside the existing building entrance and felt that this could be improved.

The Panel were supportive of the general massing, articulation and permeability of the proposals, however, they thought it would be possible to increase the number of units proposed on the site, particularly by re-considering the north and south east corner blocks. Panel members also suggested that an additional set back storey could be explored. The Panel felt that the long corridors of the north east corner block needed to be better resolved. Panel members acknowledged that the architecture of the proposals is at an early stage, but felt that the Canonbury Road elevation in particular required further consideration.

The Panel felt that integrating the proposals with the adjoining school access and providing much needed additional space was a very positive move, though commented that combining the access would require careful handling. Although not within the development site, the Panel suggested that allowing the potential for further integration with Keens Yard would be welcome and would open up opportunities for greater density and permeability.

Summary

The Panel considered that the general design concept and principles were sound, but that there was room for improvement as the design progresses. Panel members felt that there should be greater consideration for the existing building, in terms of how it is integrated within the proposals, as well as how the development could best connect with the proposed public realm works to Highbury Corner. The Panel also commented that further thought should be given as to whether it is possible to increase the number of units on the site through sensitive design.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in the assessment of the proposal and determination of the application.

Yours sincerely,



Luciana Grave

— Design Review Panel Coordinator
Design & Conservation Team Manager

APPENDIX 4: Independent Viability Appraisal

Dixon Clark Court, N1 2UR

Independent Viability Review

Prepared on behalf of the London Borough of Islington

25th September 2017

Application reference: P2017/2936/FUL



82 South Street, Dorking, RH4 2HD
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Tel: 01483 565 433

1.0 Introduction

- 1.1 We have been instructed by the Planning Authority of the London Borough of Islington ('Islington LPA') to undertake a viability review in respect of a proposed redevelopment of Dixon Clark Court. The applicant is the London Borough of Islington itself.
- 1.2 The proposed development will provide 41 residential units. There are 27 affordable units (all social rent) and 14 open market sale units. This is 66% affordable housing provision, which is above the Council's target of 50% as set out in Core Strategy Policy CS12. This policy states that developments should provide the maximum reasonable level of affordable housing taking into account the 50% strategic target and that, *"It is expected that many sites will deliver at least 50% of units as affordable, subject to a financial viability assessment, the availability of public subsidy and individual circumstances on the site"*.
- 1.3 The 41 new dwelling units will be comprised of the following unit types: 6 x 1B2P, 6 x 2B3P, 25 x 2B4P, 3 x 3B5P and 1 x 4B6P. The scheme will also deliver 39 sq m of D1 community space.
- 1.4 The site is bounded by St Paul's Road to the north, Keen Yard to the east, existing residential uses to the south, and Canonbury Road to the west. Based on the density figures, it appears the site is c.0.36 Hectares.
- 1.5 We have undertaken a review of the cost and value inputs into the appraisal, in order to establish whether the current level of affordable housing delivery proposed by the applicant is the maximum that can reasonably be delivered.
- 1.6 The advice set out in this report is provided in the context of negotiating planning obligations and therefore in accordance with PS1 of the RICS Valuation - Professional Standards (January 2014) (Red Book), the provisions of VPS1 - 4 are not of mandatory application and accordingly this report should not be relied upon as a Red Book Valuation. The Valuation Date for this Viability Review is the date of this report, as stated on the title page. This Viability Review has been undertaken in accordance with the Terms & Conditions provided to the Council and with any associated Letters of Engagement, and should only be viewed by those parties that have been authorised to do so by the Council.

2.0 Conclusions & Recommendations

- 2.1 A report date 12th September from the applicant shows the financial performance of the scheme. This is a 30-year cashflow model and shows the scheme with a positive Net Present Value of £1.91m. This indicates that the scheme is viable and therefore deliverable. The appraisal does not include any allowance for site purchase - i.e. it has a benchmark land value of nil.
- 2.2 The appraisal includes £2.23m of subsidies, referred to as “retained RTB receipts/S106/HRA subsidy”. Without these subsidies, the scheme would show a deficit of *circa*. £0.23m. This represents the residual land value of the scheme, from which in typical viability assessments a benchmark land value would then be deducted in order to determine the overall surplus (or deficit) that the scheme generates. This indicates that the scheme on a stand-alone basis (i.e. without subsidy) is in a deficit position, and therefore no additional social housing provision can be made, over and above that already being proposed. Conversely, the level of market housing cannot realistically be reduced as this is required in order to help fund delivery of the affordable housing. The results of the applicant’s cashflow model is shown in the following table:

Table One - results of applicant’s cashflow model

	Discounted CashFlows at 3% (Based on Long Term cost of Borrowing)
CUMULATIVE 30 YR Cash Flows (EXCLUDING INFLATION)	TODAYS PRICE Base
	£000's
Net Capital Investment (after “free” receipts 141/GLA and OMS Receipts)	£2,230.9
Estimated Future RTB Sales Receipts	-£1,553.4
SO Staircasing receipts (assumed 100% disposal by year 11)	£0.0
Rental Income (Net of BDP & Voids)	-£3,705.0
Shared Equity Rent	£0.0
Income from Commercial Rent	£0.0
Estimated Savings re Temp. Accom.	-£361.2
Rent Loss re Demolitions	£0.0
Management Costs	£428.3
Repair&Maint. Costs	£471.2
Major Repairs (Capital Costs)	£578.2
Project specific - Other Costs	£0.0
POSITIVE NPV	-£1,911.0

- 2.3 The cashflow factors in expected levels of Right to Buy receipts over the course of the development period, and has ascribed a net present value of £2.67m. We have not been provided with the detailed cashflow but have been informed of the assumptions used, namely “25% retained & subject to RTB in yrs 11, 12-15 & 16 at rates of sales in terms of units at 10%, 5% & 10% respectively total 40% by Yr 16.” And we consider these to be realistic assumptions.
- 2.4 The capital receipts are £9.87m, and these are considered necessary in order to cross-subsidize the delivery of social rented housing and community space.

- 2.5 In this case, the applicant has not included a land value as a cost in their appraisal, and has accordingly not compared the residual value against a viability benchmark. This is because the proposed scheme will be a not-for-profit development, and the freehold of the site will remain in the Council's ownership. The Council's key objective is to ensure that the scheme is predominantly self-funding by using capital receipts from the sale of the private flats to fund the development of the affordable housing and community facility. This objective is clearly different to the primary objective of typical private developers which is to maximise profit. We accordingly accept that in this case it is appropriate not to assess viability on the same basis as for a private development.
- 2.6 Whilst it is standard practice to include such a benchmark land value in appraisals for planning purposes - even in circumstances where the landowner retains the site post-development and has owned the site long-term - given that the Council's primary objective is estate regeneration rather than generating a land receipt, it is appropriate to include nil land value in the appraisal.
- 2.7 For the same reason, no developer's profit has been included in the original submission appraisal. This has had the effect of improving the net present value of the scheme. In our experience of Council-led schemes, it is common for some degree of Developer's Return to be included to compensate for exposure to risk, and whilst a profit as high as those required by private developers is not considered necessary, it is common for a profit in the region of 6-10% on Cost to be accepted.
- 2.8 It is standard practice, endorsed by RICS Guidance, that when determining planning applications, the aim should be to reflect industry benchmarks. LPAs should therefore disregard who is the applicant, except in exceptional circumstances (such as personal planning permissions, as planning permissions run with the land). In formulating information and inputs into viability appraisals, these should accordingly disregard either benefits or disbenefits that are unique to the applicant, whether landowner, developer or both. This is the principle (stated in RICS Guidance) that viability assessments for planning purposes should consider the approach of a 'typical', rational landowner, rather than be specific to the applicant in question. It would therefore arguably legitimate for the Council to include those appraisal inputs that would be included by 'typical' developers - i.e. adding profit and benchmark land value, and *omitting* cross-subsidies.
- 2.9 The value of the social rent units has been factored in to the cashflow model, and has a net present value of £3.7m. This suitably reflects the fact that the Council as landowner will retain ownership of the social rent units and will not therefore benefit from any upfront capital receipts - as would be the case in a conventional private development wherein the developer sells the units to a Registered Provider at practical completion.
- 2.10 The appraisal includes deductions for long-term management & maintenance costs which have a net present cost of £1.46m. We have not been provided with the detailed cashflow thus cannot see the assumptions that have been made i.e. the annual level of costs inputted into the cashflow. It does state the management costs are "at 50% of HRA unit cost" but it is unclear what this means.
- 2.11 We have been provided with a cost plan by Walker Management, which our Cost Consultant, Neil Powling, has undertaken a review of, and his full report is in Appendix One. The main conclusion is that the build cost estimate is reasonable, by comparison to BCIS average tender prices.

- 2.12 With respect to the open market sale units, the prices adopted have been estimated in a valuation report that has been prepared by Drivers & Norris. This report contains a detailed schedule of comparable sales evidence, which clearly provides a suitable degree of supporting evidence for these estimates. And from our own research (discussed further below), it can be seen from the above comparable evidence that the estimate values are with the range of locally achieved prices. The prices applied in the appraisal are higher than those adopted in other Council-led regeneration schemes in the area, and this reflects the relatively good location of Dixon Clark Court, in close proximity to Highbury & Islington train station.

3.0 Build costs - BPS discussion

- 3.1 We have been provided with a cost plan by Walker Management, which our Cost Consultant, Neil Powling, has undertaken a review of, and his full report is in Appendix One. The main conclusion is that the build cost estimate is reasonable, by comparison to BCIS average tender prices:

The Applicants build cost rate for the Community Centre is £2,614/m²; the BCIS average rate is £2,709; we are therefore satisfied that the Applicant's estimate for the Community Centre is reasonable. The Applicants build cost rate for the works to the existing building (DCC) is £720/m². We have not benchmarked these works but examined the detailed costings and consider them reasonable.

The Applicants build cost rate for Blocks 1 to 6 is £3,199/m². Our adjusted benchmark is £3,130/m² - a difference of £68/m² (£250,000). The elemental information makes no distinction for storey height resulting in an anomaly for flats below 6 storeys - 67% of the flats GIA is 3-5 storey. We therefore consider the Applicant's costs to be reasonable.

- 3.2 The professional fees are £1.36m, which compares to £10.74m base build thus is realistic in percentage terms.
- 3.3 The cost plan include contingency allowances that total 5% and professional fees of 5.83%, both of which are realistic for a scheme of this nature.

4.0 Private Sales Values - BPS discussion

- 4.1 The private units are comprised of 12 two-beds, and 1 one-bed and 1 three-bed. The capital receipts total £9,870,000 in the appraisal. A price has been assigned individually to each unit, having regard for its specific features. This is thus a highly detailed exercise. The values per sq ft range from £880 to £1,087, with the highest rates being attributed to maisonettes.
- 4.2 The prices adopted have been estimated in a valuation report that has been prepared by Drivers & Norris. This report contains a detailed schedule of comparable sales evidence, which clearly provides a suitable degree of supporting evidence for these estimates. They assume a new-build premium of around 5% which is realistic in our experience.
- 4.3 The site is close to Highbury & Islington tube station which is an important driver of values. However, the close proximity to tower block social housing may act to constrain values somewhat.

4.4 The totals and averages are not provided by Drivers & Norris which makes it difficult to verify that their figures match the £9.87m in the appraisal. However, we have been informed by planning officers that they have indeed used Drivers & Norris's.

4.5 We have undertaken our own research into new-build local market, and have compiled the following average values per sqft from the comparable schemes:

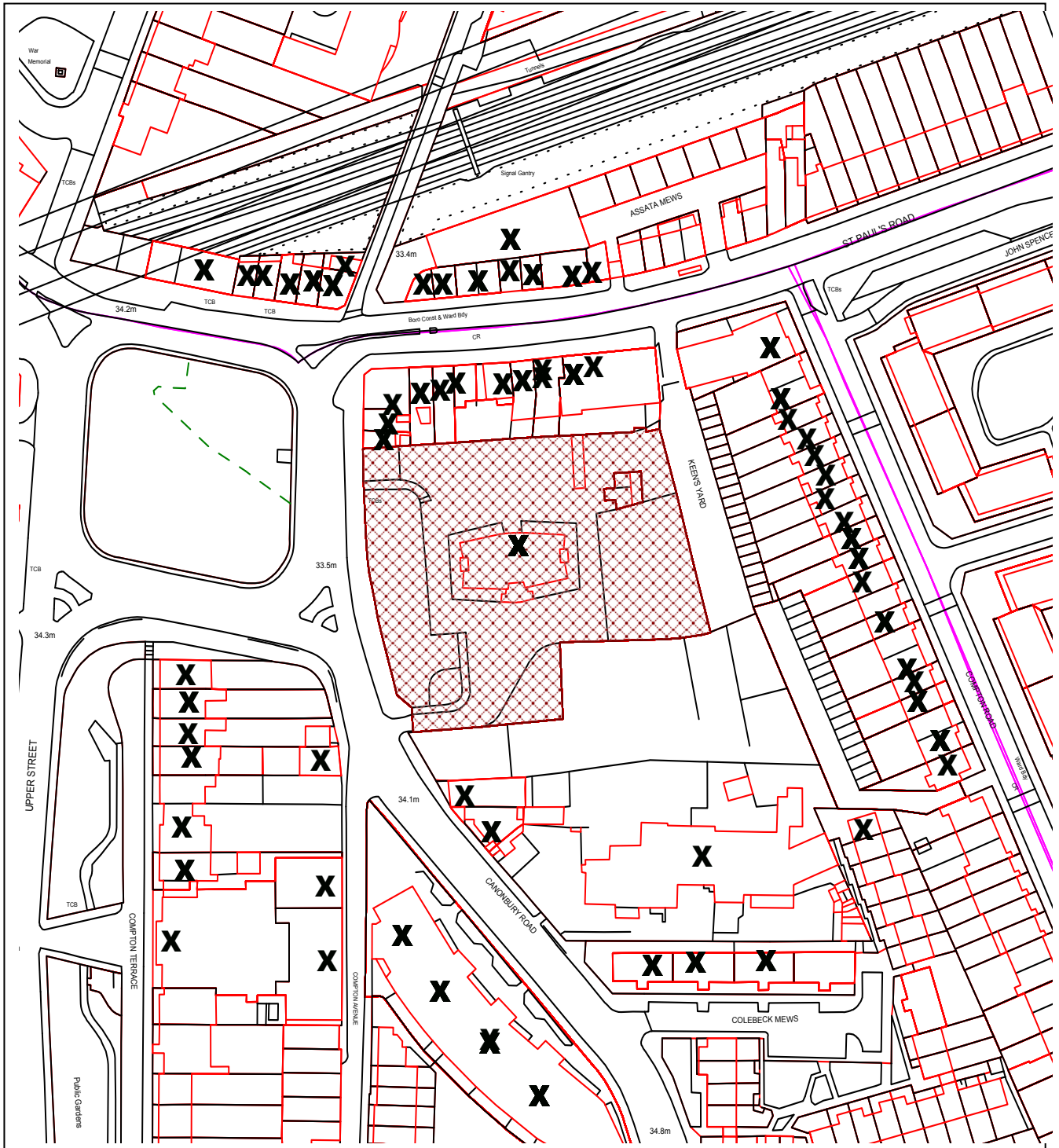
The Harper Building	£880 psf asking
Woodberry Down (Phase 2)	£885 psf asking
Aqua	£765 psf asking
Artisan	£710 psf asking
20Four	£900 psf asking
XY Apartments	£950 psf achieved
321 Holloway Road	£715 psf asking
Queensland Terrace	£800 achieved in latest phase
400 Caledonian Road	£740 psf asking
Rear of Odeon Cinema	£850 psf asking

4.6 More detailed transactional and availability evidence includes:

- *The Harper Building* - sale of a 655 sq ft 2-bed for £590,000, equating £900 per sq ft.
- *No. 2 Tufnell Park Road* - the 748 sq ft 2-bed (flat 19) sold for £647,500 (£866 sq ft) in March 2016. This has no outdoor private amenity space (i.e. no balcony).
- *423-425 Caledonian Road* - Another new-build scheme is a London Square development on Caledonian Road. It has the following current availabilities:
 - 2-bed flat, £719,000, 765 sq ft, £940 per sq ft, Caledonian Road
 - 2-bed flat, £685,000, 765 sq ft, £895 per sq ft, Caledonian Road
- *Hargrave Place* - this is new-build scheme, which is in marginally inferior to the application site in terms of achievable sales values (as shown by heatmap data. It has the following availabilities:
 - 1-bed flat for sale, 500 sq ft, £495,000, £990 per sq ft.
 - 2-bed flat for sale £599,950, 661 sq ft, £908 per sq ft.
 - 2-bed flat for sales £599,950, 649 sq ft, £924 per sq ft.

4.7 It can be seen from the above comparable evidence that the estimate values are with the range of locally achieved prices. The prices applied in the appraisal are higher than those adopted in other Council-led regeneration schemes in the area, and this reflects the relatively good location of Dixon Clark Court, in close proximity to Highbury & Islington train station.

Islington SE GIS Print Template



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P2017/2936/FUL

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PLANNING COMMITTEE		AGENDA ITEM NO: B2
Date:	19 March 2018	NON-EXEMPT

Application number	P2017/2621/S73
Application type	Removal/Variation of Condition (Section 73)
Ward	Canonbury
Listed building	No
Conservation area	No, within 50m of Canonbury Conservation Area and within 50m of East Canonbury Conservation Area
Development Plan Context	Mitchison & Baxter Open Space; Balls Pond Road Verge Open Space; Crossrail 2; Sites of Importance for Nature Conservation (Baxter Road Open Space); Site within 100m of a SRN Road
Licensing Implications	None
Site Address	Dover Court Estate, including land to north of Queen Elizabeth Court and garages to west of and land to north and east of Threadgold House, Dove Road; garages to east of Illford House, Wall Street; Romford House Mitchison Road; land to east of Westcliff House and Ongar House, Baxter Road; land to east of Greenhills Terrace; and garages to rear of and ball court to west of Warley House, Baxter Road, Islington, London, N1.,
Proposal	<p>Application to vary condition 20 (Ballcourt Playspace Management and Maintenance Strategy) and 28 (Opening hours of ballcourt and associated floodlighting) of planning permission P2016/0391/S73 which granted permission for (summary): Demolition of existing two-storey residential building and 81 garages to allow for 70 new homes across 9 infill sites; alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms; a part two, part three-storey terraced row facing Wall Street; a part single, part three and part four-storey extension to the north east corner of Ongar House; a four-storey extension to the west elevation of Ongar House; a three storey terraced row replacing Romford House; a four-storey block between Warley House and No.53 Mitchinson Road; part single, part two-storey terraced row to the end of Warley House; provision of new green space and sports/play facilities, including new ball court, cycle storage, public realm improvements across the estate; and relocation of Baxter Road to the front of Romford House; and associated amendments including increase in overall building heights.</p> <p>CHANGES NOW PROPOSED: To extend the opening hours (including floodlighting) by 1.0 hour to 9.00pm.</p>

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Case Officer	Evie Learman
Applicant	Housing & Adult Social Services, Housing Needs & Strategy
Agent	Pollard Thomas Edwards - Ms Charina Coronado

1. RECOMMENDATION

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

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;
3. 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;
4. where applicable, subject to any direction by the Secretary of State (SoS) to call in the application for determination by the SoS; and/or
5. where applicable, subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. PHOTOS OF SITE/STREET

Photograph 1: Aerial View of Site



3. SITE AND SURROUNDINGS

- 3.1 Dover Court Estate is located on the eastern edge of Canonbury Ward, south of Balls Pond Road and close to the boundary with the London Borough of Hackney. The estate is intersected by Dove Road and Baxter Road both of which run east to west across the site, dividing the site into three main areas.
- 3.2 The original estate comprised of 252 homes spread across six buildings varying in height from two, four and six storey residential blocks, and two residential towers at a height of 10 storeys along with a number of single storey garage blocks and extensive estate and highway parking spaces. Planning permission was granted in 2015 for 70 new homes across various infill sites on the estate. New green space and sports & play facilities, including the ballcourt under consideration here, was also approved as part of the initial application, consented in 2015.
- 3.3 The site is not located within a conservation area, however the East Canonbury Conservation Area wraps around the east, south and west boundaries of the southern most part of the site and Canonbury Conservation Area to the north west of the site. The site and immediately neighbouring properties are not listed.

Site Plan (site outlined in red)



- 3.4 The surrounding built form is predominantly comprised of three and four storey Victorian and Georgian terraces within traditional street layouts. An exception to this is to the north west of the site where Queen Elizabeth Court, sheltered accommodation for over 55s, Leroy House, a commercial property and Canonbury Heights, a converted warehouse in residential use, are all between four and five storeys in height.
- 3.5 Mitchison ball court (under consideration here) and the green space around Baxter Road are both designated Open Space and Sites of Importance for Nature Conservation (SINCs), while the verge to the north and east of Threadgold House fronting Balls Pond Road and Southgate Road is designated Open Space.

4. PROPOSAL (IN DETAIL)

4.1 The application is made under S73 (minor material amendment) of the Town and Country Planning Act (1990) to vary condition 20 (Ballcourt Playspace Management and Maintenance Strategy) and 28 (Opening hours of ballcourt and associated floodlighting) of planning permission P2016/0391/S73 dated 19/05/2016. The amendment sought is to extend the opening hours (including floodlighting) by 1 (one) hour to 9.00pm.

4.2 The below drawings would be added to the approved drawing's/documents:

- Document entitled 'LB Islington – Dover Court New Build Development, Application: This application seeks to vary Planning Conditions 20 & 28'
- Email from Martin G Brown of Metropolitan Police to Alistair Gale of London Borough of Islington dated 05 April 2017
- Document entitled 'Mitchison Baxter Open Space' from Parkguard
- Drawing's FHA-604-PH2-L-101 REV C9; 102 REV C7; 103 REV C7

4.3 The image below shows the approved location of the ball court and also shows the previous location.

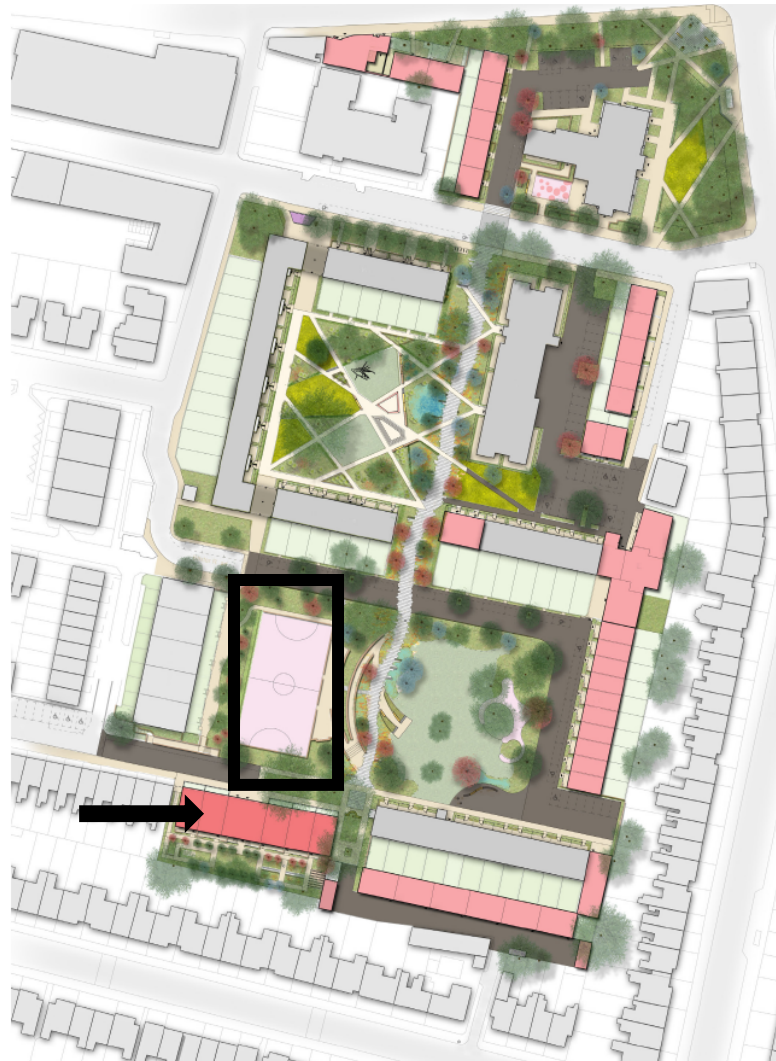


Fig.1: Arrow shows new Block H (23 x 1 bed units for over 55s) where Mitchison Road ballcourt was initially located prior to being relocated south (new location shown in rectangle)

4.4 The initial application (Ref: P2014/3363/FUL) approved at Planning Committee 04/12/2015 was for the following development description:

Demolition of an existing two-storey residential building (Romford House) (Consisting of 18 units) and 81 garages to allow for the construction of 70 new homes (27 x 1 bed, 26 x 2 bed, 15 x 3 bed and 2 x 5 bed) across nine infill sites, consisting of the construction of a part three, part four storey block and a two semi-detached pair of dwellings facing Balls Pond Road, a two-storey block between Dove Road and Balls Pond Road, alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms (measuring 135.8 square metres), a part two, part three storey terraced row facing Wall Street, a part single, part three and part four storey extension to the west elevation of Ongar House, a three storey terraced row replacing Romford House, a four storey block between Warley House and No. 53 Mitchison Road and a part single, part two storey terraced row to the rear of Warley House, and the provision of new green space and sports and play facilities, including a new ball court to the east of Greenhills Terrace, cycle storage, public realm improvements across the state and the relocation of Baxter Road to the front of Romford House.

4.5 The initial application (Ref: P2014/3363/FUL) received 33 objections and 2 petitions also objecting to the application. The initial application included a new ballcourt to the east of Greenhills Terrace (i.e. Dover Court ballcourt) and this element of the proposal attracted the following comments from local residents:

- Objection to the location of the Ball Court to the front of Greenhills Terrace, resulting in noise and light disturbance, anti-social behaviour and reducing views of the front doors.
- Objection to the proposed ballcourt being located close to properties without children
- Suggestion that noise planters should be included around the whole of the new ball court

4.6 These comments were addressed in the committee report as follows

- *A number of representations and a petition have been received regarding the proposed relocation of the ball court to Mitchison Baxter Road open space. The concerns raised mainly relate to potential disturbance from its use, floodlights and anti-social behaviour.*
- *The proposed ball court would replace the existing larger ball court located approximately 15 metres to the south of the proposed location and would be incorporated within an existing amenity area. It would be set within a sunken area to the west of the amalgamated amenity space with a 3.5 metre high green acoustic wall running along the western end and planting beyond this.*
- *The proposed ball court is detailed to be available for use between the hours of 0800 hours to 2100 hours with the floodlights being in operation from dusk to 2100 hours. The submitted Maintenance Strategy for the Ball Court details that the Council's Greenspace South Area Parks Manager would be responsible for the day to day management of the park and act as a point of contact for any complaints or reports of anti-social behaviour.*
- *Whilst the ball court would undoubtedly result in some noise disturbance, this would be limited to the proposed hours of use and it should be noted that the ball court replaces an existing facility in close proximity and amenity space which is currently available for use by the public. Conditions are recommended requiring a Noise Management Plan (condition 25) and details of the proposed floodlighting (condition 30) to be submitted and approved in writing, whilst a condition restricting the hours of use of the floodlights and how these are controlled is also recommended (condition 29).*
- *These conditions together with its sunken location, green acoustic wall, planting and the efficient management of the space would ensure that disturbance from the proposed ball court would be minimised to an appropriate level.*

- 4.7 The new ballcourt has been operational since February 2017 and was initially unlocked. However, the ballcourt has been locked overnight over the last few months in order to comply with conditions 20 (Ballcourt Playspace Management and Maintenance Strategy) and 28 (Opening hours of ballcourt and associated floodlighting) of the most recent consent P2016/0391/S73.
- 4.8 The ballcourt was initially unlocked as a result of budget cuts. The applicants have stated that as a result of budget reviews in 2015 they made the decision to leave the 50% 'lowest-risk' parks unlocked. The submission documents state that a detailed review process was undertaken to determine which facilities should be prioritised for inclusion in a reduced locking service. Factors considered included levels of reported anti-social behaviour associated with sites and facilities. The existing ball court at Mitchison Baxter ball court was not found to be a priority for locking as Anti-Social Behaviour reports were very low.
- 4.9 However funds have since been allocated to facilitate the park being locked at 9pm. A mobile caretaker would undertake this task (which is currently overseen by a contractor) until a more cost effective locking solution can be found (such as a timed magnetic lock). The floodlights are timer controlled and as such they will be timed to switch off at 9pm accordingly.

5. Key Issues

- 5.1 The main issues arising from the proposal relate to:
- Acknowledgement of the scope of what may any may not be considered under Section 73 of the Town and Country Planning Act 1990
 - Nature of the variation and whether the change(s) materially/adversely alter the nature of the scheme
 - Any significant material alterations since the original grant of planning permission

6. Relevant History

- 6.1 While the site has a varied planning history, the only permissions to this variation application are the original permission reference P2014/3363/FUL dated 04 December 2015 and a subsequent section 73 application reference P2016/0391/S73 dated 19 May 2016. The original application approved the following:

“Demolition of an existing two-storey residential building (Romford House)(consisting of 18 units) and 81 garages to allow for the construction of 70 new homes (27 x 1 bed, 26 x 2 bed, 15 x 3 bed and 2 x 5 bed) across nine infill sites, consisting of the construction of a part three, part four storey block and a two semi-detached pair of dwellings facing Balls Pond Road, a two storey block between Dove Road and Balls Pond Road, alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms (measuring 135.8square metres), a part two, part three storey terraced row facing Wall Street, a part single, part three and part four storey extension to the north east corner of Ongar House, a four storey extension to the west elevation of Ongar House, a three storey terraced row replacing Romford House, a four storey block between Warley House and No. 53 Mitchinson Road and a part single, part two storey terraced row to the rear of Warley House, and the provision of new green space and sports and play facilities, including a new ball court to the east of Greenhills Terrace, cycle storage, public realm improvements across the estate and the relocation of Baxter Road to the front of Romford House.”

The section 73 application approved as follows:

Application to vary condition 2 (approved drawings) of planning permission reference P2014/3363/FUL dated 4/12/2015 that granted: Demolition of an existing two-storey residential building (Romford House) & garages to allow for the construction of 70 new homes across nine infill sites, consisting of the construction of a part three, part four storey block & a two semi-detached pair of dwellings facing Balls Pond Road, a two storey block between Dove Road and Balls Pond Road, alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms, a part two, part three storey terraced row facing Wall Street,

a part single, part three & part four storey extension to the north east corner of Ongar House, a four storey extension to the west elevation of Ongar House, a three storey terraced row replacing Romford House, a four storey block between Warley House and No. 53 Mitchinson Road & a part single, part two storey terraced row to the rear of Warley House, & the provision of new green space and sports & play facilities, including a new ball court to the east of Greenhills Terrace, cycle storage, public realm improvements across the estate and the relocation of Baxter Road to the front of Romford House. The amendments sought include: Alterations to blocks A1, A2-A3, B, D, E, F, G to increase the overall heights of the buildings. Two new windows to be installed at ground level & glazing proposed in lieu of railings to the deck accesses of Block H. Minor changes proposed to the garden enclosures of Block I.

7. CONSULTATION

Public Consultation

- 7.1 Letters were sent to occupants of 1080 adjoining and nearby properties at Henshall Street, Threadgold House, Baxter Road, Canonbury Heights, Balls Pond Place, Southgate Road, Essex Road, Dove Road, Newington Green Road, Mitchinson Road, Mildmay Park, Ockendon Road, Wall Street, Tilney Gardens, Callaby Terrace, Greenhills Terrace, Wakeham Street on 9th November 2017. A site notice and press advert were displayed on 16th November 2017. The public consultation of the application therefore expired on 7th December 2017, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 7.2 At the time of the writing of the report a total of 8 public responses had been received from 6 respondents with regard to the application including a 43 signatory petition in support of the application and a 31 signatory petition in objection to the application. The issues raised can be summarised as follows:

Neighbour responses

Support

- 7.3 A 43-signatory petition in support from the London Hardcourt Bike Polo Association (LHBPA) has been received. The reasons for support are summarised as follows:

The ball court is used on a weekly basis to play bike polo and has been for last nine years. The bike polo team were consulted by the developers of the new court and contributed to its design which has bike polo-specific features

Closing the court at 8 instead of at 9 reduces the amount of time available for everyone to use the ball court and has led to disputes. LHBPA have historically played at the court once or twice per week for a two-hour session, from 7-9. The local children generally use the court until 7pm. Since a two-hour slot is needed to play the LHBPA are effectively unable to use the court with the 8pm closing time.

There have been no problems at the court except for those which have been caused by the earlier closing time which is resulting in some level of conflict between the LHBPA and the local children.

The LHBPA believe the earlier closing time may go against Islington's planning policy DM6.4 (Local Plan Development Management Policies, p. 104), which specifies that sport and recreation provision should not be reduced in a regeneration scheme.

Objections

- 7.4 A 31-signatory petition from local residents objecting to the application has been submitted. The reasons for objecting to the application are summarised as follows:

Council officers should not be trying to overturn the planning conditions that were required by Councillors at the Planning Committee in January 2015 and revert to their original plans – thus

ignoring the concerns of the residents expressed clearly at the time, and the decision of the Councillors.

At the original planning meeting in January 2015 a petition was submitted by residents expressing concerns about noise, anti-social behaviour and light pollution from the new ballcourt. Councillors sympathised with these concerns and accepted they were legitimate and valid and they required certain conditions to be met for the development to go ahead, including that the ballcourt was locked and lights turned off by 8pm.

The ballcourt opened in January 2017 and, during the spring and summer months in particular, the noise on the ballcourt has been significant and has attracted anti-social behaviour at night. Residents have complained multiple times issues with the ballcourt and the condition of locking it at 8pm has not been met.

Residents' original concerns still stand – 9pm is too late for this facility to be open. Unlike other facilities in the borough that might have a later closing time, this ballcourt is near proximity on almost every side of densely populated housing of four floors or above. The noise bounces off the surrounding buildings and is intrusive in people's homes, requiring residents to close windows even in the height of summer and making sleep difficult.

Extending the opening hours will be detrimental to the peace and wellbeing of residents living near the ballcourt, including those due to move in to the new block for elderly residents which is currently being built right next to the ballcourt.

- 7.5 Other responses (in addition to the petition) have also been received in objection. These concerns are largely similar to those outlined above. In addition, concern has been raised regarding users of the court yelling and screaming and the court attracting anti-social behaviour.

Officer response: some of the concerns raised are not material planning considerations. Concerns regarding noise and disturbance is discussed from paragraph 11.10.

7.6 **Relevant Statutory Duties & Development Plan Considerations & Policies**

- 7.7 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:

- 7.8 *To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);*

To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);

- 7.9 The NPPF states at paragraph 14 that

“at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay...”

- 7.10 It further states at Paragraph 2 that:

“Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”.

- 7.11 It states at paragraph 7 that sustainable development has an economic, social and environmental role.

- 7.12 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 7.13 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 7.14 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 7.15 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.16 **Non-planning issues**
- 7.17 Concern has been raised as to why the ball-court was built if council officers were aware that they could not comply with the planning conditions imposed at committee (given there was a two-year delay between planning committee in January 2015 and the ball-court opening in February 2017).
- 7.18 Concern has also been raised that the application should be presented to Planning Committee rather than decided under delegated authority.

8 External Consultees

Designing Out Crime Officer: no objection

Crossrail2: no comment

9 RELEVANT POLICIES

National Guidance

- 9.1 The National Planning Policy framework 2016 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 planning consideration and has been considered as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013:
- Site of Importance for Nature Conservation (SINC)
 - Open Space
 - Within 100 metres of Strategic Road Network
 - Within 50 metres of Canonbury Conservation Area
 - Within 50 metres of East Canonbury Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Environmental Impact Assessment

- 9.5 An EIA screening was not submitted. However, the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 developments of the EIA Regulations (2011).

10 EVALUATION

Scope of the Consideration of the Case under Section 73 of the T&CPA

- 10.1 Section 73 of the Town and Country Planning Act 1990 concerns 'Determination of application to develop land without compliance with conditions previously attached'. It is colloquially known as 'varying' or 'amending' conditions. Section 73 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under s73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it. The application cannot be used to vary the time limit for implementation.
- 10.2 When deciding an application that is significantly progressed on site under s.73, the local planning authority should only consider the conditions/s that are the subject of the application – it is not a complete re-consideration of the application, as the implemented permission carries substantial weight.
- 10.3 If the application is for minor material amendments to an approved scheme then the local planning authority can consider those issues which arise as a result of the new elements. In this case, there has been no change in policy relevant to the subject matter of the s73 application.
- 10.4 Section 73 amendment applications can be granted unconditionally or subject to different conditions. The original planning permission will continue to subsist whatever the outcome of the application under s.73. when assessing s.73 applications the previously granted planning permission is a significant material consideration, which impacts heavily on the assessment of the proposal. If the original permission has not yet expired, the applicant may go ahead and complete the original approved scheme if they wish.

11 Nature of the variation

- 11.1 The applicant has submitted an application to amend condition 20 (Ball-court Play-space Management and Maintenance Strategy) and 28 (Opening hours of ball-court and associated floodlighting) of planning permission P2016/0391/S73 dated 19/05/2016 (carried forward from the original planning permission ref: P2014/3363/FUL). With regards to condition 20 the strategy document that was originally submitted stated *the sports area will be open from 8am to 9pm,*

with floodlights operating from dusk until closing time. The wider park will not have a boundary fence and will therefore be open at all times". As the applicant wishes to revert to a 9pm closing time, condition 20 will remain as is.

Conditions Required to be Amended

11.2 Condition 2 (Approved Plans) will need to be updated to add the following:

- *Document entitled 'LB Islington – Dover Court New Build Development, Application: This application seeks to vary Planning Conditions 20 & 28' revised*
- *Email from Martin G Brown of Metropolitan Police to Alistair Gale of London Borough of Islington dated 05 April 2017*
- *Document entitled 'Mitchison Baxter Open Space' from Parkguard*
- *Drawing's FHA-604-PH2-L-101 REV C9; 102 REV C7; 103 REV C7*

11.3 Condition 20 (Play Space Management and Maintenance Strategy) as mentioned above, will remain unchanged as follows:

CONDITION: The ball court and play equipment, with the exception of the sand pit shall be managed and maintained in accordance with the Playspace Management and Maintenance Strategy on pages 86 and 86 of the Design and Access Statement hereby approved. (*should read 87)*

A Management and Maintenance Strategy for the sand pit shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: To ensure the safe maintenance and management of play space and equipment.

11.4 Condition 28 (Ball Court use and floodlights) will change from:

CONDITION: The ball court and associated floodlighting hereby approved shall be operated during the hours of 0800-2000 only. Outside of these hours the ball court shall be locked. The use of the floodlights within these hours shall be controlled by a photocell detector and a timer switch.

REASON: To protect the amenity of neighbouring occupiers adjacent to the ball court and to protect the wider biodiversity value of the site.

To:

CONDITION: The ball court and associated floodlighting hereby approved shall be operated during the hours of 0800-2100 only. Outside of these hours the ball court shall be locked. The use of the floodlights within these hours shall be controlled by a photocell detector and a timer switch.

REASON: To protect the amenity of neighbouring occupiers adjacent to the ball court and to protect the wider biodiversity value of the site.

11.5 The amendment would enable the ball-court to operate an hour later (until 9pm) than is currently permitted. The floodlights are already operated remotely and so the switch-off time could be adjusted accordingly. In terms of locking the court, the applicants have stated in their supporting documentation that a mobile caretaker would take over this task (which is currently being undertaken by a contractor). Whilst the mobile caretaker would aim to lock the court at 9pm, in practice it may be slightly earlier or slightly later depending on any occurrences whilst locking other sites earlier in the round. The applicants have stated that the mobile caretaker arrangement may in the future be superseded by a technological locking solution; e.g. a timer magnetic lock, which the applicants are currently looking to identify, however for the purposes of the current application

the proposal is to continue to use a contractor to lock the court in the immediate future with a view to a mobile caretaker taking over the locking of the court in the near future.

- 11.6 The condition to lock the court at 8.00pm resulted from the 2015 Planning Committee whereby, following resident concerns about noise emission from use of the court, Councillors amended the closing time of the ball court from the 9pm that was originally intended to 8pm.
- 11.7 However, since the ball-court opened in February 2017 it has not been locked. This is as a result of budget cuts which came into effect in 2015 which effectively stopped locking sites which were considered to be low-risk in terms of anti-social behaviour. The court has been locked in recent months (since the summer) because Greenspace have been able to secure a temporary additional expenditure to cover the cost of a contractor locking the court. It should be noted that whilst the ball-court can be locked it sits within a larger open space which is unfenced and thereby will be open for use by anyone once the open park space works have been completed.
- 11.8 Since opening the new ball court, there have been reports of tension developing between the long term court users and residents due to the reduced operational hours of the floodlights. It is considered that if the additional opening hour is permitted this would enable the court to be used without conflict.
- 11.9 However whilst the additional operational hour may to some degree resolve conflicts with the court users, it would also give rise to concerns from neighbouring occupiers in terms of noise and disturbance. This is further discussed below.

Neighbour Impacts

- 11.10 Concern has been raised by neighbouring occupiers that the relocation of the court has resulted in significant levels of noise and disturbance. Neighbours are concerned that an additional hour of operation will exacerbate this adverse impact.
- 11.11 The ball court has relocated approximately 15 metres to the north of the original location and has been incorporated within an existing amenity area. It is set within a sunken area to the west of the amalgamated amenity space with a 3.5 metre high green acoustic wall running along the western end and planting beyond this.
- 11.12 Whilst it is acknowledged the ball court results in some noise and disturbance, this is limited to the hours of use and it is noted that the ball court has replaced an existing facility in close proximity. It is also noted that there is public amenity space around the ball-court which is readily accessible and available to use at anytime. As such whilst the operational hours of the court can be controlled the large amenity area adjacent to the court is publicly accessible 24/7.

Crime prevention

- 11.13 The application documents include comments from the Metropolitan Police Crime Prevention facility who note as follows:

“The lighting of the site is essentially what prevents the ball court from being used – as much as locking the gates. The previous ball court operated a lighting strategy until 2100 hrs, which to my mind is a sensible and appropriate time. I understand that there are requests for these hours to be reduced until 2000 hrs, I would recommend against this, on the following rationale. The most effective way to ensure that the site is not misused, is to provide the best opportunity for it to be used by legitimate users. The period 2000-2100 hrs is not typically a time in which you will get anti-social behaviour (it needs to be later) but it is a timeframe when working people get home from work, eat etc and then go to the facility to participate in organised games. The more legitimate users present the less opportunity for crime and anti-social behaviour and the site almost becomes self-policing.

So I feel that a reduction in hours of use (by lighting) from 2100 to 2000 will potentially have a negative effect on the site – whilst it is important for the site not to encourage misuse and anti-social behaviour, its primary objective is to benefit the community and to provide access to

legitimate users...it should also be noted that during the summer months that it will be light enough beyond 2100 hrs that people could use the area if they chose to”.

Significant material alterations since the original grant of planning permission

- 11.14 Since the grant of the section 73 reference P2016/0391/S73 there have been no material changes or alterations which would be considered to have bearing on the changes under consideration here.

12. SUMMARY

12.1 The application proposes an extension of hours by 1-hour. The relocation of the court in closer proximity to neighbouring residents has the benefit of providing natural surveillance and potentially improving security of the facility. However, it also results in significant levels of noise and disturbance to these same neighbouring occupiers. The relocated ballcourt lies within a wider public amenity area which can be accessed at any time of the day and night. The ballcourt primarily attracts legitimate users wishing to use the facility for organised games whilst the wider area can be used indiscriminately.

12.2 Whilst the neighbour concerns are noted, given the location of the site within a larger amenity area, it is not considered that an increase in opening hours would result in a significant difference to the use of the wider area overall nor unacceptable noise nuisance impacts. Furthermore, any anti-social behaviour can continue to be reported to the Council’s Anti-Social Behaviour Team.

12.3 Given the above, whilst disturbance to neighbouring occupiers is noted, the wider public benefit of increased sport and recreation facility access, is considered to outweigh that harm.

13. Conclusion

13.1 It is recommended that planning permission be granted subject to conditions and Director’s letter / s106 legal agreement as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to a Director's Agreement between Housing and Adult Social Services Directorate and Planning and Development 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:

- On-site provision of affordable housing in line with submission documents including provision of 70% affordable housing (Social Rent). All measured by habitable rooms.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBH Highways. Conditions surveys may be required.
- The designation of 8 on-street parking bays as adopted highway parking spaces (i.e. re-designate some estate roads to publicly adopted highway). Changes to highways (and subsequent impacts on parking, street lighting and trees) are to be agreed with the Traffic and Parking, and Highways services.
- Compliance with the Code of Employment and Training.
- Facilitation of 4 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £20,000 to be paid to LBI. Developer/contractor to pay wages (must meet minimum national wage). London Borough of Islington Construction Works Team to recruit of and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £7136 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- The removal of eligibility for residents' on-street parking permits.
- Prior to the demolition of the exiting building a Green Performance Plan shall be submitted to and approved by the Local Planning Authority.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £142, 931); Total amount to be confirmed by the Council's Energy Conservation Officer after approval of Condition 14 (Solar Photovoltaic Panels) and Condition 19 (Energy Efficiency).
- Submission of a draft framework Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase

(provision of a travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (Compliance)</p> <p>CONDITION: The development hereby permitted shall be begun before 04 December 2018.</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 (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Proposed Development - Dover Court - Updated Daylight and Sunlight Study dated 23 March 2016, Letter 15-004PL dated 9 March 2016, 462-PL-500, 462-PL-311 Rev A, 462-PL-312, 462-PL-313 Rev A, 462-PL-314 Rev A, 462-PL-315, 462-PL-316, 462-PL-317 Rev A, 462-PL-318 Rev A, 462-PL-319, 462_PL_001 Rev A, 462_PL_002 Rev B, 462_PL_003 Rev B, 462_PL_004 Rev E, 12/1630 01/P, 12/1630 02/P, 12/1630 03, 12/1630 04, 12/1630 05, 12/1630 06, 12/1630 07, 12/1630 01, 12/1630 02, FHA-604-D-101 Rev C, FHA-604-D-102 Rev A, FHA-604-D-103 Rev A, FHA-604-D-104 Rev A, FHA-604-D-201 Rev C, FHA-604-D-202 Rev A, FHA-604-D-401 Rev B, FHA-604-D-402 Rev A, FHA-604-D-501 Rev A, FHA-604-D-502 Rev A, 462_SK_PL_105 Rev B, 462_PL_100 Rev C, 462_PL_101 Rev B, 462_PL_102 Rev C, 462_PL_103 Rev B, 462_PL_104 Rev D, 462_PL_110 Rev D, 462_PL_111 Rev D, 462_PL_112 Rev D, 462_PL_113 Rev D, 462_PL_114 Rev D, 462_PL_120 Rev E, 462_PL_121 Rev E, 462_PL_122 Rev E, 462_PL_123 Rev E, 462_PL_124 Rev E, 462_PL_130 Rev C, 462_PL_131 Rev C, 462_PL_132 Rev C, 462_PL_133 Rev C, 462_PL_134 Rev C, 462_PL_201 Rev B, 462_D_001 Rev B, 462_D_002 Rev B, 462_D_003 Rev B, 462_D_004 Rev B, 462_D_005 Rev B, 462_D_006 Rev B, 462_D_007 Rev B, 462_D_008 Rev B, 604_L_001 Rev B, 604_L_002 Rev A, 604_L_003 Rev A, 604_L_101 Rev C, 604_L_201 Rev C, 604_L_301604_L_401 Rev B, Planning Statement ref: LBI/DCE/02, Design and Access Statement July 2014, Arboricultural Impact Assessment Ref: DFCEP2110, Transport Assessment Ref 29930 Rev 1.1, Response to LBI Transport Officer Note No. 1 (received 25/11/2014), Noise Impact Assessment Ref: 29930 Rev 01 July 2014, Proposed Ball Court Noise Impact Assessment Ref: 29930 Rev 01 April 2014, Barrier Correction details (received 24/11/2014), Air Quality Assessment Ref: 29930/3002, Ecology Appraisal June 2014, Landscape Management and Maintenance Plan Rev A, External Lighting Calculation for Planning, External Rev A, External Artificial Lighting Rev A for submission, Flood Risk Assessment and Drainage Strategy Ref: K14/0111, Energy Strategy Ref G6/K130863 Rev 02 and response to Islington Planning Comments Ref K130863 (received 24/11/2014).</p> <p><i>New drawing's/documents:</i></p> <ul style="list-style-type: none"> • Document entitled 'LB Islington – Dover Court New Build Development, Application: This application seeks to vary Planning Conditions 20 & 28' revised • Email from Martin G Brown of Metropolitan Police to Alistair Gale of London Borough of Islington dated 05 April 2017 • Document entitled 'Mitchison Baxter Open Space' from Parkguard • Drawing's FHA-604-PH2-L-101 REV C9; 102 REV C7; 103 REV C7

	<p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Phasing (Details)</p> <p>CONDITION: The development shall only be carried out in accordance with the phasing plan previously approved by the Local Planning Authority by decision dated 18 April 2016 (application reference P2016/0027/AOD).</p> <p>REASON: To ensure an adequate provision of amenity space including a ball court during construction and limit adverse impacts upon biodiversity and the amenities of neighbouring residential properties, and to ensure that the development is implemented to the satisfaction of the Local Planning Authority.</p>
4	<p>Materials and Samples (Details)</p> <p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work of the relevant phase commencing on site. The details and samples shall include:</p> <p>a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, pointing and perforated brickwork including the glazed brick and boundary walls shall be provided;</p> <p>b) window reveals, soldier courses and balconies;</p> <p>c) Zinc cladding;</p> <p>c) Metal sheet cladding including perforated pattern;</p> <p>d) Roof capping;</p> <p>e) Doors; timber doors and aluminium entrances/screens;</p> <p>f) Aluminium/timber composite window treatment;</p> <p>g) Canopies;</p> <p>h) Timber screens;</p> <p>i) Balustrades;</p> <p>j) Balcony materials;</p> <p>k) Roofing materials;</p> <p>l) Green procurement plan; and</p> <p>m) Any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	<p>Demolition and Construction Management Plan and Demolition and Construction Logistics Plan (Compliance)</p> <p>CONDITION: The development shall only be carried out in accordance with the Demolition and Construction Management Plan (DCMP) and a Demolition and Construction Logistics Plan (DCLP) previously approved by the Local Planning Authority by decision dated 18 April 2016 (application reference P2016/0027/AOD).</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved DCMP and DCLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
6	<p>Construction Environmental Management Plan (Compliance)</p> <p>CONDITION: The development shall only be carried out in accordance with the Construction Environmental Management Plan (CEMP) previously approved by the Local Planning Authority by decision dated 18 April 2016 (application reference P2016/0027/AOD).</p>

	<p>REASON: In the interests of residential and local amenity, and air quality, in accordance with policies 7.14 and 7.15 of the London Plan 2011, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
7	<p>Obscure Glazing and Privacy Screens (Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved the following windows shall only be obscurely glazed:</p> <ul style="list-style-type: none"> - First floor west (rear) facing windows to units B1, B2 and B3 - First floor east facing windows to unit D6 - First floor west facing windows to unit D7 - Easternmost first floor south (front) facing window to Unit I5 - Second floor east facing element of bay window in Unit D1 - The first, second and third floor windows in the east elevation of Block E shall only be obscurely glazed up to half the height of the window <p>And the following balconies/roof terraces shall have an obscured frameless glass privacy screen up to a height of 1.7 metres above finished floor level:</p> <ul style="list-style-type: none"> - Eastern end of third floor roof terrace to Block A; - Eastern end of first, second and third floor balconies on south elevation of Block E; <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.</p>
8	<p>Piling Method Statement (Details)</p> <p>CONDITION: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p>
9	<p>Accessible Homes (Compliance)</p> <p>CONDITION: With the exception of Unit F1 and F2 the residential dwellings hereby approved within the development, shall be constructed so that they meet building regulation M4 (2) - 'accessible and adaptable dwellings'.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
10	<p>Wheelchair Accessible Units (Compliance)</p> <p>CONDITION: The eight (8) wheelchair accessible dwellings of the development as identified in the approved documents shall be provided and fitted out prior to the first occupation of the development.</p> <p>REASON: To secure provision of the appropriate number of wheelchair accessible units in a timely fashion and to: address the backlog of and current unmet accommodation needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families.</p>

11	<p>Wheelchair Accessible Car Parking (Compliance)</p> <p>CONDITION: The nineteen (19) disabled parking bays hereby approved shall be constructed and available for use by eligible occupants of the wheelchair accessible units approved and existing blue badge holders within this development prior to the first occupation of the development and shall be appropriately line-marked and thereafter kept available for their intended use at all times if and when required.</p> <p>REASON: To ensure that the design and construction of the disabled parking bays are appropriate and meet with the council's design criteria, furthermore that the new bays are designed to a suitable standard which ensures that they are eligible for adoption.</p>
12	<p>Code for Sustainable Homes (Compliance)</p> <p>CONDITION: With the exception of Block A and Block I, the residential units hereby approved shall achieve a standard equivalent to Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>The residential units in Block A and I shall achieve a standard equivalent to Code for Sustainable Homes rating of 3 and achieve all of the credits detailed in the Energy Strategy hereby approved.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
13	<p>Solar Photovoltaic Panels (Compliance)</p> <p>CONDITION: The development shall only be carried out in accordance with the details of solar photovoltaic panels previously approved by the Local Planning Authority by decision dated 18 March 2016 (application reference P2016/0729/AOD).</p> <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
14	<p>Water Use (Compliance)</p> <p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
15	<p>Green/Brown Biodiversity Roofs (Details)</p> <p>CONDITION: Prior to any superstructure work commencing on the development details of the biodiversity (green/brown) roofs shown across the development shall be submitted to and approved in writing by the Local Planning Authority</p> <p>The green/brown roof shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80 -150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roofs should be maximised across the site and 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 as approved, shall be laid out within 3 months of next available appropriate planting season after the construction of the building it is located on and shall be maintained as such thereafter.</p>

	REASON: To ensure the development provides the maximum possible provision towards creation of habitats, valuable areas for biodiversity and minimise run-off.
16	Rainwater Butts and Composting (Details)
	<p>CONDITION: Details of rainwater butts and composting facilities shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite.</p> <p>The details as approved shall be brought into use prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: To ensure the sustainable use of water and in accordance with sustainability policy.</p>
17	SUDS (Compliance)
	<p>CONDITION: The sustainable urban drainage system (SUDS) shall be fully installed in strict accordance with the details hereby approved, operational prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: In order to ensure that sustainable management of water and flood prevention.</p>
18	Energy Efficiency – CO2 Reduction (Compliance/Details)
	<p>CONDITION: The development shall only be carried out in accordance with the revised Energy Strategy previously approved by the Local Planning Authority by decision dated 18 March 2016 (application reference P2016/0729/AOD).</p> <p>The final agreed scheme approved by decision dated 18 March 2016 (application reference P2016/0729/AOD) shall be installed and in operation 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: In the interest of addressing climate change and to secure sustainable development.</p>
19	Landscaping (Details)
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <ol style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species and size; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) all playspace equipment and structures; and h) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p>

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
20	<p>Play Space Management and Maintenance Strategy (Compliance/Details)</p> <p>CONDITION: The ball court and play equipment, with the exception of the sand pit shall be managed and maintained in accordance with the Playspace Management and Maintenance Strategy on pages 86 and 86 of the Design and Access Statement hereby approved.</p> <p>A Management and Maintenance Strategy for the sand pit shall be submitted to and approved in writing by the Local Planning Authority.</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 the safe maintenance and management of play space and equipment.</p>
21	<p>Tree Protection and Arboricultural Method Statement</p> <p>CONDITION: The development shall only be carried out in accordance with the scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) previously approved by the Local Planning Authority by decision dated 8 April 2016 (application reference P2016/0032/AOD).</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
22	<p>Site Supervision (Details)</p> <p>Condition: The development shall only be carried out in accordance with the scheme of supervision and monitoring for the arboricultural protection measures previously approved by the Local Planning Authority by decision dated 8 April 2016 (application reference P2016/0032/AOD).</p> <p>This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
23	<p>Ecological Protection Site Pack (Compliance)</p> <p>CONDITION: The development shall only be carried out in accordance with the Ecology Protection Site Pack (EPSP) approved by the Local Planning Authority by decision dated 8 April 2016 (application reference P2016/0032/AOD) unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Any breaches or non-compliances with the agreed EPSP must be reported to the Local Planning Authority's Biodiversity Team as soon as practical and confirmed in writing no later than six (6) hours of the event.</p> <p>Photographic evidence of any breaches or non-compliances together with remedial measures and proposed timescale for remediation shall be agreed in writing by the Local Planning Authority's Biodiversity Team and shall be carried out as agreed and in accordance with the agreed timescale.</p> <p>The EPSP, site inspection regime and watching brief shall be undertaken by a suitably qualified ecologist consultant.</p> <p>REASON: In the interests of ensuring that the biodiversity value and protected species that may be within the site.</p>

24	<p>Ball Court Noise Management Plan (Details)</p> <p>CONDITION: A Noise Management Plan assessing the impact of the ball court shall be submitted to and approved in writing by the Local Planning Authority prior to the ball court use commencing on site. The report shall assess impacts during the operational phase of the ball court on nearby residents and other occupiers together with means of mitigating any identified impacts. The ball court shall be operated 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 protect the amenity of neighbouring occupiers.</p>
25	<p>Sound Insulation (Compliance)</p> <p>CONDITION: For all the approved residential units sound insulation and noise control measures shall be used to 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) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour Dining rooms (07.00 -23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures 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 ensure that an appropriate standard of residential accommodation is provided.</p>
26	<p>Roof Top Plant (Compliance)</p> <p>CONDITION: 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: 1997.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
27	<p>Air Quality (Details)</p> <p>CONDITION: Prior to the first occupation of Block A a scheme of ventilation shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be brought into use prior to the first occupation of the relevant part of the development and retained as such permanently thereafter.</p> <p>REASON: To ensure an adequate air quality to residential occupiers.</p>
28	<p>Ball Court use and floodlights (Compliance)</p> <p>CONDITION: The ball court and associated floodlighting hereby approved shall be operated during the hours of 0800 - 2100 only. Outside of these hours the ball court shall be locked. The use of the floodlights within these hours shall be controlled by a photocell detector and a timer switch.</p> <p>REASON: To protect the amenity of neighbouring occupiers adjacent to the ball court and to protect the wider biodiversity value of the site.</p>
29	<p>Lighting Plan (Details)</p> <p>CONDITION: The development shall only be carried out in accordance with the details of the lighting at the site, including floodlights to the ball court previously approved by the Local Planning Authority by decision dated 8 April 2016 (application reference P2016/0032/AOD).</p> <p>The lighting measures shall be installed prior to the first use of the relevant part of the site and shall be maintained as such thereafter.</p>

	<p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
30	<p>Nesting Boxes (Compliance)</p> <p>CONDITIONS: The development shall only be carried out in accordance with the details of bird and bat nesting boxes previously approved by the Local Planning Authority by decision dated 8 April 2016 (application reference P2016/0032/AOD).</p> <p>The nesting boxes shall be installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
31	<p>Delivery Servicing Plan (Details)</p> <p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements for the residential units and the community rooms including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from 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>
32	<p>Site Waste Management Plan (Details)</p> <p>CONDITION: Full particulars and details of a Site Waste Management Plan (SWMP) which ensures waste produced from any demolition and construction works is minimised shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is commenced and the development shall not be carried out otherwise than in accordance with the particulars so approved.</p> <p>The SWMP shall identify the volume and type of material to be demolished and or excavated and include an assessment of the feasibility of reuse of any demolition material in the development. The SWMP shall also consider the feasibility of waste and materials transfer to and from the site by water or rail transport wherever that is practicable.</p> <p>REASON: To maximise resource efficiency and minimise the volume of waste produced, in the interest of sustainable development.</p>
33	<p>Down pipes (Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
34	<p>Refuse/Recycling Provided (Details)</p> <p>CONDITION: Details of the dedicated refuse / recycling enclosure(s) shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse / recycling stores 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, to ensure that responsible waste management practices are adhered to and to secure the high quality design of the structures proposed.</p>

35	Cycle Parking (Compliance)
	<p>CONDITION: Details of the bicycle storage areas shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved bicycle stores shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
36	Community Rooms (Compliance)
	<p>CONDITION: The community rooms hereby approved shall not be operated within any other use falling within the D1 use class unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that there is adequate provision of community space at the site.</p>
37	Permitted Development Rights (Compliance)
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no works under Schedule 2, Part 1 of the above Order shall be carried out to the dwellinghouses hereby approved without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouses in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>

Your attention is drawn to any **INFORMATIVES** that may be listed below

1	Planning Obligations Agreement
	<p>INFORMATIVE: You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.</p>
2	Superstructure
	<p>INFORMATIVE: DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
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>

4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. 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, or other exemption under the Council Parking Policy Statement.</p>
5	Water Infrastructure
	<p>INFORMATIVE: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	Working in a Positive and Proactive Way
	<p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are 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>
7	Materials
	<p>INFORMATIVE: In addition to compliance with condition 4 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
8	Conditions Previously Approved
	<p>CONDITIONS</p> <p>The above conditions have been re-applied largely unchanged from their original wording as set out in the permission ref: P2014/3363/FUL dated 04/12/2015 (as amended by permissions refs: P2016/0391/S73 and P2017/0941/NMA), however it is acknowledged that many of these conditions have been fully or partially discharged or rendered obsolete by the approval of applications submitted subsequent to the above mentioned permission dated 04/12/2015. For the avoidance of doubt, there is no expectation for further submissions to be made pursuant to these conditions.</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 2016, 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 2016 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential 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 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

Policy 3.18 Education facilities

Policy 3.19 Sports facilities

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralise energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.19 Hazardous waste

Policy 5.20 Aggregates

Policy 5.21 Contaminated land

Policy 5.22 Hazardous substances and installations

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.6 Aviation

Policy 6.7 Better streets and surface transport

Policy 6.8 Coaches

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 6.14 Freight

Policy 6.15 Strategic rail freight interchanges

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 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.11 London View Management Framework

Policy 7.12 Implementing London View Management Framework

Policy 7.13 Safety, security and resilience to emergency

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature
Policy 7.20 Geological conservation
Policy 7.21 Trees and woodlands

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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)

Policy CS15 (Open Space and Green Infrastructure)
Policy CS16 (Play Space)
Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation
Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health and Impact Assessments)
Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes
DM3.2 Existing housing
DM3.3 Residential conversions and extensions
DM3.4 Housing standards
DM3.5 Private outdoor space
DM3.6 Play space
DM3.7 Noise and vibration (residential uses)
DM3.8 Sheltered housing and care homes
DM3.9 Houses in Multiple Occupation, hostels and student accommodation

Shops, culture and services

DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

DM6.1 Healthy development
DM6.2 New and improved public open space
DM6.3 Protecting open space
DM6.4 Sport and recreation
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.2 Energy efficiency and carbon reduction in minor schemes
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 heating and cooling

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

3. **Designations**

The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Rail Safeguarding Area
- Site of Importance for Nature Conservation (SINC)
- Open Space
- Within 100 metres of Strategic Road Network
- Within 50 metres of Canonbury Conservation Area
- Within 50 metres of East Canonbury Conservation Area

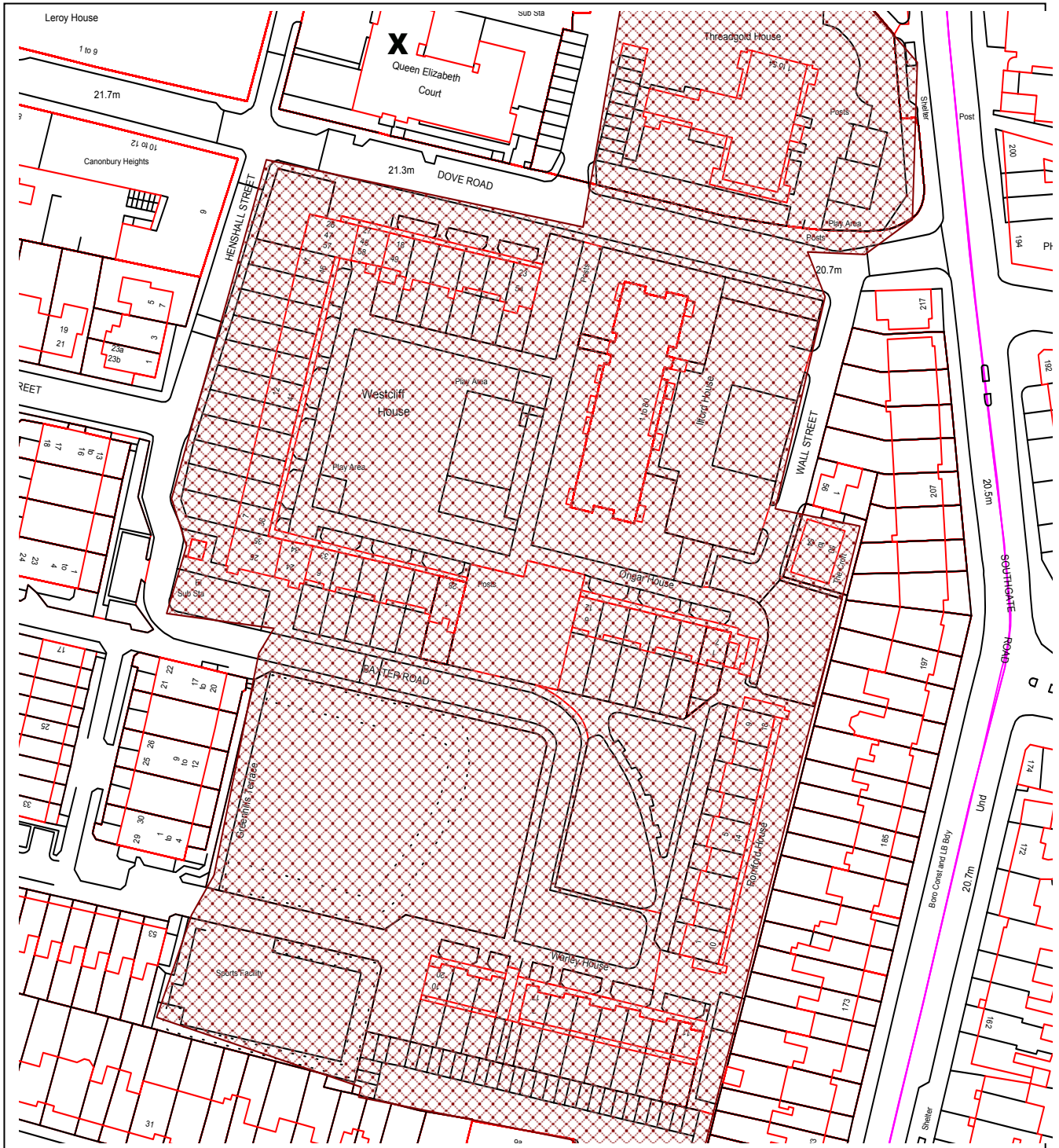
4. **Supplementary Planning Guidance (SPG) / Document (SPD)**

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan	London Plan
<ul style="list-style-type: none">- Environmental Design- Inclusive Landscape Design- Planning Obligations and S106- Urban Design Guide	<ul style="list-style-type: none">- Accessible London: Achieving an Inclusive Environment- Housing- Sustainable Design & Construction- Providing for Children and Young Peoples Play and Informal Recreation- Planning for Equality and Diversity in London

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Due to a technical problem this map does not accurately reflect the full scope of consultations undertaken. We are working to resolve this problem, but in the interim please refer to the officer's report for information concerning the consultation.

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