



**Resources Department
Town Hall, Upper Street, London, N1 2UD**

AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on **7 May 2019 at 7.30 pm.**

Enquiries to : Jonathan Moore
Tel : 020 7527 3308
E-mail : democracy@islington.gov.uk
Despatched : 26 April 2019

Welcome:

Members of the public are welcome to attend this meeting.

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

Committee Membership

Councillor Kay (Chair)
Councillor Chapman (Vice-Chair)
Councillor Khondoker
Councillor Klute
Councillor Woolf

Wards

- Mildmay;
- Junction;
- Highbury West;
- St Peter's;
- Canonbury;

Substitute Members

All other members of the Planning Committee

Quorum: 3 councillors



A. Formal Matters

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business
6. Minutes of Previous Meeting

B.	Consideration of Planning Applications	Page
1.	Garages adjacent to 29 Ringcroft Street, Islington, London, N7 8ND	9 - 40

C. Consideration of other planning matters

D. Urgent non-exempt items

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

E. Exclusion of press and public

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

F. Confidential/exempt items

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee B – 16 July 2019

Please note all committee agendas, reports and minutes are available on the council's website: www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Jackie Tunstall on 020 7527 3068. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk

London Borough of Islington

Planning Sub Committee B - 12 March 2019

Minutes of the meeting of the Planning Sub Committee B held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 12 March 2019 at 7.30 pm.

Present: **Councillors:** Kay (Chair), Chapman (Vice-Chair), Klute, Woolf and Poyser (Substitute) (in place of Khondoker)

Councillor Jenny Kay in the Chair

35 **INTRODUCTIONS (Item A1)**

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

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

Apologies were received from Councillor Khondoker.

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

Councillor Poyser substituted for Councillor Khondoker.

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

Councillor Poyser declared that he had publicly supported Unit 8, Roman Way Industrial Estate, 149 Roman Way (Agenda Item B6) and therefore he would not take part in the decision making on this item. He also declared that he had been a school governor of St Joan of Arc Primary School (Agenda Item B5) many years ago but this would not preclude him from taking part in this item.

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

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

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

RESOLVED:

That the minutes of the meeting held on 27 November 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

41 **1-3 HUNGERFORD ROAD, ISLINGTON, LONDON, N7 9LA (Item B1)**

Erection of four storey building (appearing as a pair of semi-detached properties) containing 9 self-contained residential units (C3 use) (4x1 bed, 3x2 bed, 1x3 bed and 1x4 bed) together with ancillary private patios to rear elevation and communal

rear garden and front boundary wall and railings (following demolition of existing buildings on site).

(Planning application number: P2018/2649/FUL)

In the discussion the following points were made:

- The planning officer stated that Condition 26 should be amended to state "Notwithstanding the details shown in the approved plans, prior to any superstructure work commencing on site for the hereby approved development, full details of a lift as a means of access to the upper floors shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the occupation of the development".
- In response to a member's question, the planning officer advised that the demolition was unauthorised. However the issue had now been resolved and there had been a successful prosecution.
- The planning officer confirmed that it would be possible to require the developer to pay for a new section of pavement outside the development. However the applicant had already signed the agreement so this would have to be added to the heads of terms and re-signed.
- Given the site history, members asked whether a project manager and other professionals could be conditioned. The legal advisor stated that if it was considered necessary, reasonable and enforceable, this could be conditioned.
- The chair asked the developer to become a good neighbour to residents and suggested paying for a street party and giving a donation to the residents' association. The legal advisor stated this was not a planning matter and could not be conditioned. The applicant stated that he was happy to make a donation to the residents' association.
- In response to a request from the chair that the developer should leaflet the whole road with contact details of the architect, structural engineer and project manager, he stated that he would do this.

Councillor Klute proposed a motion to amend Conditions 3, 4 and 5 requiring that all bricks used should be reclaimed stock to match the existing brick throughout the development. The wording of this would be delegated to officers. This was seconded by Councillor Chapman and carried.

Councillor Klute proposed a motion to attach a condition requiring a chartered member architect, structural engineer and project manager be appointed to work on the development and for them to be recognised by their recognised bodies and to be a point of contact for residents. This was seconded by Councillor Chapman and carried.

Councillor Kay proposed that the S106 be amended to require the developer to pay for a new section of pavement outside the development. This was seconded by Councillor Klute and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended above and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report as amended above.
above.

42 **23 ROMILLY ROAD, LONDON, N4 2QY (Item B2)**

Creation of a basement extension under the footprint of the existing house including the formation of light wells to the front and rear of the property. Conversion of the existing single-family dwelling house into 2 self-contained flats (1 x 3 bedroom unit and 1 x 2 bedroom unit).

(Planning application number: P2017/1670/FUL)

In the discussion the following points were made:

- The planning officer advised that since the addendum report had been published, an additional objection letter had been submitted by an objector (unable to attend on the night). This letter was passed to the Chair to consider during deliberation.
- The planning officer stated that the consideration of the application had been deferred for work on the structural method statement, structural drawings and a groundwater report. These had now been provided and did not raise concerns. The scheme was compliant with policy including the Basement SPD.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to updated and additional conditions set out within the addendum report and recommendations contained within Appendix 1 of the original committee report (attached as appendix A to the officer report).

43 **63 ABERDEEN PARK, LONDON, N5 2AZ (Item B3)**

Erection of a timber clad outbuilding located to the end of the rear garden.

(Planning application number: P2018/2871/FUL)

In the discussion the following points were made:

- The planning officer stated that Paragraph 4.3 of the officer report should refer to 34sqm as being the size of the proposed outbuilding and not 33.6

sqm. This represented 15.1% of the garden and not 14.9% as stated. The garden was within the Aberdeen Park Conservation Area.

- The planning officer advised that the garden could be accessed from a side entrance through a gate.
- The chair asked the planning officer to set out what could be built under permitted development rights and the officer advised that the applicants would be able to build on up to half of their garden if it was solely being used in connection with the main building as a single family dwelling. The size of the building the applicants could build under permitted development would be greater than the one being sought but it would be limited to 2.5m in height rather than 2.8m which was currently being sought.
- In response to members' questions, the planning officer stated that there was no plumbing for a toilet but there would be drainage for a sink.
- Members discussed how to add more weight to the existing drawing to ensure the building did not become a separate self-contained residential unit.

Councillor Klute proposed a motion that a condition be added to ensure that the proposed layout be in accordance with the drawing as the approved plan. This was seconded by Councillor Poyser and carried.

Councillor Kay proposed a motion for Condition 7 to be revised such that the outbuilding not be used for overnight sleeping. The wording of this would be delegated to officers. This was seconded by Councillor Poyser and carried.

Councillor Poyser proposed a motion that a further condition be added to ensure that the trees removed as a result of the development should be replaced elsewhere in the garden with suitable replacement trees, details (including suitable species) to be agreed with by Officers. This was seconded by Councillor Woolf and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informative set out in Appendix 1 of the officer report and the amended and additional conditions above.

44 BASEMENT AND GROUND, 37-39 EXMOUTH MARKET, ISLINGTON, LONDON, EC1R 4QL (Item B4)

Change of use from Sui Generis (Betting Office) at ground and basement levels, to A3 (Restaurants and Cafes) at Ground Floor Level and A4 (Drinking Establishments) at basement level.

(Planning application number: P2017/1262/FUL)

In the discussion the following points were made:

- The planning officer advised that an appeal for non-determination had been submitted to the planning inspectorate and therefore the sub-committee no

longer had the power to determine the application. The recommendation should be changed to recommend that the appeal should not be contested. The legal advisor stated that the sub-committee could still decide what decision would have been made had the appeal not been submitted.

- In response to an objector's concerns about smells and noise, a member stated that the extractor flues had been secured in order to prevent smells and licensing consent would be required which had controls to control objector's concerns. If any more plant was required, further planning consent would need to be sought.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, the appeal for non-determination would not be contested by officers and this decision would be communicated to the Planning Inspectorate.

45 ST JOAN OF ARC PRIMARY SCHOOL, 54 NORTHOLME ROAD, LONDON, N5 2UX (Item B5)

Proposed single storey extension to the south east corner of the existing school building as an expansion of the existing after school facilities including a Reception Office, Library, Meeting Rooms, Teaching Kitchen and WCs and store rooms including new separate accessible entrance (following demolition of existing single storey building).

(Planning application number: P2018/1231/FUL)

In the discussion the following points were made:

- The planning officer advised that additional comments had been received from residents in relation to the use of existing facilities, the pedestrian gate and queries about the management plan of those using Rosa Alba Mews.
- In response to members' questions, the planning officer advised that the new extension was flat roofed.
- The times that children were dropped off by parents for breakfast club and after school club was discussed as were the number of children that used the clubs.
- In response to a members' suggestion that the hours could be term time only, the planning officer stated that the council's policies encouraged community use.
- The headteacher explained that the design of the school had made the provision of breakfast and after school clubs difficult. The current design was not ideal and this proposal would enable a proper entrance to be provided.
- The gate that would be used and which presented difficulties for objectors was discussed. Hours of opening, operation and safeguarding were considered.
- Officers clarified that Condition 9 be amended so that WC's, storage and office facilities be excluded from the restriction on hours of use.

Councillor Kay proposed a motion that the construction management plan (condition 7), management plan (condition 11) and Community Use Agreement (condition 12) should be amended to ensure that the details are finalised in consultation with the school and residents of Rosa Alba Mews, so as to demonstrate how future occupiers would be actively encouraged not to use Rosa Alba Mews as a route. The approval of such details should be delegated to officers in consultation with the chair. This was seconded by Councillor Woolf and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended above.

46 **UNITS 8, ROMAN WAY INDUSTRIAL ESTATE, 149 ROMAN WAY, LONDON, N7 8XH (Item B6)**

Change of use of the ancillary storage function to the brewery to a mixed B1(c) (Light Industrial) and A4 (Drinking Establishment) use, with limited hours of operation.

(Planning application number: P2018/3090/FUL)

Councillor Poyser who had declared an interest in this item, did not take part in the consideration of this item.

In the discussion the following points were made:

- In response to members' questions about whether there had been any reports of anti-social behaviour, the planning officer advised that there had been one report of noise and urination; a door had been added to the building to reduce noise and the premises would have to obtain licensing consent for the external area.
- The chair suggested to the applicant that more engagement work could be done with neighbours.

Councillor Kay proposed a motion for Conditions 5 and 6 to be amended to require outside furniture to be cleared away at 9pm, the wording of which was delegated to officers. This was seconded by Councillor Chapman and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report as amended above.

The meeting ended at 10.50 pm

CHAIR

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PLANNING COMMITTEE REPORT

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

PLANNING SUB- COMMITTEE B		
Date:	7 th May 2019	NON-EXEMPT

Application number	P2018/4056/FUL
Application type	Full Planning (Council's own development)
Ward	St Mary's Ward
Listed Building	No
Conservation Area	St Mary Magdalene's CA
Licensing Implications Proposal	N/A
Site Address	Garages adjacent to 29 Ringcroft Street, Islington, London, N7 8ND.
Proposal	The proposed demolition of disused single storey garages and their replacement with 3No. three bed terraced houses, with associated private amenity space. The proposals also include the construction of a bicycle shelter and the replacement of a brick wall at the end of Ringcroft Street with new boundary treatment.

Case Officer	Stefan Sanctuary
Applicant	Islington Council
Agent	Islington Architects

1. RECOMMENDATION

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

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

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET

Image 1: Birdseye View of the site



Image 2: View of Ringcroft Street looking south



Image 3: Looking west towards application site



Image 4: Looking north-west towards application site



4 SUMMARY

- 4.1 The application seeks permission for the demolition of a row of disused single storey garages, and their replacement with 3no. three bed terraced houses, with associated private amenity space. The proposals also include the construction of a bicycle shelter and the replacement of a brick wall at the end of Ringcroft Street with new boundary treatment. Part of the site is currently highways land and a separate stopping up order will be considered to transfer this land into estate ownership.
- 4.2 The main considerations are the impact of the development on the character and appearance of the area (including St Mary Magdalene CA) as well as the residential amenity of the neighbouring occupiers and the quality of residential accommodation provided for future residents. The loss of existing car parking spaces accords with planning policy and the proposed landscaping and public realm is considered to be of high quality and to contribute towards the enhancement of the conservation area
- 4.3 The design of the proposal is considered to enhance the character and appearance of the conservation area by reinstating a contextual residential terrace whose design is sympathetic to the conservation area. The proposed residential accommodation is of a high quality and meets all relevant standards. Moreover, the development is not considered to result in unacceptable impacts on residential amenity in terms of loss of sunlight, daylight, privacy or an increased sense of enclosure.
- 4.4 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits, in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance with the Council's policies.
- 4.5 A landscaping scheme is proposed which sits outside the red line boundary and this would be secured by Director Level Agreement pursuant to section 106. Finally, the residential units will be solely used for social housing and secured by Directors' Agreement. The proposal is thus considered to be acceptable and to accord with Development Plan policies.

5 SITE AND SURROUNDING

- 5.1 The application site comprises a row of garages and associated forecourt, located at the end of Ringcroft Street. The garages form part of the Mersey Estate and have until recently been used by residents from the estate, though the garages are now vacant.
- 5.2 The site is within the St Mary Magdalene Conservation Area and is adjacent to a two-storey Victorian terrace of houses. Bordering the site to the west is a ball court while to the north is a playground both of which form part of the Mersey Estate, which wraps around the site to the west and north.

- 5.3 To the immediate east of the site is an area of hardstanding that forms the end of Ringcroft Street. The Mersey Estate is a fairly typical brick-built post-war housing estate made up of 5- and 6-storey residential blocks around a courtyard garden.



Birdseye View of Site

6 PROPOSAL (in Detail)

- 6.1 The application involves the demolition of a row of disused single storey garages, and their replacement with 3no. three bedroom terraced houses, with associated private amenity space. Part of the existing highway would be stopped up to enable the proposal to be implemented. This is considered as a separate item on the agenda of a subsequent Committee.
- 6.2 The proposal is for three x 2-storey (pitched roof) brick-built houses to complete the existing residential terrace on Ringcroft Street. The houses would have front gardens behind a low brick wall as well as a garden to the rear and kitchen/dining, living room and WC toilet on the ground floor. On the 1st floor, the floorplans of the houses include two bedrooms and a bathroom. On the top floor under the roof, the floorplans include a bedroom, an en-suite shower room and storage space. The proposed design continues the rhythm, massing and materiality of the existing terrace with the use of high quality robust traditional materials such as flemish bond brick walls and slate roofs with zinc dormers to the rear chosen to complement the existing streetscape.
- 6.3 The application also includes improvements to the public realm including the construction of a bicycle shelter and the replacement of a brick wall at the end of Ringcroft Street with new boundary treatment as well as new paving to create a new carriageway and footway. These proposals are outside of the red line boundary and will be secured by Director's Agreement pursuant to section 106.



Proposed Site Layout

7 RELEVANT HISTORY

Planning Applications

7.1 **P2019/0608/FUL** Stopping Up Order of existing highway to front of the Mersey Garages, Ringcroft Street under Section 247 of the Planning Act 1990 to enable the redevelopment of the Mersey Garages adjacent to 29 Mersey Estate, for residential use. **(Decision Pending)**

Enforcement

7.2 None

Pre- Application Advice

7.3 This proposal has been informed by the advice provided at pre-application stage. The following points that have been addressed and incorporated into the proposal:

- the dormer roof at the rear should sit within the roof slope and should therefore be reduced in width [*Officer comments: the dormer extensions now sit within the roof slope*];
- the composition of the front elevation should follow the linearity of the existing terrace [*Officer comments: the eaves, ridge-line and pattern of fenestration now line-up more successfully with the existing terrace*];
- the palette of materials should be simplified [*Officer comments: the palette of materials has now been further simplified – the proposed building*

mainly formed of flemish bond brickwork with a slate / zinc roof and a GRC-clad projecting window];

- improvements should be made to the public realm [*Officer comments: improvements to the public realm now include new road surface, new paving and the replacement of the brick wall with railings to increase visual permeability*].

8 CONSULTATION

Public Consultation

8.1 A total of 115 letters were sent to occupants of adjoining and nearby properties on Ringcroft Street, Liverpool Road, and on the Mersey Estate including Mersey House, Birkenhead House, Tranmere House and Widnes House on the 14th December 2018. A site and press notice were also displayed. The public consultation of the application expired on 20th January 2019 however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 One letter was received from Islington Swifts Group requesting the installation of swift boxes on the development.

8.3 A further letter was received from a member of the public with the following observations:

- That the proposal should also include the repair and upgrade of the whole of Ringcroft Street in order to match the proposed landscaping / paving [*Officers notes: while the proposal includes new footway and carriageway outside the development site, there is not considered to be a justification to upgrade the whole of Ringcroft Street*];
- There has not been any proper consideration of the impact of the proposal on the overall streetscape of Ringcroft Street. The proposal would result in a sense of a separate development rather than a unified street [*Officers notes: the site is essentially part of the Mersey estate but also manages to integrate itself into the character of the conservation area – improvements to the public realm proposed are considered to improve the streetscape*];
- There has been a lack of proper consultation and key stakeholders such as local residents should have been involved in the process of design development [*Officer notes: the planning application has undergone all relevant statutory consultation processes*].

8.4 **Internal consultees**

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

- Transport connectivity is considered only in terms of the site's PTAL rating which takes no account of the accessibility of various modes of transport. For instance, none of the stations identified has step free access – consideration should therefore be given to sustainable alternatives to

private car use for people for whom public transport remains inaccessible. *[Officer comments: this is a relatively small development which means that the scope for proposing sustainable alternatives to private car use is limited. It should be noted however, that secure, covered cycle parking has been proposed for 10 bicycles.]*

- There is an issue at second floor level where the bathrooms' outward opening doors open across the landing at the head of the flight of stairs, which could be dangerous and is not permissible. *[Officer comments: the design has now been amended. The door-swing is now shown opening inwards into the bathroom, which is considered to be in accordance with standards.]*
- The nominally accessible bed and bathroom are located at 2nd floor level, which is not acceptable. *[Officer notes: the 1st and 2nd floor bathroom have now been swapped which is considered acceptable].*

8.6 **Design & Conservation:** No objections have been raised to the proposal as the advice given at pre-application stage has been followed.

8.7 **Tree Preservation Officer:** No objections were raised.

8.8 **Highways** raised no objection, subject to a stopping up order on the area that is currently highways land. The removal of parking spaces and the relocation of a further parking space as well as a street lamp is considered acceptable.

8.9 **Refuse and Recycling:** confirmed that the proposed arrangement involving refuse vehicles reversing down Ringcroft Street was acceptable

8.10 **Public Protection** were consulted, raising no objections to the proposal.

8.11 The **Sustainability Officer** made the following comments on the application

- The fabric energy efficiency measures used to reduce the carbon emissions are welcomed, though the potential for solar panels on the roof should be explored *[Applicants response: we have been looking into providing PV panels but due to building orientation and the lack of space, this solution would not be feasible for this project.]*
- All minor new-build developments of one unit or more are required to reduce existing runoff levels as far as possible in accordance with Policy DM6.6. From the statement it sounds as though the impermeable area of the site is being reduced but this should be confirmed to ensure runoff levels will be reduced. *[Applicants comments: with regards to reducing existing runoff levels, the landscape strategy has been revised to show the use of permeable paving and an increase in soft landscaping.]*
- The installation of green roofs is welcomed - they should be provided on all three houses and meet the requirements of the standard condition. The proposal to include rainwater butts for irrigation is welcomed and should be secured via condition. *[Applicants comments: The current impermeable area of 223.8sqm would be replaced with 83.9sqm of permeable paving, 37.4sqm soft landscaping and 29.6sqm green roofs]*

Following the revised details submitted by the applicant, the sustainability officer has confirmed the details submitted to be acceptable.

8.12 **Estate Parking** confirmed no objection to the loss of the existing garages.

External consultees

8.12 **Thames Water** were consulted and raised no objection.

8.13 The **Crime Prevention Design Officer** was consulted and responded in support of the proposal as the recommendations made at pre-application stage had been taken on board and included in the proposal.

8.14 The **Fire Brigade** were consulted on the application. Confirmed that meeting Paragraph 11.5, Diagram 24, and Table 8 of Approved Document B5 is key. Those requirements should be met and fully delivered and suitably managed going forward to ensure full LFB access/egress. The proposed swept path diagram shows the pumping appliance turning at the end of Ringcroft Street. *[Officer comments: a lamp post and a parking space will need to be removed and/or relocated in order for the pumping appliance to turn successfully. This will be ensured through the Director's Agreement]*

9 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

9.1 Islington Council (Planning Sub-Committee B), 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);
- 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) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

9.3 The updated National Planning Policy Framework (NPPF) (2019): Paragraph 11 states: "Plans and decision-making should apply a presumption in favour of sustainable development". For decision-taking this means: approving development proposals that accord with the development plan without delay.

9.4 The updated National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental

and social progress for this and future generations. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

9.5 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.

9.6 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.

9.7 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.

Development Plan

9.8 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.

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

- St Mary Magdalene's Conservation Area
- Site within 100m of TLRN

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10 ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use;
- Design and appearance;
- Neighbouring amenity impacts;
- Quality of resulting accommodation and dwelling mix;
- Transport and highways;
- Accessibility;
- Landscaping;
- Section 106.

Land use

10.2 The site is within a residential area with a mixture of post-war residential blocks and Victorian terraced houses characterising the immediate vicinity. The garages (7 in total) and forecourt on which the new houses are proposed was previously used by occupiers of the surrounding residential properties, though they are now vacant. The loss of this car parking area accords with planning policy, in particular Development Management Policy DM8.5, which seeks for all new developments to be car free.

10.3 The principle of the proposal, which seeks to deliver 3No. homes for social rent, would comply with Policies 3.3 (Increasing housing supply), 3.4 (Optimising housing potential) of the London Plan 2016; and Policy CS12 (Meeting the housing challenge) of Islington's Core Strategy 2011. The principle of the proposal is considered acceptable subject to complying with the remaining issues dealt with in this report.

Design and Appearance

10.4 London Plan Policy 7.4 states that new buildings should have regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, while Policy 7.6 requires new buildings to be of the highest architectural quality and to comprise details and materials that complement, not necessarily replicate, the local architectural character.

10.5 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, Policy CS9 of Islington's Core Strategy (ICS) states that the aim is for new buildings to be sympathetic in scale and appearance and to be complementary to the local identity. Policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be of high quality, incorporating inclusive design principles while making a positive contribution to the local

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

- 10.6 Furthermore, Policy DM2.3 (Heritage) states that the council will require that alterations to existing buildings in conservation areas conserve or enhance their significance. Similarly, new developments within Islington's conservation areas are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance.
- 10.7 The site is located within the St Mary Magdalene Conservation Area and would therefore need to have regard to the relevant conservation area guidelines, which state that the St Mary Magdalene Conservation Area is an area of special architectural and historic interest, with a character and appearance that is worthy of protection and enhancement.
- 10.8 The residential terraces that line Ringcroft Street are typical of the Victorian 2-storey residential streets in this part of the conservation area. The terraces feature characteristic London Stock solid brickwork in flemish bond. Architectural features, such as the large bay windows at ground floor, entrance porches, decorative first floor lintels and roof cornices are finished in stucco render. The houses have slate roofs and large timber sash windows. The repetition of simple, well-proportioned architectural forms results in a terrace of architectural and historic quality. The presence of the landscaped gardens of St Mary Magdalene Church at the end of the street are considered to further enhance the streetscape.



Street elevation

- 10.9 The site is currently occupied by a redundant single-storey garage building which occupies a residual space at the end of the Victorian terrace. The end of Ringcroft Street is surrounded by high walls which enclose private gardens, a communal garden and playspace beyond which are a series of post-war housing blocks that make up the Mersey Estate. The architectural form of the proposed buildings derives from the rhythm and form of the existing houses in the terrace. The new residential units are designed as an extension of the existing, continuing the linearity and proportions in a successful modern interpretation of the period properties.



Front elevation

- 10.10 On the front elevation, the bay windows are designed to refer to the proportions of existing adjacent properties, with entrance doors and upper floor windows set back behind deep window reveals. The pitched roof with party wall parapets refers to the roof-scape of the existing terrace and the dormers at the rear have been set in from the ridge and eaves of the roof to sit within the roof-slope.



Side and Rear View

- 10.11 While dormer windows are not typical of the existing terrace, it is considered that the introduction of a group of three houses with rear dormers at the end of the terrace would not harm the character and appearance of the conservation area and can be accepted in this instance. Though the proposal continues the rhythm, proportions and materiality of the existing terrace, it also constitutes a contemporary addition with distinctive architectural expressions. As such, it is considered that the uniformity of the terrace is not unduly undermined by the presence of the dormer windows.
- 10.12 The design would provide consistency in terms of footprint, continuing the traditional terraced layout with gardens to the front and rear. The consistent rhythm of the terrace's roofline would also be maintained from Ringcroft Street. The proposed open space to the front of the properties would help to 'green' the northern end of Ringcroft Street. Moreover, the proposed replacement of the high brick wall at the end of the street with railings, would give views to the landscaped garden beyond.



View of proposal down Ringcroft Street

- 10.13 The use of high quality robust traditional materials such as flemish bond brick walls and slate roofs with zinc dormers to the rear, would complement and enhance the existing streetscape. Although the proposed houses have respected the distinctive form and scale of the existing terrace, the new buildings are of their time and are considered to represent a sensitive contemporary addition to the street.
- 10.14 Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special attention to the desirability of preserving the visual appearance and historic character of conservation areas. The success of this development will be dependent on the quality of materials proposed. Details of materials would be required by condition (3) in the event that planning permission is granted to ensure the quality of the finishes reflects the overall character of the street. The proposal is considered to enhance the character and appearance of the conservation area by reinstating a contextual residential terrace whose design is sympathetic to the conservation area.
- 10.15 The proposal is considered to be consistent with the aims of Council objectives on design and in accordance with policies 7.4 (Character), 7.6 (Architecture) of the London Plan 2016, CS8 (Enhancing Islington's character) and CS9 (Protecting and enhancing Islington's built and historic character) of the Islington Core Strategy 2011 as well as Development Management Policy DM2.1.

Neighbouring Amenity

- 10.16 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. 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.

- 10.17 Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. 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.
- 10.18 Daylight and Sunlight: In 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.
- 10.19 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”*.
- 10.20 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).*
- 10.21 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.”*
- 10.22 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”.

- 10.23 All the surrounding properties have been tested to ascertain the potential loss of daylight as a result of the proposed development. Given the site layout and relative height and distances involved, the only residential property that would be affected by the proposal is 29 Ringcroft Street, directly adjacent to the application site.
- 10.24 The property in question has 6No. side and rear windows that could be affected by the development. The two rear windows of this neighbouring property would only marginally be affected by the development as they do not actually face the site. Of the four side windows, only one ground floor kitchen window would suffer a loss of daylight greater than 20% of the VSC, equating to a 29% loss of VSC. While this is considered to be noticeable, it is not the only window serving the kitchen. As such, the daylight distribution of the kitchen would be largely maintained with the development only reducing the no sky-line contour by 1.65%.
- 10.25 The losses of the other 3 windows range from between 9% and 20%, which is considered to be within BRE accepted limits.
- 10.26 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 sun-lighting 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.”*

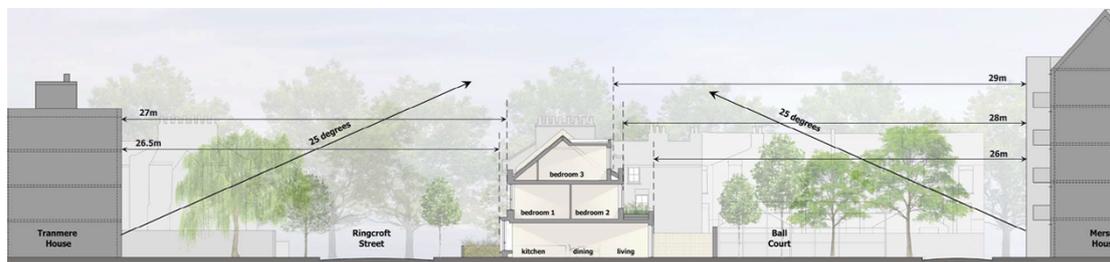
- 10.27 The sunlight losses as a result of the development are also relatively minor. The majority of the windows within the adjacent property face in a northerly direction and therefore do not benefit from direct sunlight. Moreover, the proposed development lies to the north of the immediately adjacent property at No.29 Ringcroft and therefore would not be any noticeable losses of sunlight as a result of the development.

Other impacts

- 10.28 In terms of privacy, the guidance within Policy DM2.1 states there should be a minimum distance of 18 metres between windows of habitable rooms in order to prevent overlooking. The distance between the proposed front elevation

windows and windows to properties on the opposite side of Ringcroft Street is approximately 18 metres. However, overlooking over adopted highways is in any case not considered to be an infringement of privacy.

- 10.29 The dormer windows at roof level would be in close proximity to windows in the side elevation of the adjacent property at No 29 Ringcroft Street, however the angle between them is considered too acute to result in overlooking that would genuinely reduce privacy. These windows would also overlook adjacent garden spaces, however not in a way that would be considered unusual for a residential terrace.
- 10.30 The proposal introduces a new building on a site currently occupied by an at-grade car park, resulting in a change in outlook and potential sense of enclosure to surrounding properties. However, the principal outlook from most of the neighbouring properties would not be altered as they do not face onto the subject site. As such, it is considered that the proposal would have an unacceptable impact on neighbouring residential amenity in terms of loss of outlook or an increased sense of enclosure. The proposal does not include any roof terraces or balconies as any flat roof spaces would be used green roofs. A condition (condition 12) is recommended that the flat roof shall be used solely as a green roof and not an additional amenity space. Access to this roof shall be for maintenance purposes solely. As such, there is not considered to be any unacceptable noise and disturbance impacts as a result of the development.



Section of proposal showing relationship to existing surrounding properties

- 10.31 Overall, the proposal is not considered to result in any unacceptable impacts on residential amenity in terms of loss of daylight, sunlight, privacy or an increased sense of enclosure. The proposed development would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 of the Development Management Policies Plan 2013.

Quality of resulting accommodation and dwelling mix

- 10.32 The National Planning Policy Framework acknowledges the importance of planning positively for high quality and inclusive design for all development, and requires the boroughs to deliver a wide choice of quality homes. The London Plan (2016) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality.

- 10.33 Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 (Mix of housing sizes) further states the requirement to provide a good mix of housing sizes and favours the provision of larger family-sized social rented units.
- 10.34 The proposed development consists of 3No. three-bed dwellings. Whilst the dwelling mix is not in line with stipulated policy which requires a mix of dwelling sizes and tenures to be provided, neither is it contrary to policy which requires a high percentage of social rented family-sized housing. The dwelling mix addresses long-term Council aspirations for a greater number of larger social rented homes. Under these circumstances no objection is raised to the proposed dwelling mix.
- 10.35 The proposed units are well laid-out and would form attractive and high quality internal living environments with private amenity space afforded to all dwellings. All of the units would have good access to sunlight/daylight and would result in spacious internal layouts. Moreover, the houses are dual aspect with good outlook and ventilation as well as defensible space. The houses have an internal floor area of 110sqm, which is slightly above the minimum internal space standards for 3-bed houses set within Islington's Development Management Policies. The dwellings also have generous storage areas and dedicated refuse stores. A generous provision of cycle storage is also proposed at the end of Ringcroft Street on existing highway.



Internal layouts

- 10.36 The three houses would each have some 37sqm of outdoor amenity space and would thus comply with policy DM3.5 of the Development Management Policies, which requires a minimum of 30sqm for 3-bed houses. Given the generous sizes of the units, including dual aspect design and inclusively-designed layouts, the proposal would provide a good quality living

environment for future occupiers of the units and would therefore comply with Development Management Policy DM3.4 (Housing Standards).

Highways and Transportation

- 10.37 The development would be car free as required by Core Strategy Policy CS10. A clause within the Director's Agreement would restrict future occupiers of residential units from obtaining a residents permit. The development would also involve removing all of the existing (seven) car parking spaces currently on the application site, though these are not currently in use. A further seven on-street parking bays would be removed as part of the proposal and these would be partly replaced by four new relocated parking bays adjacent to the site. A parking survey has been carried out by the applicant which shows that there is sufficient space in the surrounding area to contend with the loss of car parking.
- 10.38 New residential units are required to provide 1 cycle space per bedroom in accordance with policy DM8.4 of the Development Management Policies. The proposal provides cycle parking beyond the minimum standards set out in Appendix 6. The proposed cycle parking spaces would be outside the red line boundary so the provision of cycle parking prior to occupation will be required through the Director's Agreement. Details would need to be agreed to ensure that the cycle parking provided would be safe, convenient and secure. Refuse storage would be provided within the front gardens of the properties and details would be required by condition in the event of planning permission being granted.



Proposed landscaping

- 10.39 The application proposes significant changes to the carriageway and footway at the end of Ringcroft Street. The changes include a new road surface, new paving and the cycle parking referred to above. These changes are considered necessary to facilitate the development and are considered to be an improvement on the current situation.

Fire / Refuse / Servicing

- 10.40 The proposed development involving the demolition of the existing garages and the re-organisation of the parking and roadway at the end of Ringcroft Street would result in a slightly narrower end to the cul-de-sac. The Council's Public Realm Division were consulted on the proposed arrangement and it has been confirmed that though the arrangement would prevent refuse vehicles from turning at the end of Ringcroft Street, it would be acceptable for refuse vehicles to reverse back down along Ringcroft Street.
- 10.41 In terms of fire safety and access / egress by the fire brigade's pumping appliances (fire engines), it was confirmed, by the submission of swept path diagrams, that these would be able to turn at the end of Ringcroft Street and thus access and exit in forward gear. The proposal would meet Paragraph 11.5, Diagram 24, and Table 8 of Approved Document B5 and the London Fire Brigade confirmed that the details submitted were acceptable.
- 10.42 In order for this arrangement to work and for fire engines and refuse vehicles to access and exit safely, it would be necessary to relocate a lamp-post and remove a resident's parking bay. The Council's highways team were consulted on this change and confirmation was given that this arrangement would be acceptable. The changes to the public realm described above would be secured by Director's Agreement pursuant to section 106.
- 10.43 Finally, part of the site is currently highways land and this area will need to be stopped up in order to enable the implementation of the development. The stopping up order is considered under a separate item which is still pending a decision as set out in section 7.

Sustainability

- 10.44 Policy DM7.1 seeks to ensure development proposals integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development. Also that minor developments creating new residential units shall be accompanied by a Sustainable Design and Construction Statement (SDCS), including where relevant an Energy Statement. The SDCS shall clearly set out how the application complies with relevant sustainable design and construction policies and guidance.
- 10.45 A Sustainable Design and Construction Statement was submitted to support the application and details how the design team has considered the site's potential environmental impacts and how those impacts can be managed and mitigated in line with the Council's policies. The Statement outlines energy efficiency measures to reduce carbon emissions. Other features such as sustainable material selection, low water consumption and internal and external recycling provision will also contribute to enabling future occupants to live more sustainably.

- 10.46 Notwithstanding the above, Part C of Policy DM7.2 seeks to ensure developments pay the full cost of carbon offsetting, which would be secured through a Section 106 legal agreement. The Environmental Design SPD confirms that a payment of £1,000 is required per residential unit if it is a flat and £1,500 if it is a house. Therefore, given that the proposal is for 3 no. houses, a financial contribution of £4,500 would be required.

Accessibility

- 10.47 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 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 wheelchair accessible housing standard. Planning is required to check compliance with these standards and condition the requirements.
- 10.48 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.
- 10.49 The proposal has been amended since it was originally submitted and the reconfigured internal layout now meets inclusive design principles to the satisfaction of the Council's access officers. The application proposes level access to the proposed new units and all of the three new dwellings would meet Islington's Flexible Homes standard and Category 2 Housing, subject to planning condition. The proposal is in accordance with policy and meets inclusive design standards, in accordance with Core Strategy Policy CS12.

Landscaping

- 10.50 Development Management 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.
- 10.51 There are no trees or vegetation on site. While there are no new trees proposed, new paving and new green buffer planting is proposed along the perimeter of the site including in the front gardens and the rear and side boundaries. The application also includes the provision of private gardens at ground floor level which would contribute to the proposal's landscaping proposal. Details would be reserved by condition (*condition 6*) in the event of permission being granted.

- 10.52 Works outside the red line boundary include the provision of a bicycle storage shelter, new road surface with laid-out parking spaces, new footway and paving as well as the replacement of a brick wall with metal railings. The proposal is considered to improve the character and appearance of this part of Ringcroft Street. Details of the public realm works which fall outside of the site boundary will be required by the Director's Agreement.
- 10.53 The proposed development is acceptable with regard to landscaping and trees and is in accordance with policy 7.21 (Trees and Woodlands) of the London Plan 2016 and policies DM2.1 (Design) and DM6.5 (Landscaping, trees and biodiversity) of the Development Management Policies 2013.

Affordable Housing & Section 106

- 10.54 Any permission would be subject to a Directors' Agreement to ensure that the housing remains in social rent tenure (subject to Council's nomination rights) and is not disposed of on the private market (Appendix 1). The development is also subject to a contribution of £1,500 per new house towards off-setting carbon emissions, which would be secured by Directors' Agreement as well as the public realm works described above. Finally, the Director's Agreement would ensure that future occupiers would not be eligible for parking permits.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The planning application for 3no. three bed terraced houses, with associated private amenity space is considered to be acceptable and in accordance with planning policy. The proposal is considered to be of high quality contextual design and is considered to enhance the character and appearance of the St Mary Magdalene Conservation Area. The application is not considered to result in any unacceptable loss of amenity to neighbouring residents in terms of loss of daylight, sunlight, privacy, noise and disturbance or an increased sense of enclosure.
- 11.2 The redevelopment of the site does not provide vehicle parking on site and the occupiers will have no ability to obtain car parking permits, in accordance with Islington Core Strategy policy CS10 Section H which identifies that all new development shall be car free. The site also has sufficient space for cycle storage in accordance with the Council's policies.
- 11.3 A proposed landscaping scheme is considered to be acceptable and the application is considered to be a sustainable form of development in accordance with planning policy and guidance. A Director's Level Agreement would secure the public realm works, the carbon offset contribution and the social rented housing. The proposal is thus considered to be acceptable and in accordance with Development Plan policies, subject to relevant planning conditions.

Conclusion

- 11.4 It is recommended that planning permission be granted subject to conditions and Directors' Agreement, the details of which are set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. Securing the Provision of three residential units for social housing.
2. Contribution of £4,500 towards carbon off-setting.
3. The delivery of public realm works including cycle parking spaces.
4. Relocation of parking bays and street lamp.
5. Car-Free Dwellings.

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved Plans List: (Compliance)
	DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans: Existing Drawings: RS/00; RS/01; RS/02; RS/03; RS/04 Proposed Drawings: RS/05; RS/06; RS/07; RS/08; RS/09; RS/10; RS/11; RS/12; RS/13; RS/14; RS/15; RS/17; RS/18 Rev B; RS/19; RS/20; RS/21; RS/22. Revised Landscaping Plan RS/16;

	<p>Swept Path Analysis Drawing No 18152.OS.105.01 Planning Statement dated November 2018 by Islington Architects; Design & Access Statement by Islington Architects; Revised Daylight & Sunlight Assessment – Updated March 2019 by Avison Young Heritage Statement dated December 2018; Site Investigation Report dated June 2018; Sustainable Design & Construction rev P03 dated October 2018; Transport Statement (Rev C) & Road Safety Audit by Lime Transport;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Samples (Details)
	<p>CONDITION: Details and samples of all facing materials and detailed drawings of all elevations shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. These shall include:</p> <ul style="list-style-type: none"> a) Samples of all facing brickwork types, including mortar and pointing; b) Window and door treatment (including sections and reveals); c) Details and samples of stone and GRC to be used; d) Details and sample of roofing materials including cladding; e) boundary treatment; f) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	First floor windows (Rear Elevation)
	<p>CONDITION: Notwithstanding the hereby approved plans, further revised details showing a reduction in the width of the fenestration at first floor level of each of the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site.</p> <p>The development shall be carried out strictly in accordance with these details and so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To improve the overall proportion of fenestration to wall relationship on the upper floors and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	Accessible Housing (Compliance)

	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, all 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).</p> <p>REASON: To achieve inclusive design in accordance with London Policy 3.8.</p>
6	Refuse / Recycling (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. RS-16 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>
7	Landscaping (Details)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) soft plantings: including grass and turf areas, trees, shrub and herbaceous areas; b) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; c) hard landscaping; and d) 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 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>REASON: In the interests of residential amenity and ecological value.</p>
8	Construction Management (Details)
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, vibration, 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 order to safeguard the amenity levels of adjoining occupiers during the construction process.</p>
9	<p>No Plumbing or 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>
10	<p>Green/Brown Biodiversity Roofs (Details)</p> <p>GREEN/BROWN BIODIVERSITY ROOFS (COMPLIANCE): The biodiversity green 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 plan [RS-07] 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 roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
11	<p>Sustainable Design & Construction Statement (Compliance)</p> <p>CONDITION: The hereby approved development shall be carried out strictly in accordance with the approved Sustainable Design and Construction Statement dated October 2018.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>
12	<p>No Impact Piling</p> <p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and 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.</p> <p>Any piling must be undertaken in accordance with the terms of the approved piling</p>

	<p>method statement. 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. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p> <p>REASON: To minimise the risks to water infrastructure.</p>
13	Flat Roof Not Used As Amenity Space (Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, the proposed flat roof at 1st floor level shall be used as a green roof only and not as an amenity space. Access to this space will be for maintenance only and shall be maintained as such in perpetuity.</p> <p>REASON: In the interests of protecting neighbouring residential amenity.</p>
14	Removal of Permitted Development Rights
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellinghouses hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting 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>

List of Informatives:

1	Community Infrastructure Levy (CIL)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at 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/</p>
3	Directors Agreement
	<p>Please note that this application is subject to a Service Level Agreement between directors to ensure that the residential units remain as social housing.</p>
4	Other legislation
	<p>You are reminded of the need to comply with other regulations/legislation outside</p>

	the realms of the planning system – Building Regulations & the Party Wall etc. Act 1996 (“the Act”).
5	Superstructure
	<p>DEFINITION OF ‘SUPERSTRUCTURE’ AND ‘PRACTICAL COMPLETION’</p> <p>A number of conditions attached to this permission have the time restrictions ‘prior to superstructure works commencing on site’ and/or ‘following practical completion’. The council considers the definition of ‘superstructure’ as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of ‘practical completion’ to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
6	Water Pressure
	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.
7	Surface Water Drainage
	It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. 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 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. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 2019 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. 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 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets
Policy 3.15 Coordination of housing development and investment

5 London's response to climate change

Policy 5.3 Sustainable design and construction

7 London's living places and spaces

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

8 Implementation, monitoring and review

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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

C) Development Management Policies June 2013

Design and Heritage

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

Housing

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.2 Energy efficiency and carbon

DM3.1 Mix of housing sizes
DM3.4 Housing standards
DM3.5 Private outdoor space
Health and open space
DM6.5 Landscaping, trees and biodiversity

reduction in minor schemes
DM7.4 Sustainable design standards
Transport
DM8.4 Walking & Cycling
DM8.5 Vehicle parking
Infrastructure
DM9.1 Infrastructure
DM9.2 Planning obligations

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

The following SPGs and/or SPDs are relevant:

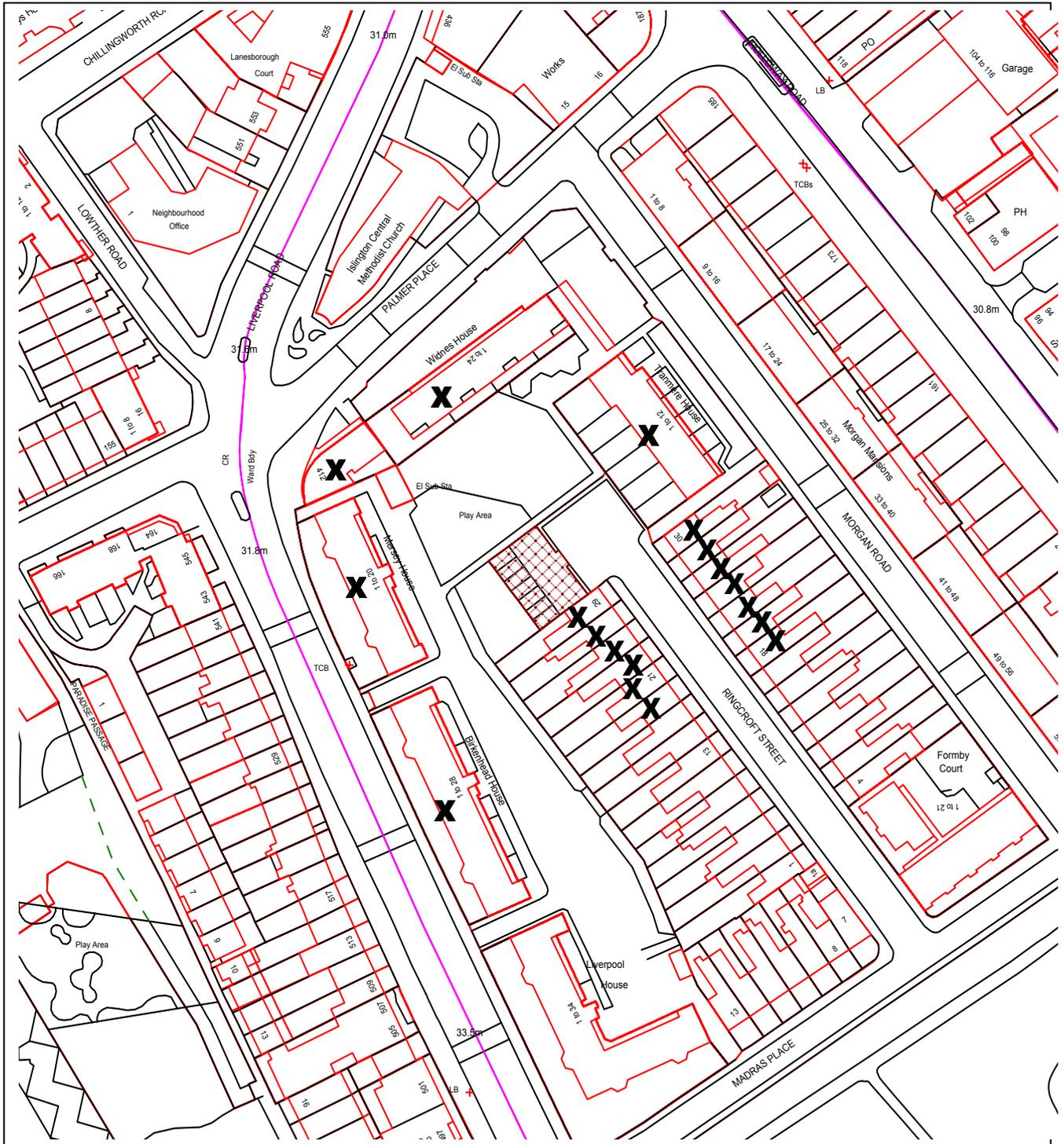
Islington Local Plan

Environmental Design
Small Sites Contribution
Accessible Housing in Islington
Inclusive Landscape Design
Planning Obligations and S106
Urban Design Guide

London Plan

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

ISLINGTON



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