



AGENDA FOR THE PLANNING SUB COMMITTEE A

Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Committee Room 1, Town Hall, Upper Street, N1 2UD - Islington Town Hall on, **30 October 2018 at 7.30 pm.**

Lesley Seary
Chief Executive

Enquiries to : Ola Adeoye
Tel : 020 7527 3044
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Despatched : 22 October 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.**

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor Picknell (Chair)	- St Mary's;	Councillor Klute	- St Peter's;
Councillor Graham (Vice-Chair)	- Bunhill;	Councillor Kay	- Mildmay;
Councillor Cutler	- St Peter's;	Councillor Chapman	- Junction;
Councillor Convery	- Caledonian;	Councillor Khondoker	- Highbury
Councillor Nathan	- Clerkenwell;	West;	
		Councillor Woolf	-
		Canonbury;	

Quorum: 3 councillors



A. Formal Matters **Page**

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business 1 - 4
6. Minutes of Previous Meeting 5 - 12

B. Consideration of Planning Applications **Page**

1.	179 Hornsey Road, London, N7 6RA	13 - 64
2.	29 Windsor Road, London, N7 6JG	65 - 102
3.	2A Regina Road, London, N4 3QH	103 - 116
4.	469 Hornsey Road, , Islington, London, N19 3QL	117 - 170
5.	57 - 65 Randell's Road, London, N1 0DH	171 - 208
6.	Prior Weston Primary School Golden Lane Campus, 101 Whitecross Street, LONDON EC1Y 8JA	209 - 238

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 urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

E. Exclusion of press and public

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

F. Confidential/exempt items **Page**

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee A, 13 December 2018

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 Ola Adeoye/Zoe Lewis on 020 7527 3044/3486. 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.

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COMMITTEE AGENDA

1 179 Hornsey Road, London, N7 6RA

2 29 Windsor Road
London
N7 6JG

3 2A Regina Road
London
N4 3qh

4 469 Hornsey Road
Islington
LONDON
N19 3QL

5 57 - 65 Randell's Road
London
N1 0DH

6 Prior Weston Primary School Golden Lane Campus
101 Whitecross Street
LONDON
EC1Y 8JA

1 179 Hornsey Road, London, N7 6RA

Application Number: P2018/1452/FUL

Ward: Finsbury Park

Proposed Development: Partial demolition of the former school building and structures, conversion and change of use of one of the retained buildings, including the erection of a 3 storey rear extension and the erection of a new detached 4-storey building to provide 9 residential units (Use Class C3), retention and refurbishment of a second retained building to provide replacement Class D1/D2 community use (148sqm (GIA)) and associated landscaping.

Application Type: Full Planning Application

Case Officer: David Nip

Name of Applicant: Volunteering Matters, Ms K. Morris

Recommendation:

**2 29 Windsor Road
London
N7 6JG**

Application Number: P2017/4766/FUL
Ward: Finsbury Park
Proposed Development: Conversion of single family dwelling house into 3 self-contained residential units (1x3bed, 1xstudio and 1x2 bed) plus the excavation of basement, front lightwell and rear courtyard erection of basement, ground and first floor extension rear extensions and roof extension. Proposed bin and bicycle storage to front garden.

Reconsultation carried out on the receipt of ADF results and increase in the size of the proposed front lightwell and front boundary treatments.

Application Type: Full Planning Application
Case Officer: Paul Conboy
Name of Applicant: Mr S Dabasia
Recommendation:

**3 2A Regina Road
London
N4 3qh**

Application Number: P2018/1955/FUL
Ward: Tollington
Proposed Development: Replacement of single Glazed Timber windows with double Glazed UPVC
Application Type: Full Planning Application
Case Officer: Yusif Yusifzada
Name of Applicant: Islington Council
Recommendation:

**4 469 Hornsey Road
Islington
LONDON
N19 3QL**

Application Number: P2016/4928/FUL
Ward: Hillrise
Proposed Development: Demolition of existing two storey building and erection of four storey building plus set back roof addition and part basement to provide office (B1 use) at ground and part basement floor and seven self-contained resident units (six x 2-beds, one x 3 -bed) plus cycle parking and associate refuse. (Reconsultation on amended sunlight daylight report, increase in proposed basement and set back in the building line in relation to railway cutting).

Application Type: Full Planning Application
Case Officer: Owen Griffiths
Name of Applicant: Mr Payne
Recommendation:

**5 57 - 65 Randell's Road
London
N1 0DH**

Application Number: P2017/4485/FUL
Ward: Caledonian
Proposed Development: Demolition of single-storey workshop. Construction of 5 storey plus basement building with B1 accommodation at basement and ground floor level and residential use above (5 x 2-bed flats, 1 x 3-bed flat, 1 x 1-bed flat) and associated bin and bicycle storage.

Application Type: Full Planning Application
Case Officer: Jessica Robinson
Name of Applicant: Mr John McDonagh

Recommendation:

6 Prior Weston Primary School Golden Lane Campus
101 Whitecross Street
LONDON
EC1Y 8JA

Application Number: P2016/1803/FUL

Ward: Bunhill

Proposed Development: Installation of floodlights to the existing Multi Use Games Area, to provide an outdoor playspace for children until 8:00pm Monday to Friday.

REASON FOR CONSULTATION: Additional drawings including for LUX light levels from floodlights.

Application Type: Full Planning Application

Case Officer: Daniel Jeffries

Name of Applicant: Mr Greg Page

Recommendation:

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London Borough of Islington

Planning Sub Committee A - 6 September 2018

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 1, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 6 September 2018 at 7.30 pm.

Present: **Councillors:** Picknell (Chair), Cutler, Nathan, Graham and Woolf.

Councillor Angela Picknell in the Chair

12 **INTRODUCTIONS (Item A1)**

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

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

Apologies were received from Councillor Convery.

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

Councillor Woolf substituted for Councillor Convery.

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

Councillor Woolf declared a personal interest in item B4, 89-91 Holland Walk, London and Item B7, Prior Weston Primary School Golden Lane. (details below)

With regards to B1, he stated that his wife worked until recently for the Manna, Islington which was in favour of the application.

In the case of B7, he was recently a school governor.

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

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

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

RESOLVED:

That the minutes of the meeting held on 19 June 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

18 **14 CONEWOOD STREET, LONDON, N5 1DL (Item B1)**

Demolition of existing single storey extension (91.4 square metres GIA) and replacement with a two storey addition (195.5 square metres GIA) to accommodate new babies room at ground floor level and crèche, adult learning space and office at first floor level (total uplift of 104 square metres GIA).

(Planning application number: P2017/4943/FUL)

In the discussion the following points were made:

Planning Sub Committee A - 6 September 2018

- The Planning Officer advised that since publication of the agenda, no additional updates had been received.
- The Planning Officer informed the Committee that with regard to design, the proposed extension is considered acceptable and not detrimental to the character of the adjacent and nearby surrounding area.
- Members were advised that due to the siting, scale and separation distance between the site and nearby users/properties the amenity of the neighbouring residents will not be materially harmed.
- Committee welcomed the provision of improved educational facilities for the existing school especially as the scheme is clearly supported by planning policy.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1.

19

49-59 OLD STREET, LONDON, EC1V 9HX (Item B2)

Change of use of 12 Live/Work units (Sui Generis) to 12 Office B1a units over the first to 6th floor levels and Change of Use of one B1a unit to one B1c Unit (Light Industrial), creation of two roof terraces at first floor level and a further roof terrace at seventh floor level; replacement of existing crittal windows with aluminium double glazed windows; replacement of timber front entrance door with fully glazed automatic door; installation of plant equipment on roof with acoustic screening; installation of PV panels on roof and associated car and cycle parking.

(Planning application number: P2018/1303/FUL)

In the discussion the following points were made:

- The Planning Officer advised that since the publication of the agenda, an objection requesting that if Committee were minded to grant planning permission a condition restricting the use of the roof terrace between 9am and 6pm should be attached. Members were advised that a condition to address this concern had been included were Committee minded to grant planning permission.
- The Planning Officer requested that an additional clause be included in the Directors Letter Agreement Service to secure the B1(c) light industrial unit as part of the scheme.
- Members welcomed the proposed development as being consistent with the policies of the National Planning Policy, the London Plan and the scheme being sited within the Central Activities Zone and an Employment Priority Area.
- Committee agreed to include a clause in the Directors Letter Agreement with regards to securing the B1c unit in the scheme, the exact wording to be delegated to Planning Officers and agreed by the Chair.

RESOLVED:

That planning permission be granted subject to including a clause in the Directors Letter Agreement as agreed above, the conditions, and conditional upon the prior completion of a Directors Letter Agreement securing the heads of terms.

20 **6A ST GEORGE'S AVENUE, LONDON , N7 0HD (Item B3)**

Erection of a 3m wide, two-storey rear extension with parapet. Alterations to the property, including: i) Retention of front façade ii) Alterations to the fenestration on the front elevation to replace existing single glazed timber framed sash windows with timber framed, double glazed sash windows (slimlite type DGU). ii) Partially raise the parapet wall adjoining property. iii) Demolition of existing rear wall and rebuild the rear facade raising the eaves to the existing brick parapet wall level. iv) Demolition of existing roof and addition of a low level pitched roof set back from the street facade.

(Planning application number: P2018/1207/FUL)

In the discussion the following points were made:

- The Planning Officer informed the meeting that no additional updates had been received since the agenda was published.
- Meeting was informed that the site is located within the Tufnell Park Conservation Area and not situated within the setting of any listed buildings and that alterations at roof level at the rear of the host building was to allow sufficient internal floor to ceiling height for an additional bedroom. In addition the Planning Officer advised that the proposed walls would be constructed using London stock brick to match existing walls.
- Members were advised that as the nearest neighbouring habitable room windows is located approximately 3.5meters away from the application site, the scheme would not impact on the living conditions of neighbouring occupiers.
- Members acknowledged that although this was a narrow building, the alterations to the roof and the extension at the rear would not result in any significant impact on neighbouring amenity.

RESOLVED:

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

21 **89-91 HOLLAND WALK, LONDON, N19 3XU (Item B4)**

Change of use of the ground floor Retail unit (A1) to a mixed use consisting of Retained Retail Unit (A1), Community Cafe (A3), and Night Shelter (Sui Generis), Including Associated new openings to the front and rear of the site and associated alterations.

(Planning application number: P2018/1764/FUL)

In the discussion the following points were made:

- The Planning Officer informed Committee that since the publication of the agenda, two further letters of support had been received, including one from the local Member of Parliament.
- The Planning Officer requested that on page 85 of the report, the operating times should be amended to read 6pm to 8am, Monday-Saturday.

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- Members were informed that alterations were being sought for works to the principal and rear elevations to implement new windows and doors and that there were no proposed changes to the side elevation which would be viewable from external areas.
- With regard to the loss of A1 floor space, the Planning Officer advised Members that evidence had been submitted which indicated that the large retail unit within the location was unviable and had been vacant for 2 years, and that the loss of the unit would not be regarded as loss of a valuable service to the community.
- The Planning Officer advised that the proposed scheme satisfies Development Management Policy DM4.3
- Residents were concerned that the siting of a hostel in the residential area was not based on need and inappropriate as it would result in an increase in anti-social behaviour thereby impacting the amenity of the neighbouring residents. In addition concerns were raised with the consultation process, and that the scheme would result in the loss of a small and dispersed shop within the estate that currently serves the local community.
- In response to anti-social behaviour concerns, the Chief Executive of Shelter for Storms informed Members that Shelter has a proven track record of providing this type of service and that the proposal had been submitted with an operational management plan which would ensure that guests arrive within the defined arrival time. Members were advised that volunteers would be present both during the day and the entire night.
- With regard to drinking concerns of the hostel residents, the Chief Executive informed Members that the night shelter is completely dry and that no alcohol or drugs are permitted. Members were informed that admittance to the night shelter is done on a referral basis and no drop-in services or walk ins are permitted.
- In response to a question, the Committee was informed that volunteers are provided training on induction, safeguarding, fire safety and food hygiene and the criteria for referral was based on low needs.
- A request that the Committee review how Shelter for Storm is managing the anti-social behaviour concerns of neighbouring residents was agreed. Members were advised that the review being proposed would centre around the operational management plan and not the planning permission.

Councillor Picknell proposed a motion to grant subject to amending condition 3, the wording to be agreed by the Chair of the Committee. This was seconded by Councillor Woolf and carried.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 and condition 3 to be amended, the wording of which is to be delegated to officers to address the concerns of residents regarding anti-social behaviour.

Agreed delegated wording condition: Notwithstanding the hereby approved Operational

Management Plan, an updated/review of the hereby approved Operational Management Plan shall be submitted to the Local Planning Authority for approval no sooner than 12 months after and no later than 14 months after the first occupation of the hereby approved development (in consultation with the Metropolitan Police).

The updated Operational Management Plan should detail and evaluate the first 12 months of the operations use on the locality and where applicable remedial measures to be taken to address any operational and management issues identified during the evaluated 12-month operation period.

The use hereby permitted shall be operated strictly in accordance with the Operational Management Plan and any approved updated Operational Management Plan and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To protect the amenity and safety of guests, staff, nearby residents and the local community; and to ensure the safe and acceptable operation of the mixed use development.

22

95 SEVEN SISTERS ROAD, LONDON, N7 6BU (Item B5)

Change of use of the ground floor from bank (use class A2) to part restaurant/cafe (use class A3) and part shop/retail (use class A1) including subdivision into four restaurant/cafe units with shared seating area and four shop/retail units; changes to the shop front with internal roller shutter blinds and addition of a skylight on the existing flat roof.

(Planning application number: P2018/0666/FUL)

In the discussion the following points were made:

- The Planning Officer highlighted a correction to the conditions. A condition that limits the operation of the side entrance onto Hornsey Road (referenced in paragraph 10.21) is missing. The side entrance shall be limited to use between 1100-2000.
- The Planning Officer advised that the internal and external alterations to the existing retail units are satisfactory and comply with the relevant design and Town Centre shop front policies.
- The Planning Officer acknowledged that although the proposed A3 café/restaurant has the potential to affect residents that live in flats above the application site, a number of conditions have been applied to protect their amenity.
- Concerns were raised about the rear external space being turned in to an outdoor seating area for use by the customers of the internal units; the food smells emanating from the restaurant into their flats especially as the buildings do not have sufficient ventilation. In addition residents were concerned with the noise as a result of the proposed sliding doors and the increase in deliveries and takeaways visits thereby impacting on residents amenity.
- In response to objectors concerns, the agent advised that the backyard will not be used as a seating area except for the siting of the refuse and waste bin. With regards to the smell pollution concerns, the agent advised that a sophisticated mechanical ventilation system is to be installed which has been secured by a

condition.

- Members were advised that conditions 9, 10 and 12 had been included if Committee were minded to grant planning permission as it would address resident's concerns about hours of operation, the use of the external area and the delivery and service plan.
- The Committee agreed that the development is acceptable especially as it brings a vacant A2 unit back into use and would result in employment opportunities in the borough.

RESOLVED:

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

Agreed Reworded condition 9: The hours of operation are limited to the following hours:

0900 AM -2200 PM Monday to Saturday
1100 AM -2000 PM Sundays and Bank Holidays

The entrance to the building on Hornsey Road is only permitted to be in operation during the following times:

1100 AM-2000 PM on day.

Reason: To protect the amenities of neighbouring residents and surrounding occupiers.

23

ARCHWAY BRIDGE, ARCHWAY ROAD, ISLINGTON, LONDON (Item B6)

Erection of stainless steel fencing (approximately 3.3 metre-high) in front of the bridge parapets and removal of some of the previously installed features including spikes and mesh.

(Planning application number: P2018/1482/LBC)

In the discussion the following points were made:

- The Planning Officer informed Committee that a separate application had been submitted to Haringey Council's as it's boundary extends down the bridge and that both councils in 2015 had granted listed planning consent which included a fencing section to cover the main span of the bridge and spiked barriers to erect near the bridge plinths on the outside of the bridge.
- In response to a question about the new design, the meeting was advised that the new changes would ensure that the fence covers all of the bridge including all of the bridge plinths and adjoining brick walls thereby preventing opportunities for people to climb over.

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- The Planning Officer acknowledged that although the proposal would cause some visual harm to the heritage asset the harm was considered to be less than substantial, reversible and is outweighed by the substantial public benefit of deterring and preventing suicide from taking place at the bridge.
- The meeting was informed that a number of objections had been received regarding the proposal resulting in harm to the architectural and historic appearance of the bridge; disruption of views from the bridge and that alternative designs had not been adequately explored.
- In response to the visual impact of the changes, the Planning Officer acknowledged that although the revised proposal was of considerable improvement to previous approved design in terms of deterrence, there was some visual impact, however when viewed from a distance, the fencing should still be fairly hard to perceive.
- Members agreed that the revised proposals represented a significant improvement especially in terms of deterrence however the public safety in this instance outweighs the visual impact.

RESOLVED:

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

24

PRIOR WESTON PRIMARY SCHOOL, GOLDEN LANE CAMPUS, 101 WHITECROSS STREET, LONDON, EC1Y 8JA (Item B7)

Installation of 4 no. floodlights attached to existing columns associated with the use of the existing Multi Use Games Area, to provide an outdoor playspace for children until 8:00pm Monday to Friday.

(Planning application number: P2016/1803/FUL)

In the discussion the following points were made:

- The Planning Officer advised that since publication of the agenda two letters of objection had been received and no additional updates had been received.
- Objectors were concerned about the levels of noise from the use of the MUGA and its impact on their amenity and the amount of light spillage from the flood lights. In response, the Planning Officer advised that a condition restricting the hours of operation between the hours of 0900 and 2000 hours Monday to Friday had been included in the planning permission.
- Councillor Picknell proposed a motion to defer as the applicant was not available at the meeting to respond to issues raised by the objectors. This was seconded by Councillor Woolf.

RESOLVED:

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

The meeting ended at 9.50 pm

CHAIR

Agenda Item B1

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration
Department
Islington Town Hall

PLANNING SUB COMMITTEE A		AGENDA ITEM: B1
Date:	30th October 2018	

Application number	P2018/1452/FUL
Application type	Full Planning Application
Ward	Finsbury Park
Listed building	Locally listed (Grade B)
Conservation area	N/A
Development Plan Context	Archaeological Priority Area Core Strategy Key Areas – Nags Head & Upper Holloway Local cycle routes Locally Listed Building Mayor Protected Vistas Within 100m TLRN Article 4 Direction A1-A2
Licensing Implications	None
Site Address	179 Hornsey Road, London, N7 6RA
Proposal	Partial demolition of the former school building and structures, conversion and change of use of one of the retained buildings (Block B), including the erection of a 3 storey rear extension and the erection of a new detached 4-storey building to provide 9 residential units (Use Class C3, 4no. 2 bed, 5no. 3 bed), retention and refurbishment of a second retained building to provide replacement Class D1/ D2 community use (148sqm (GIA)) and associated landscaping.

Case Officer	David Nip
Applicant	Volunteering Matters
Agent	Tibbalds

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 S106 Agreement securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED)



3

PHOTOS OF SITE/STREET



Photograph 2: View from Hornsey Road looking south



Photograph 3: View from Hornsey Road looking west



Photograph 4: View of the existing front entrance from Hornsey Road, with terrace properties on Sussex Way behind



Photograph 5: The front elevation of the building and the boundary wall on Hornsey Road looking south

4 SUMMARY

- 1.1. The application site is on the western side of Hornsey Road, within close proximity to the junction of Seven Sisters Road on the south.
- 1.2. Full planning permission is sought for redevelopment of the site. The existing building is locally listed. The principle of retention of the existing locally listed building is supported, subject to the acceptability of the proposed extension and the new building on site.
- 1.3. A new building would be erected which would be four storeys in height, comprising 4 no. 2 bedroom residential units (Use Class C3). The existing locally listed building would be altered and extended, to provide 5no. 3 bedroom residential units. The existing side building would also be retained to provide a flexible D1/D2 unit (148sqm GIA).
- 1.4. The Council's planning policies generally support new housing development within the borough; bearing in mind the lawful use of the site is under Class D1 (educational facilities), although the proposal would represent loss of 492sqm GIA of existing D1 floorspace, it is considered that the provision of the D1/D2 (educational/leisure) unit would retain a level of community use within the site. The application would also provide an appropriate amount of financial contribution to support the provision of off-site affordable housing.
- 1.5. The comments made by residents and consultee bodies have been considered, and no additional issues have been brought to light which would render the application unacceptable (subject to conditions to address neighbour concerns). 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. Moreover, the application is considered to constitute a sustainable form of development in terms of energy efficiency, renewable energy and sustainable transport.
- 1.6. The application has been considered with regard to the Development Plan and is considered to be a sustainable form of development. Therefore, approval is recommended subject to conditions and a Section 106 (S106) agreement to secure the necessary mitigation (in addition to the required CIL payment).

5 SITE AND SURROUDNINGS

- 5.1 179 Hornsey Road is a locally-listed late Victorian former school building located on the southwest side of the street. It comprises 2 connected elements – a larger block with a long elevation fronting Hornsey Road and interrupted by Dutch and triangular dormers, and a smaller block at the north end of the site with a gable fronting the street. Both blocks are of red brick with stone dressings and copings, and both sit behind a brick and stone wall with railings and “boys” and “girls” entrances.
- 5.2 The site is broadly rectangular in shape, the building forms part of an important group of heritage assets that were built as – and largely remain in community/civic use. These include the Montem Primary School opposite (dated 1897 and Grade II listed), the former Montem Primary School Laundry Centre at 254 Hornsey Road (also dated 1897 and Grade II listed), and the former Hornsey Road Baths (dated 1892 and Grade II listed). Other civic uses within this group (some within more recent buildings) include the “Platform” creative hub, the Hornsey Road Children’s Centre, Samuel Rhodes School, and the fire station at 264 Hornsey Road. A police station once stood opposite 179 Hornsey Road. Red brick is used in most of these buildings.
- 5.3 Either side of 179 Hornsey Road stand 4-storey red brick residential developments (with ground floor commercial units at 171-177 Hornsey Road). A terrace of residential buildings exists to the rear of the site, on Sussex Way. The area is generally characterised by a mixture of residential flats and houses adjacent to the site, though civic uses including the Archway Business Centre are also located in the area.

- 5.4 The site is not within a conservation area. Protected view 1A.2 (Alexandra Palace to St Paul's Cathedral) passes over the site. A pedestrian crossing exists directly outside 179 Hornsey Road. A cycle route has been designated along Hornsey Road. Parking restrictions (including special match day restrictions) apply to Hornsey Road.
- 5.5 The site has a Public Transport Accessibility Level (PTAL) rating of 6b, which represents excellent public transport connections with bus routes passing in front of the site and is within walking distance to Holloway Road and Seven Sisters Road, which are part of Transport for London's Strategic Road Network.
- 5.6 The site has no significant vegetation, however there are trees in the school grounds opposite, in the street, and in the rear gardens of properties of Sussex Way.

6 PROPOSAL (IN DETAIL)

6.1 The proposed redevelopment comprises 3 buildings:

Building A: It is a new building that is 4 storeys in height, it comprises 4 new 2b4p residential units. The ground floor unit would be a wheelchair accessible unit.

Building B: The existing main building (single storey with maisonette) will be altered and extended at the rear. The building will be converted into 5 new 3b5p residential units.

Building C: The existing single storey side building will be retained (148 sqm GIA) and will be under Class D1/D2, which is non-residential institutions or leisure uses.

Apart from the three buildings, the proposal comprises associated works including new landscaping, boundary treatment, and provision of private/communal amenity space and cycle/refuse storage.

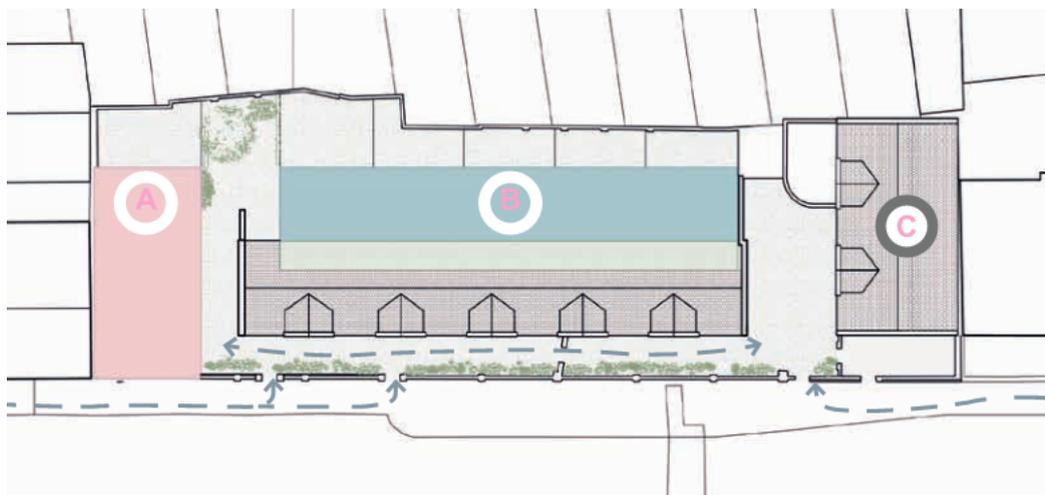


Image 1. The location of the three buildings on site.

The details of the proposed residential units proposed are as follows:

Unit	Building	Bedroom/Person	Size (sqm)
01 (Wheelchair Accessible)	A	2b4p	85
02 - 04	A	2b4p	72
05 - 09	B	3b5p	150

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 971212 – Advertisement consent granted 27/08/1997 for the installation of a non-illuminated sign at first floor level.

970261 – Planning permission granted 08/04/1997 for the erection of a rear extension and installation of a ventilation system.

P2017/2175/FUL – Application withdrawn for Partial demolition of the former school buildings and structures, conversion and change of use of the retained buildings, erection of 3-storey rear extensions and erection of a detached 4-storey building to provide a total of 11 residential (Class C3) units, and associated landscaping.

PRE-APPLICATION ADVICE:

7.2 Q2014/2692/MJR – Pre-application advice given in relation to a proposal for demolition of the existing building and erection of a new 5 storey building to accommodate 34 self-contained flats

Q2016/0030/MJR – Pre-application advice given in relation to a proposal for “Demolition of existing building and redevelopment to provide 2 blocks accommodating 2 non-residential (D1) I units on ground floor and 21 residential units on ground to fourth floors (and other retention, conversion and development options).”

The proposal has been subject to 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 design principle, including the retention of the locally listed building.
- The retention of community use (Class D1/D2) on site
- The reduction of massing of the building from 5 storeys to 4 storeys for the new building

ENFORCEMENT

7.3 None relevant

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 94 adjoining and nearby properties on Hornsey Road as well as on Sussex Way, Seven Sisters Road, Tiltman Place and Chapel Way on the 15 May 2018. A number of site notices and a press advert were also displayed on 17 May 2018. The consultation officially closed on the 7 June 2018 but in practice objections are accepted right up to the date of Committee.

8.2 A total of **5 objections and 1 comment** were received to the consultation. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Objections:

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

- The demolition and building works would affect the operation of the site at 97-101 Seven Sisters Road, particularly in terms of noise and the duration of the construction (para. 10.95)
- The proposal would have a detrimental impact on neighbouring residents in terms of noise and disturbance (para. 10.95)
- The proposed design has no respect to the architectural quality of the surrounding buildings, as well as unsympathetic materials (para. 10.39 – 10.56)

- There will be a loss of privacy due to increased overlooking (para. 10.90 – 10.92)
- The proposal would lead to an unacceptable loss of daylight and sunlight, and increasing sense of enclosure to neighbouring residential occupiers as well as overshadowing of the residents' garden (para. 10.66 – 10.89)
- The application would result in an unacceptably high housing and population density (para.10.39 – 10.48)
- The proposal would have a negative impact to the air quality of the area (para. 10.132 – 10.134)
- Request integrated swift nest box bricks/blocks are installed near roof level which would protect the swifts and improve the local biodiversity (para. 10.135 – 10.137)

Applicant's consultation

8.4 Whilst there is no statutory requirement (although it is encouraged) for the applicant to carry out their own consultation, Volunteer Matters have carried out their own consultation with residents of the surroundings and have carried out a drop-in event back in 2017. Some of the residents' written feedback has informed the final design of the proposal (see Appendix 6 of the Planning, Design & Access Statement)

External Consultees

8.5 **London Fire & Emergency Planning:** The Brigade will be satisfied subject to the application meeting the access requirements of Approved Document B5 of the Building Regulations.

8.6 **Thames Water:** No objections subject to informatives

8.7 **Crime Prevention Officer, MET Police:** No objections to the proposal.

Internal Consultees

8.8 **Inclusive Design Officer:**

- It would not be a planning requirement therefore to provide a wheelchair accessible unit. Nonetheless, a Cat 3 unit is proposed at ground floor level of Block A; this may be intended to mitigate the effects of the failure to deliver Cat 2 units above ground level in that block.
- It is noted that a Cat 2 bathroom is being proposed within the Cat 3 dwelling. The provision shown is acceptable, assuming that a level access shower is provided beneath the bath.
- Steps are proposed at the entrance to building A and no lift is proposed but a space has been identified for the future installation of a platform lift. A solution should be found that would be acceptable in planning terms, should permission be sought for installation at some future date.
- The entrance steps are not furnished with the requisite highlighted nosings and tactile paving at their head and foot.
- The provision of cycle parking for adapted bikes and for a bike-trailer; However, it does not appear that any provision has been made for the storage/charging of any mobility scooters.
- There is a bed and bathroom at 1st floor level but the bathroom layout is incorrect and it would not be possible to hang the door to open outwards in its present location because it would swing across the landing at the head of the stairs, contrary to safety provisions set out in ADK. (**Case officer comment:** The design of the first floor bathroom and bedroom access will need to be reviewed to ensure that the proposed units no.5-9 would comply with Category 2 standards. A condition (no.9) is recommended to ensure that the proposed residential layout would achieve the category 2 standards.)

8.10 **Planning Policy:** No objection to the proposal. The provision of a smaller D1/D2 unit in place of the existing D1 use would need to be justified in regard to policy DM4.12.

8.11 **Design and Conservation:**

The retention and adaption of the site's existing historic buildings is strongly welcomed.

No objections are raised to the proposed bulk and massing of the new 4-storey building. It will broadly respond well to the surrounding context.

The extensions to the existing building although unconventional and not entirely desirable, have allowed the retention of these important locally listed buildings and have allowed the main features of the historic buildings to remain legible. They have been positioned to the rear of the main frontage building, providing a backdrop to the interesting roof of the historic buildings.

The use of pronounced gables as part of the design provides interest to the roofline and responds well to the historic character of the site.

Concern was raised in relation to a few aspects of the scheme and the architects have responded positively to these by submitting amendments.

The use of the fibre cement cladding was not considered appropriate and terracotta is now proposed. This is welcome subject to the final quality and colour being approved.

There were concerns about the blank section on the elevation fronting Hornsey Road. This has been addressed via the articulation of the cladding panels and an angled detail incorporated to the side of the windows on this elevation.

The use of a concrete base with the terracotta above with metal trim detailing as now proposed is supported.

The proposed scheme provides a creative solution to provide housing and community uses on site retaining significant historic buildings. The adaptation and extension of the buildings allow the retention of the elements which mostly contribute to their significance and introduce interesting elements of contemporary design. It is important to secure high quality materials and detailing through conditions if the final details of these are not presented prior to consideration at committee.

8.12 **Public Realm, Traffic and Engineering:** No comment received.

8.13 **Building Control:** To demonstrate compliance with Approved Document B5, further drawings are required to show the adequate provision of vehicle access for pump appliance to the proposed buildings. (Officer response: An informative recommended with regard to fire safety and the requirements under Building Regulations)

8.14 **Streetworks (Highways):** No objection to the proposed work on the highway including reinstatement of kerb.

8.15 **Biodiversity and Nature Conservation:** Agree with the submitted bat roost survey, which recommends an emergent survey to be undertaken between May and August.

The reports also recommend that bat boxes/bricks are installed in the new development along with sparrow boxes. Details of the swift bricks/boxes should be incorporated. As bats are present in the area, it is important for light spill to be minimised in the new development, further details are requested. (**Case officer comment:** An emergent survey is recommended to be undertaken in the next available summer period (May – August), and the details of the swift bricks/boxes shall be submitted under condition 17)

8.16 **Public Protection (Noise):** (commented previously in P2017/2175/FUL) The proposal is for new residential at the site. The site is directly opposite the Samuel Rhodes/Montem School and Hornsey Road with consequent traffic noise. The submission includes a noise assessment and a condition for approval of details is advised to protect the residential amenity of the new residential units. (**Case officer comment:** condition 12 is recommended to secure the noise control measures)

(Air quality): All of Islington is an Air Quality Management Area and new residents are likely to be exposed to poor air quality. As advised in the AQ assessment, ventilation of cleaner/filtered air should be installed. This should be conditioned. (Case officer comment: condition 13 is recommended)

Information on the operation of ventilation and ways to reduce air pollution exposure should be included as part of any home owners information pack.

(Construction impact): The site is surrounded by existing schools and residential. There is considerable potential for disruption and a condition requiring a CMP document looking at the potential impact and mitigation is advised. (Case officer comment: condition 5 recommended to secure a Construction Environmental Management Plan)

(Contamination): The site is listed as being developed as an infant school from 1870. It is not listed on the contaminated land database as having potentially polluting uses and therefore we would not require a specific contaminated land condition in this case. The developer is reminded that the responsibility to properly address contaminated land issues, including safe development and secure occupancy, irrespective of any involvement of this Authority, lies with the owner/developer of the site. The developer should keep a watching brief in case of any unexpected contamination at the site.

9 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

Statutory Duties

9.1 Islington Council (Planning Sub-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);
- 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 adjacent to listed buildings, the Council has a statutory duty in that special regard shall be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990)

9.2 National Planning Policy Framework (NPPF): Paragraph 11 states: "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.

9.3 At paragraph 8 the NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, the objectives are a) economic, b) social and c) environmental.

9.4 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.

9.5 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

9.6 The National Planning Policy Framework 2018 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

9.7 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

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

- Archaeological Priority Areas
- Core Strategy Key Areas – Nags Head & Upper Holloway Road
- Local Cycle Routes
- Locally Listed Building (Grade B)
- Mayors Protected Vistas
- Within 100m of TLRN
- Article 4 Direction A1-A2

Supplementary Planning Guidance (SPG) / Document (SPD)

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

9.10 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.

9.11 Members of the Planning Sub-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.

- 9.12 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.
- 9.13 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.

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

The principle of mixed use development

- 10.2 The application falls within the Nags Head & Upper Holloway Road Key Area (CS3). This section of Hornsey Road comprises a mix of civic uses and residential uses, distinctive from the retail clusters along Seven Sisters Road and the other parts of Hornsey Road.
- 10.3 Taking into account the surrounding uses, including some modern residential developments and the Victorian terrace at rear on Sussex Way, it is considered that the proposed introduction of residential use is acceptable in principle.
- 10.4 It is noted that the applicant, Volunteering Matters, has a working relationship with Islington and had their head office based within the borough for over 50 years. It is considered that the proposed re-provision of community and social facilities is considered to be appropriate in this instance, given the locality is historically characterised by various civic/community uses.
- 10.5 Therefore, the principle of mixed use development is acceptable, subject to the assessment against the relevant land use policies.

Loss of community and social facilities

- 10.6 It is understood that the current building is essentially vacant, however during the site visit of 04/07/2018 the case officer noted that live-in guardians appeared to be occupying parts of the site.
- 10.7 The site has been identified as previously used under Class D1. This has been referenced in the application document, as well as the council's pre-application document.

- 10.8 Based on the information submitted within the application form, the site area is 0.12 hectares in size. The existing site comprises 640sqm (GIA) of D1 floorspace, and a significant proportion of the D1 floorspace would be converted into the new residential units, the remaining D1 element at Building C would be 148sqm (GIA), which represents a total loss of 492sqm of D1 floorspace.
- 10.9 The building was used until July 2014 by the applicant, Volunteering Matters, to house the Derek Higgins Construction Centre, where construction trade training was provided for young people. Therefore, it is confirmed that the last known use was a D1 use.
- 10.10 The National Planning Policy Framework (NPPF) at paragraph 92 places great emphasis on the need to plan positively to deliver the social facilities that communities need, including community facilities. The NPPF stresses the need to guard against unnecessary loss of these facilities, and to ensure they can develop and modernise in a sustainable way.
- 10.11 Development Management Policy DM4.12 resists the loss or reduction in size of social infrastructure uses. It is important to retain, renew and increase provision of such uses in the context of Islington's growing population. In accordance with part A of policy DM4.12, the council will not permit any loss or reduction in social infrastructure unless i) a replacement facility is provided on site (which would, in the council's view, meet the need of the local population for the specific use), or ii) the specific use is no longer required on site.
- 10.12 With regard to criteria i), the proposed D1 floorspace is 148sqm within the retained northern building (Building C), it is considered that the proposed D1 element falls significantly short of fully replacing the site's existing quantum of D1 floorspace, and therefore the current proposal is not compliant with criteria i) of part A of policy DM4.12.
- 10.13 With regard to criteria ii), any loss of D1 floorspace at 179 Hornsey Road would need to be supported by evidence demonstrating:
- a) that the proposal would not lead to a shortfall in provision for the specific use (construction trade training for young people) within the local catchment;
 - b) that there is either no demand for another suitable social infrastructure use on site, or that the site/premises is no longer appropriate for social infrastructure uses; and
 - c) any replacement/relocated facilities for the specific use (construction trade training for young people) provide a level of accessibility and standard of provision at least equal to that of the existing facility.
- 10.14 The proposed replacement community facility use will be classified under Class D1/D2, the exact use of the space has not been determined as this will be subject to local demand and market conditions.
- 10.15 With regard to criterion ii a), the application is supported by an assessment of the D1 provision within the local catchment area.
- 10.16 There are 57 community facilities that were assessed as part of the Council's Open space, Sport and Recreation Assessment (2009). These are evenly dispersed across the borough and access to small and medium sized community centres was considered to be "good". In particular, there are five community centres identified within the Finsbury Park ward and of a similar scale and nature to the application buildings.

- 10.17 With regard to criterion ii b), the applicant has submitted a letter dated 15 May 2017 from Gerald Eve, which reflects the marketing history of the site. The marketing process commenced on 14 March 2014 and consisted of on site and on line marketing, marketing details distribution and open mornings, and there were 13 bids in total received. The lowest bid was from a religious group who withdrew their interest having concluded that the existing structure required a further £600,000 of remedial works before they could bring the site back into use. The other bids are all from the developer/investor sector.
- 10.18 The submitted marketing information has demonstrated that the interest in the site as a D1 use has been extremely limited, furthermore, the site would require investment to bring the buildings back into use which further reduces interest of potential uptakes. The re-provision of the small D1 unit would potentially attract a greater take up due to its better affordability to the smaller community groups who do not require the entire existing site, which is also considered to be a benefit to the proposal.
- 10.19 With regard to criterion ii c), whilst the proposed replacement facilities would retain a level of community use provision on site, it is considered that the reduction of the D1 floorspace would not provide a standard of provision at least equal to that of the existing facility as required by policy. The lack of replacement quantum of equal floorspace therefore weighs against the proposal. bearing in mind the investment needed to bring the site back into use, the offer of smaller, more modern accommodation may prove more attractive to potential occupiers.

Residential Use

- 10.20 Paragraph 59 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.
- 10.21 Core Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy 3.4 (and table 3.2) seeks to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.
- 10.22 The principle of residential use is considered acceptable. The surrounding area is mixed in use, with residential use along Hornsey Road and Sussex Way to the west of the site.
- 10.23 It is therefore the case that there is a policy presumption in favour of the delivery of new housing, and the site is considered to be a sustainable location for new housing.
- 10.24 The scheme would deliver 9 residential units which would contribute towards the Borough's targets. Subject to compliance with other policies, the introduction of these residential units is supported in principle.

Affordable Housing and Financial Viability

- 10.25 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 consider "*the viability of future development taking into account future resources as far as possible.*"
- 9.1 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G 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.*"
- 9.2 The Council Affordable Housing Small Site Contribution SPD states that for minor developments (fewer than 10 residential units), a financial contribution for affordable housing is sought for any new residential units proposed. The applicant has agreed to the full financial contribution of £450,000 (9 units x £50,000), and this is secured via section 106 agreement.

9.3 Given the site's history, and to prevent the applicant circumventing the requirement for on-site affordable housing, it is recommended that the s.106 agreement is worded to ensure that if any future proposal for additional residential units brings the total number of residential units on the site to 10 or more, the scheme would be re-considered, the requirement for on-site affordable housing would be triggered and a review of the viability of the scheme would be required.

9.4 Overall, the proposal provides a financial contribution towards affordable housing which would positively contribute towards delivering mixed and balanced communities. In this context, the proposal is considered acceptable and in accordance with London Plan Policies 3.9 and 3.11 as well as Islington Core Strategy Policy CS12.

Design, heritage and townscape considerations

9.5 NPPF Chapter 12 'Achieving well-designed places' reinforces that design is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 12 also confirms that high quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development responds to local character and history and reflects the identity of local surroundings and materials, to create distinctive places, with a consistent and high quality standard of design. However, the level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.

9.6 NPPF Chapter 16 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.

9.7 Paragraph 190 of the NPPF states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. Paragraph 192 states that in determining applications, local planning authorities should take account of:

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

9.8 As the development is adjacent to listed buildings (Montem Primary and Hornsey Road Baths), in accordance with s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), the Council has a statutory duty in that special regard shall be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

9.9 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

9.10 At a regional level, London Plan policy 7.4 states that development should have regard to the scale, mass and orientation of surrounding buildings, and that buildings should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. London Plan policy 7.6 states that buildings should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and should not cause unacceptable harm to the amenity of surrounding land and buildings.

- 9.11 London Plan policy 7.8 relates to Heritage assets, it states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 9.12 At the local level, policy CS9 of Islington's Core Strategy sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity. Policy DM2.1 of Islington's Development Management Policies requires development to be based upon an understanding and evaluation of an area's defining characteristics, confirms that acceptable development will be required to respect and respond positively to existing buildings, and sets out a list of elements of a site and its surroundings that must be successfully addressed – this list includes urban form including building heights and massing.
- 9.13 In relation to the Heritage Assets within Islington, policy DM2.3 states that the significance of Islington's listed buildings is required to be conserved or enhanced; part C(iii) of the same policy states that new developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.
- 9.14 For non-designated heritage assets including locally listed buildings, part E of policy DM2.3 states that the council will encourage the retention, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.

Context

- 9.15 The building forms part of an important group of heritage assets that were built as – and largely remain in community/civic use. These include the Montem Primary School opposite (dated 1897 and Grade II listed), the former Montem Primary School Laundry Centre at 254 Hornsey Road (also dated 1897 and Grade II listed), and the former Hornsey Road Baths (dated 1892 and Grade II listed). Other civic uses within this group (some within more recent buildings) include the "Platform" creative hub, the Hornsey Road Children's Centre, Samuel Rhodes School, and the fire station at 264 Hornsey Road.
- 9.16 Most buildings within the surrounding area range from two to five storeys in height. The Montem Primary School on the opposite side of the road is four storeys high; To the south of the site, the development at 171-177 Hornsey Road is four storeys high; to the north, the modern development at 201 Hornsey Road is also four storeys high (comprises a set back top floor). The Sussex Way terrace on the west is three storeys in height and is separated by the rear gardens.
- 9.17 The existing locally listed building is a single storey detached brick-built building with its main frontage onto Hornsey Road. The building is locally listed (Grade B) for its local architectural and historic interest. It makes a substantial positive contribution to the street and to the character of Hornsey Road. It also forms a key part of the setting of the listed buildings opposite, and is one of a historic group of buildings in civic use that still exist on both sides of the street.
- 9.18 On the local list, the building was described as '*Single storey red brick late Victorian. Large roof mass interrupted by Dutch and triangular dormers with stone dressings and copings. Fronted by red brick wall with inverted semi-circular arched panels between piers filled with railings. Piers topped with carved stone cappings*'.
- 9.19 The front of the site comprises a front boundary wall which consists of the old "boys" and "girls" entrances, reflecting the previous use of the site as a school. Due to its design, age and materials, the wall itself contributes positively to the building and its relationship with listed buildings opposite. Furthermore, the "boys" and "girls" entrances and railings punctuate the wall, providing views into the site.

9.20 Pre-application discussion was carried out and officers previously raised concern in relation to the demolition of the existing building. This proposal retains the majority of the building fabric on site.

9.21 The toilet block on the southern boundary and the non-historic lean-to structure of timber and polycarbonate panels are considered of no discernible architectural or heritage merit and their removal is supported.

Siting and layout

9.22 The new building (Building A) will be sited to the southern end of the site adjacent to the adjoining building at no.173-177 Hornsey Road. The proposed block is effectively turned 90 degrees from the street frontage and would be orientated to the north, towards the locally listed building. The reason of this is to create a “book end” to this site and reinforces the building rhythms, and create a visual break from the lower quality buildings that sits adjacent to the site.

9.23 The building comprises four residential units, including a wheelchair accessible unit on the ground floor. The building will sit adjacent to the 173 to 177 Hornsey Road by the southern boundary of the site. In contrast to most of the surrounding buildings, the proposed building is orientated with the principal elevation facing the existing building within the site and has the “side” elevation fronting Hornsey Road. This design approach is mainly due to the shape and the depth of the site, as well as the visual relationship with the new and the existing building.

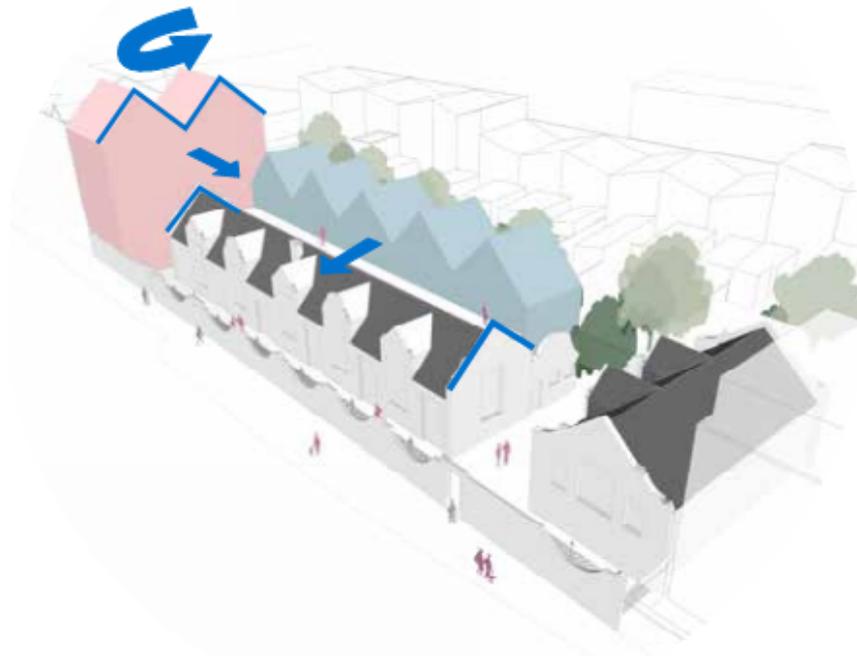


Image 2: Diagram showing the siting and orientation of the buildings on site. (Illustrative only)

9.24 Taken into account the context, it is considered that the proposed siting and orientation of Building A is considered to be appropriate in this instance.

9.25 For the existing building (Building B), it is proposed to construct a rear extension which replaces the existing rear lean-to structure. The siting of the extension is based on the location of the existing building and is considered to be acceptable.

Scale and Massing

9.26 The proposed new building is 4 storeys in height, which matches the surrounding developments along this section of Hornsey Road.

9.27 The design principle of Building A is to follow the street frontage along this section of Hornsey Road. Although the principal elevation of the building will be on the north side rather than fronting the street, the scale and massing of this standalone building would have an acceptable impact in terms of the townscape effect.

- 9.28 The proposed roof form comprises a double front gable with zinc coping as the main materials.
- 9.29 The locally listed building will be largely retained with new modern intervention at the rear, not only to replace the existing rear lean-to structure, which is rather unsightly; but also to improve both the quality and quantity of the building, and distinguish the existing and proposed through a contrasting design. The proposed rear extension comprises pitched roofs with front gable design, in attempt to reflect the design and proportion of the rows of terrace properties that surround the site, including the Hornsey Road development at no.173-177, as well as the Sussex Way terraces to the west.
- 9.30 The proposed rear extension comprises 5 no. front gables, following a similar design approach in respect of the existing front elevation of the building.
- 9.31 Building C will be retained and the proposed works are limited to internal, therefore, there are no design and heritage considerations in relation to this building, as the proposed retention and internal improvement is deemed acceptable and would retain and enhance the site character in context.

Appearance

- 9.32 The proposed Building A and the rear extension of Building B comprise terracotta cladding as the main external material. The proposed terracotta cladding is considered to be a more contextual materials and the Design and Conservation Officer considered that it is a better alternative to the fibre cement cladding that was originally proposed.
- 9.33 The proposed materials and design of the fenestration pattern is considered appropriate within the context of the area, the proposed design has an emphasis on the verticality of the building, with a selective use of circular windows which makes reference to the lunar window on the gable window of the existing building.
- 9.34 The proposed dual pitched roof design with steep roof slopes would reinforce the predominant roof forms within the area and this is considered to be acceptable.
- 9.35 The proposed roofing materials comprise pre-weathered zinc coping which is considered to be appropriate to the new building and the existing red brick building.



Image 3: The north elevation of Building A which fronts onto Building B and away from the street frontage.

- 9.36 Having reviewed the comment from the Design and Conservation Team, it is judged that the proposed use of terracotta cladding for Building A would be acceptable in terms of its appearance and its visual impact to the Hornsey Road streetscene.
- 9.37 Obscure glazing is considered to be required on some of the side and rear glazed panel to mitigate the impact of overlooking (further discussion in the amenity section below). Details and samples of the obscure glazing and the materials will need to be submitted and agreed by the council prior to commencement of development and this will be secured by condition (no.4).
- 9.38 Although terracotta cladding is considered acceptable in principle, Officers recommend that a condition (no.6) to be imposed to secure details in relation to the details of the cladding material, as well as other materials including the roof, windows, doors and balustrades.



Image 4: The Hornsey Road elevation with the new Building A and the extension of Building B.

- 9.39 In terms of the boundary treatment, it is proposed to reinstatement part of the boundary wall and rearrange the access to the site, however, the existing gated vehicle access would be removed and the proposed new pedestrian accesses would be via the door openings, the visual change is relatively minor and is considered acceptable. Details of the boundary treatment would form part of the landscaping plan which is secured under condition 16.

Protected Vista

- 9.40 In terms of protected vista, the proposed development is only 4 storeys in height at maximum (Block A) and would be at the similar scale to the surrounding buildings; it is considered that the proposal would not intrude into or crowd the London wide protected view 1A.2 (Alexandra Palace to St Paul's Cathedral) which passes over the land.

Design Summary

- 9.41 In summary, it is considered that retention of the locally listed building is welcomed. The design of the scheme is broadly acceptable in terms of scale, massing and its townscape effect and the proposed terracotta panels are considered to be an acceptable material for the new building A and extension. Subject to further details of material to be agreed, it is accepted that the proposed appearance would be acceptable to the setting of the locally listed building, setting of other listed building and the character of the surrounding area.

Neighbouring Amenity

- 10.23 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.
- 10.24 London Plan policy 7.6 (part Bd) states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 10.25 Policy 7.15 (part B) states that development proposals should seek to manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development; separating new noise sensitive development from major noise sources through the use of distance, screening or internal layout in preference to sole reliance on sound insulation; controlling and mitigating potential adverse effects through the application of good acoustic design principles; and promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.
- 10.26 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook. These considerations apply to the amenities of existing residents, and of future residents of proposed developments. Paragraph 2.13 states that the design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing.
- 10.27 Officers have visited the site and observed the relationship between the site and the neighbouring residential properties.

Daylight and Sunlight Impact

- 10.28 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.
- 10.29 BRE Guidelines (2011) 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".
- 10.30 BRE Guidance: Daylight to existing buildings
- 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 (or reduced by more than 20%), known as "the VSC test".
 - 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 (or reduced by more than 20%), known as the "No Sky Line" (NSL) or "Daylight Distribution" (DD) test.

10.31 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 of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”

10.32 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.33 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”.

10.34 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.

10.35 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 degrees. 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”*

BRE Guidance: Sunlight to existing buildings

10.36 The BRE Guidelines state in relation to sunlight at paragraph 3.2.11: *“If a living room of an existing dwelling has a main window facing within 90 degrees 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.”*

10.37 This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual (winter) probable sunlight hours between 21 September and 21 March (WPSH) and;
- Receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period and;
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

10.38 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.”

10.39 The Guidelines go 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.”

Daylight and Sunlight Assumptions for neighbouring residential properties

10.40 The surrounding uses are predominantly residential with the Montem Primary School and the Hornsey Road Children’s Centre located on the opposite side of the road. In addition, the nearest residential properties are:

- 173-177 Hornsey Road (South east)
- Hornsey Road Apartments
- 5-27 Sussex Way



Image 5: Map showing the location of the adjacent properties assessed.

Assessment: Daylight to existing buildings

10.41 The daylight tests were applied to the above mentioned residential properties near to the site.

Hornsey Road Apartments

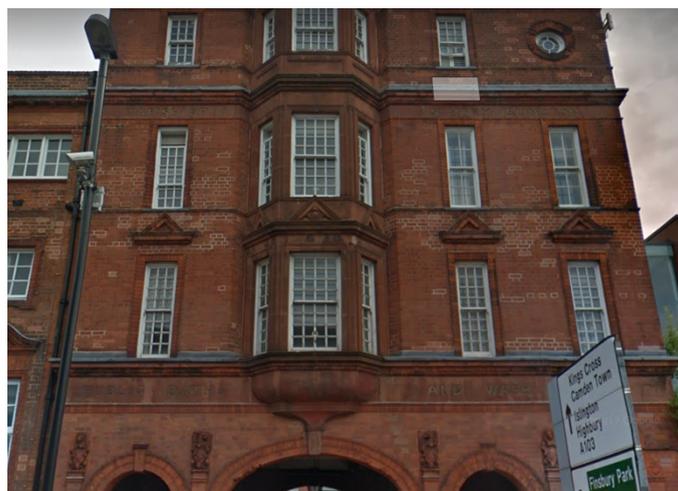


Image 6: The front elevation of Hornsey Road Apartments, there are in total 12 windows that front the site building (right).

10.42 It is noted that in the submitted assessment, the table of results show that the ground floor and first floor windows were assessed, this is considered to be an error. There is no ground floor window at this front elevation as the ground floor comprises an undercroft access to the rear of the site. Based on the building design and the window map above, it is considered reasonable to assume that the assessment relates to the first and second floor windows.

Floor	Window	25 degree plane test	Vertical Sky Component (Window)		
			Proposed (target $\geq 27\%$)	Existing (%)	Reduction (target: $\leq 20\%$)
First	W1		>27%	-	
	W2		25.9	25.9	0
	W3		>27%	-	
	W4		26.3	27.2	3
	W5		>27%	-	
	W6		>27%	-	

Table 10.1: VSC test results for Hornsey Road Apartments, the windows that pass the 25 degree test are not shown on the table.

10.43 At this property there are 12 site facing windows. The 6 windows were tested on VSC: 4 of them achieved a VSC of greater than 27% and the remaining 2 windows achieved a VSC of greater than 80% of their former value and very close to 27% retained value. It is concluded that the windows pass this test and retain adequate daylight.

Hornsey Road Children's Centre

10.44 The Hornsey Road Children's Centre sits directly opposite the site across Hornsey Road. There is no window that fails the VSC test.

Montem Primary School Outbuilding

10.45 There is some very minor reduction (2-6%) at the ground floor level, however, it is considered that all 7 windows passed either the 25 degree test or the VSC test.

173-177 Hornsey Road

10.46 At this property there are 3 site facing windows. Of those, 1 window passes the 25 degree line test. The other 2 windows were tested on VSC: both of them achieved a VSC of greater than 80% of their former value. It is concluded that there would be adequate levels of daylight received.

5-27 Sussex Way

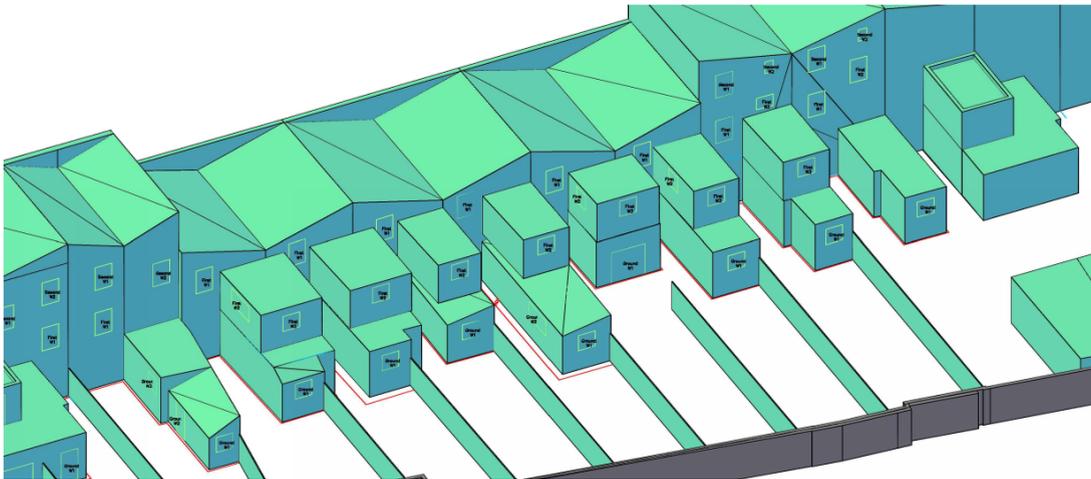
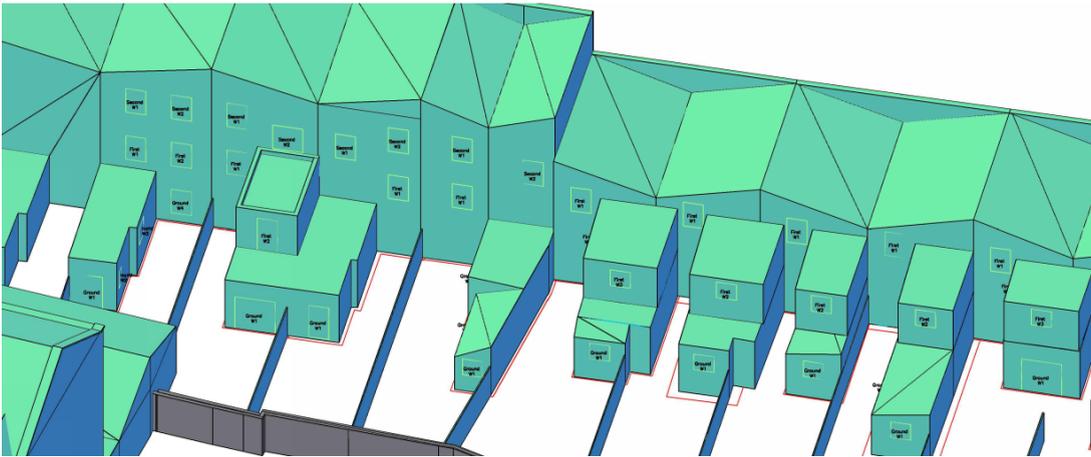


Image 10: The rear elevation of 5-27 Sussex Way that fronts the site.

			Vertical Sky Component (Window)		
Building	Floor	Window	Proposed (target ≥27%)	Existing (%)	Reduction (target: ≤20%)
5	Ground	W1	13.4	13.9	3
		W2	17.7	18.8	6
		W3	13	13.7	5
		W4	14.7	16.6	11
	First	W1	26	28.3	8
		W2	26.4	28.6	8
	Second	W1	>27%		
		W2	>27%		
7	Ground	W1	15.7	20.3	22
	First	W1	11	12.3	11
		W2	>27%		
	Second	W1	26.5	30.4	13
		W2	19	20.6	8
9	Ground	W1	19.2	24.2	21
	First	W1	>27%		
	Second	W1	>27%		
		W2	>27%		
11	Ground	W1	19.4	24.2	20
		W2	18.2	19.2	6
		W3	18.6	19.4	4
	First	W1	>27%		
		W2	>27%		
	Second	W1	>27%		
13	Ground	W1	24.3	29.9	19
		W2	23.4	24.1	3
	First	W1	26.9	28.5	6
		W2	23.4	24.1	3
15	Ground	W1	26.2	31.7	17
	First	W1	19.4	20	3
		W2	>27%		
17	Ground	W1	26.6	31	14
	First	W1	19.2	19.8	3
		W2	>27%		
19	Ground	W1	25.4	30.8	18
		W2	21.9	23.6	7
	First	W1	17.4	18.1	4
		W2	>27%		
21	Ground	W1	23.1	25.2	8
		W2	19	19.2	1
	First	W1	23.7	24.4	3
		W2	19	19.2	1
23	Ground	W1	>27%		
		W2	>27%		
		W3	>27%		
	First	W1	18	18.3	2
25	Ground	W1	>27%		
		W2	>27%		
		W3	>27%		
	First	W1	23.6	23.8	1
		W2	>27%		
Second	W1	>27%			
	W2	>27%			

27	Ground	W2	>27%		
	First	W3	>27%		
		W1	>27%		
	Second	W1	>27%		
		W2	>27%		

Table 10.2: VSC test results for Hornsey Road Apartments.

10.47 At this row of property there are 56 site facing windows. Of those, all windows were tested on VSC: 26 of them achieved a VSC of greater than 27% and the remaining 28 windows achieved a VSC of greater than 80% of their former value. There are two ground floor windows (1 at no.7, 1 at no.9) which fall short of the target; the reduction in VSC is 22% and 21% respectively, which is very close to the 20% target. Officers are satisfied that the minor breach for 2 windows would not warrant refusal of the application on this ground.

Sunlight to existing buildings

10.48 Similar to daylight, the impact on sunlight to existing nearby properties has been analysed within the submitted assessment. The windows that do not According to the applicant's testing, there are no infringements against BRE sunlight guidance. It was concluded that all windows tested would meet the BRE target for the Sunlight test and would not experience a noticeable impact.

Daylight and Sunlight summary

10.49 It is noted that 2 properties on Sussex Way will be affected by the reductions in daylight experienced. However, it is considered that the reduction of the daylight figures from the former value is minor and very close to the 20% reduction target (21% and 22% respectively). Overall, officers consider the proposal would not lead to unacceptable losses of daylight and sunlight to residential neighbours to warrant refusing the application on this ground.

Overshadowing

10.50 Concerns were raised in the representation with regard to the impact of the proposed development on neighbouring amenity space. The application has also been supported by a solar access analysis to demonstrate the shadowing effect of the proposed development.

10.51 The scope of the solar access analysis was highlighted in the report, The report demonstrates that only a small section of the Montem Primary School playground would experience an increasing of shadowing; however, for all the amenity spaces tested, at least 50% of the analysed spaces will receive more than 2 hours of sunlight on 21 March under proposed conditions, meeting the BRE requirements for overshadowing.

Privacy and overlooking

- 10.52 Paragraph 2.14 of Islington's Development Management Policies states that "To protect privacy for residential development and existing residential properties, there should be a minimum distance of 18m 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 must be given to the nature of views between habitable rooms – for instance, where views between habitable rooms would be oblique as a result of angles or height differences between windows, there may be no harm.
- 10.53 Paragraph 2.3.36 of the Mayor of London's Housing SPG states that such minimum distances "can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density". This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor's guidance does not override Islington's Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.
- 10.54 The south west elevation of the proposed buildings will face onto the rear elevations of 5 - 27 Sussex Way which contain residential windows. The proposed south west elevation for both building B comprises windows that will serve bedrooms and bathrooms which at the closest point, will be approximately 13m away from the neighbouring windows/terrace. In order to mitigate the impact and avoid unacceptable overlooking a condition is recommended requiring the windows on the south west elevation to be obscure glazed with restricted opening (condition 4) with an informative clarifying the affected windows.

Outlook and sense of enclosure

- 10.55 The site is surrounded by residential properties on Hornsey Road and Sussex Way.
- 10.56 The proposed development comprises a four storey building (Building A), and a three storey building at rear (Building B). The scale and height of the buildings are compatible with the locality and it is considered that the proposed development would not result in unacceptable loss of outlook nor unacceptable increase in sense of enclosure for the neighbours. The buildings on Sussex Way and the application site are separated by the rear gardens and it is judged that the neighbours would receive good levels of outlook and the living conditions would not be unduly impeded as a result of the development.

Construction related activity

- 10.57 It is expected that the proposed development would cause some degree of disruption and nuisance towards the neighbours during the construction phase. The neighbours concern is acknowledged and it is agreed that the environmental impact during the construction period would need to be minimised to ensure that the neighbours' quality of life would not be unacceptably affected by the construction work. A full Construction Environmental Management Plan would be required to be submitted and agreed by the Council prior to the commencement of work. This is recommended in condition 5.

Amenity summary

- 10.58 In conclusion, there is not considered to be any adverse material impact on residential amenity to neighbouring properties in terms of loss of light, loss of privacy, sense of enclosure, overlooking or noise as a result of the proposed development, subject to the conditions set out in this report.

Dwelling mix

- 10.59 Core Strategy policy CS12 (part E) requires residential developments to provide a range of unit sizes to meet needs in the borough. In the Development Management Policies document, paragraph 3.14 (which supports policy DM3.1) states that developments should provide for a mix of unit sizes in accordance with Table 3.1, which sets out the following required unit size/tenure mix:

Tenure	1 bed	2 bed	3 bed	4 bed+
Market	10%	75%	15%	0%

10.60 The proposed 9 residential units would comprise 4no. 2-bedroom and 5no. 3-bedroom units. This would achieve the following proportions:

Tenure	1 bed	2 bed	3 bed	4 bed+
Market	0%	44.4%	55.6%	0%

10.61 The proposal evidently prioritises on the provision of 3 bedroom units, which results in a mix which is not wholly in accordance with the preferred mix.

10.62 In accordance to paragraph 3.14, the applicant has submitted additional information in justifying the proposed dwelling mix (ref: 1653-PL-DOC-015). A more policy compliant dwelling mix has been reviewed (67% 2 bed and 33% 3 bed), whilst it is considered that a larger proportion of 2 bed units can be provided, the agent has expressed that a revised mix would only be achieved by reducing units 6 and 8 from three storeys to two storeys, which would result in a different design of the rear extension of the locally listed building.

10.63 Taking into account the design of the proposal and the constraints at Building B, it is considered that the proposed mix (44% 2 bed and 56% 3 bed) would not result in an unacceptable mix of development.

Quality of residential accommodation

10.64 Paragraph 127 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

10.65 London Plan Policy 3.5 states that securing new housing of the highest quality and protecting and enhancing residential neighbourhoods are key Mayoral priorities, and that new dwellings should take account of factors relating to arrival at buildings, and the place of retreat offered by homes. Policies DM3.4 and 3.5 require new developments to provide good quality accommodation both internally and externally, which should accord with the principles of good design and provide dual aspect accommodation unless exceptional circumstances are demonstrated.

10.66 The relevant standards for internal layouts and room sizes are provided by:

- The London Plan (2016) MALP Policy 3.5 and Table 3.3
- London Plan SPG: Housing (2016)
- The Department for Communities and Local Government's Nationally Described Space Standard (March 2015)
- DM Policy 3.4

10.67 Policy DM3.4 requires new units to have adequate sizes and layouts, good ceiling heights, sufficient storage space, and functional, useable space. All of the proposed residential units would comply with the sizes detailed within Policy 3.4 and the above standards. All new residential developments are required to meet or exceed the minimum space standards set out in table 3.2.

10.68 The size of the units is as follows:

No.	Bedrooms/ Occupancy	Expected	Floor Space Provided (Approx.)	Minimum Required Floor Space (London Plan policy 3.5)
	Unit 1 - Building A –		85m ²	84 m ²

2 bedroom 4 person (accessible unit)		
Unit 2 - Building A – 2 bedroom 4 person	72m ²	70 m ²
Unit 3 - Building A – 2 bedroom 4 person	72 m ²	70 m ²
Unit 4 - Building A – 2 bedroom 4 person	72 m ²	70 m ²
Unit 5 - Building B – 3 bedroom 5 person	150m ²	108 m ²
Unit 6 - Building B – 3 bedroom 5 person	150m ²	108 m ²
Unit 7 - Building B – 3 bedroom 5 person	150m ²	108 m ²
Unit 8 - Building B – 3 bedroom 5 person	150m ²	108 m ²
Unit 9 - Building B – 3 bedroom 5 person	150m ²	108 m ²

10.69 The proposed size of the units has been reviewed and it is acknowledged that the proposed 3 bedroom units are considerably larger than the minimum standard above. However, this arises partly due to the site constraints in retaining the locally listed building and the plan form of this building which means a 3 bed unit with independent access is the most natural and logical arrangement. The agent has reviewed the options for reducing the internal floorspace for the 3 bed properties within Building B, in attempt to make the scheme more in line with policy DM3.4 and London Plan policy 3.5.

10.70 Having reviewed the option illustrated within the document 1653-PL-DOC-015 (option 1), it is noted that the size of the 3 bed units can be potentially reduced by removing part of the first floor area, however, it would not improve the quality of the accommodation nor the layout of the units.

10.71 Therefore, it is considered that the proposal produces an acceptable quality of accommodation whilst taking into account the setting and retention of the locally listed building.

Entrances and circulation

10.72 London Plan Policy 3.5 requires the design of new housing developments to enhance the quality of local places and take account of factors relating to arrival at the building. Policy 7.3 states that design should encourage appropriate human activity creating a reduced risk of crime and Islington Policy DM3.4 requires logical, legible and level entrances, visible from the public realm and clearly identified. The positioning and design of the main entrance will be sited near the existing site entrance, both Building A and Building B will have separate entrance points at the front of the site. This arrangement is considered acceptable.

10.73 Internally, circulation through the residential building is logical and well laid out. Policy DM3.4 and Standard 12 of the SPG state that each core should be accessible to no more than 8 units on each floor; the proposal would comply with this. Standard 13 states that access cores serving 4 or more dwellings should have access control systems; for Building A, no information on this has been provided but this could be required by condition (no.8); Furthermore, standard 14 requires internal corridors to receive natural light and ventilation; again, for Building A, the stairwell would be benefitted by large single pane windows on the principle (north) elevation. The windows should be openable to allow good natural ventilation within the stairwell, the details of the window design is secured by the material condition (no.6).

Noise and Ventilation

10.74 Policy DM3.4 states that all new housing developments are required to provide accommodation of adequate size and layout with consideration of aspect, outlook, noise, ventilation, privacy and light; functional and useable play, amenity and garden space; sufficient space for storage and utility purposes; built to accessible standards. Page 42
 DM3.4 part D requires dual aspect accommodation,

unless exceptional circumstances can be demonstrated. All 9 residential units are above ground and would benefit from true dual aspect (i.e., windows on opposite elevations, looking out onto different spaces), which is considered acceptable.

- 10.75 An Environmental Noise Assessment was submitted, which assesses the residential noise levels and identifies that the site is within a noisy location due to its siting on Hornsey Road.
- 10.76 The Council's Pollution Officer commented on the previous application which has a similar residential layout to the latest scheme. It is noted that a number of adjacent buildings along this part of Hornsey Road have existing residential units. The ground floor unit at Building A and all 5 units at Building B benefit from rear private amenity space that is set back from the main road and would have a lower exposure to the noise from the road. Nonetheless, the noise levels experienced by the residential units would be commensurate with a busy road location, in order to minimise the impact on living conditions a number of planning conditions are recommended (by the Council's Pollution Officer) regarding noise levels within the units (condition 12).
- 10.77 The nature of the proposed D1/D2 use would be likely to generate some level of noise due to its activities, however, it is worth noting that the existing lawful use of the entire site is under Class D1, it is considered that the scale of the D1/D2 operation would be constrained by the size of Building C (148sqm GIA). Notwithstanding that, the proposed community use would potentially affect the living conditions of the existing and future residents. Details of the sound insulation of Building C should be secured by condition. The hours of operation (Condition 14) and the deliveries and servicing arrangement of the D1/D2 unit (Condition 18) should also be restricted to ensure that the community use would not unacceptably affect the living condition of the existing and future residents. It is noted in the Planning Statement that Building C will not be mechanically ventilated or air conditioned, which is considered to be acceptable.

Outdoor Amenity Space

- 10.78 Policy DM3.5 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'. Part C of the policy states that the minimum requirement for private outdoor space is 5sqm on upper floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors.
- 10.79 For the upper floor (2-bed) units with Building A, outdoor amenity space has been provided for each of the units in the form of balconies of 6sqm. The ground floor wheelchair accessible unit would comprise approx. 27sqm of garden space. For the three bed dwellings at Building B, rear gardens of various size are provided, ranging from 18sqm (unit 09) to 33sqm (unit 05). Taking into account the existing plot size, and the principle of retaining the existing locally listed building, it is considered that the proposed gardens are acceptable in terms of both quality and quantity terms. These would all relate well to the main living spaces, and would provide acceptable outdoor amenity spaces.
- 10.80 The proposal is located on a busy road, with high background noise levels and poor air quality. However, it is accepted that the outdoor amenity space are well designed to ensure that the proposed units are capable of providing good quality living condition.
- 10.81 It is highlighted in the submitted Planning, Design and Access Statement that there is a provision of play space which would meet the council's requirement under policy DM3.6, even though the application scheme is not a major development. It was calculated that there will be a child yield of 3 as a result of the development, which equates to a total of 15sqm of play space to be provided. It is stated that the communal parts of the development could be utilised as a play space for children. Officers have reviewed the scheme and consider that the scale of this minor development would not normally require play space to be provided on site; based on the submitted plans, there is no detail on the design/landscaping of the proposed play space within the site. Therefore, it is considered that weight is not given to the proposed play space provision, but the overall landscaping of the scheme will need to be secured as part of a condition (no.16).

- 10.82 London Plan policy 3.5 requires new residential developments to meet the changing needs of Londoners over their lifetimes. London Plan Policy 3.8 states there should be genuine housing choice which meets requirements for different sizes and types of dwellings in the highest quality environments. Furthermore, London Plan policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG.
- 10.83 Islington's Core Strategy policy CS12 (part H) requires all new housing to comply with "flexible homes" standards (as set out in the Inclusive Design in Islington SPD), with at least 10% wheelchair housing provided as part of all new developments. Islington's Development Management Policy DM3.4 clarifies that this 10% is to be calculated against the number of habitable rooms, and that the accommodation is to be wheelchair-accessible or easily adaptable for residents who are wheelchair users. It adds that the wheelchair accessible units should be provided across all tenures and unit sizes. Development Management Policy DM2.2 requires all developments to demonstrate that they i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone; and iv) bring together the design and management of a development from the outset and over its lifetime. The Inclusive Design in Islington SPD (2014) is also relevant to the proposed development.
- 10.84 The Deregulation Bill 2015 introduced a new National Standard for Housing Design within Part M of the Building Regulations, broken down into 3 categories, and the higher of these standards can only be imposed subject to planning conditions and policy justification. The Minor Alterations to the London Plan (2016) Policy 3.8 (Housing Choice) provides this and requires 90% of new housing to be built to Category 2 (Accessible and Adaptable Dwellings, similar to Lifetime Homes) and 10% to Category 3 (Wheelchair Accessible dwellings, similar to Islington's wheelchair accessible housing standard). The ground floor flat at Building A would be wheelchair accessible (as set out by the Design and Access statement) and this is recommended to be secured by condition 9.
- 10.85 The 5 units at Building B have the potential to achieve category 2 – accessible and adaptable dwellings and this will also be secured under condition 9; However, the upper flats at Building A would not have level access and would therefore only achieve category 1.
- 10.86 For the community use building (Building C), it would have independent access from Hornsey Road, separated from the residential element of the scheme. It is expected that the existing entrance will be used for the new use. It is important to ensure that the proposal would be benefitted by wheelchair accessible facilities and entrance, appropriate turning circles for wheelchair users and disabled toilet facilities. The layout of Building C will need to be agreed prior to the occupation of the D1/D2 unit and this is secured by condition 8.
- 10.87 In terms of the communal area, it is noted that there will be a mix of soft and hard landscaping proposed. In regard to the Inclusive Design Officer's comment on entrance steps, it is considered that the details of the entrance steps for Building A can be secured by condition 8.
- 10.88 The site has good public transport with a PTAL of 6b, with a number of bus routes passing through the site and the nearby Seven Sisters Road. Nonetheless, it is important to provide complementary measures such as blue badge parking, safe drop off point outside the site, storage and charging for mobility scooters and accessible cycle parking. It is considered that there is space in the cycle storage area for a mobility scooter and mobility tricycle space. The cycle storage design shall be submitted as condition 10.
- 10.89 The number of accessible parking bays required will be determined by the formulae set out at page 66 of the council's Planning Obligations (Section 106) SPD. A space in front of the site (currently the main entrance of the site with crossover) has been identified as the potential location for accessible parking, and it would be within 75m away from dwelling entrances (paragraph 5.12 of the Inclusive Design SPD). The provision of the parking bays would be secured via section 106 agreement.

Sustainability, Energy Efficiency and Renewable Energy

- 10.90 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.

Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.

- 10.91 The submitted Energy Statement confirmed that the proposed development would achieve a reduction in regulated CO₂ emissions of 60% (46% in total) against the 2013 Building Regulations, and is therefore compliant with the relevant London Plan policy. This saving would be achieved through the incorporation of an efficient fabric with low UI values, a good air permeability rate and a thermal bridging y-value in line with the Accredited Construction Details for all the new build parts.
- 10.92 In accordance with the Council's Zero Carbon Policy, the council's Environmental Design SPD states "after minimising CO₂ emissions onsite, developments are required to offset all remaining CO₂ emissions (Policy CS10) through a financial contribution". "All" in this regards means both regulated and unregulated emissions. The Environmental Design SPD states "The calculation of the amount of CO₂ to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement."
- 10.93 In this instance, a contribution of £4,000 would be secured via legal agreement towards offsetting any projected residual CO₂ emissions of the development, this is charged at the price of £1,000 per new build unit (flats) in accordance with the Environmental Design SPD.

Air Quality

- 10.94 Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM 6.1 of the Development Management Policies document requires that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 10.95 Islington is an Air Quality Management Area in recognition of borough-wide poor air quality. An air quality assessment was submitted in support of the application. The report concludes that to achieve acceptable air quality, mechanical ventilation with NO_x filtration is recommended for the residential units to achieve an acceptable internal environment.
- 10.96 As per the recommendation by the Pollution Team, a condition (no.13) is recommended to secure the details of the ventilation of the unit.

Biodiversity

- 10.97 A roost assessment has been submitted in support of the proposed redevelopment of the site. It was concluded that the site has a relatively low ecological value due to its use and urban location, however, the ecological constraints relating to bats within the buildings and surroundings have been considered.
- 10.98 The latest roost survey recommends an emergent survey to be undertaken between May and August, and the Nature Conservation Officer recommended this should be carried out.
- 10.99 The reports also recommend that bat boxes/bricks are installed in the new development along with sparrow boxes. In light of the comment raised in the representation, it is suggested that swift bricks/boxes to be incorporated within the development. As bats are present in the area, the Nature and Conservation Officer considered that it is important for light spill to be minimised in the new development, therefore, details in relation to the external lighting throughout the site should be submitted and agreed under a planning condition (no.21).

Highways, Transportation and Servicing

- 10.100 The site is located on the west side of Hornsey Road and it is subject to a 20mph speed limit. The site has a high PTAL rating of 6b with a number of bus stops located within walking distance. The site currently has a vehicle entrance with a crossover at the south. There are pavements on both sides of the street.
- 10.101 The site is within a Controlled Parking Zone. A short section of double yellow lines exist directly outside the application site with a dropped kerb, with residents' parking / pay-and-display machine along this section of Hornsey Road.
- 10.102 There are bus stops on Hornsey Road, as well nearby on Seven Sisters Road. The nearest tube/railway station is Finsbury Park station. The overall accessibility of the site for the future residents and the D1/D2 users provides a broad range of transport modes.

Proposed arrangement

- 10.103 There is one proposed wheelchair accessible unit (Unit 01) at Building A, and wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking). Given the site's constraints to provide for on-site wheelchair parking, it is proposed to extend the existing parking bays outside the site to provide a single wheelchair accessible parking space adjacent to the site. This is considered acceptable and complies with the relevant policy requirement.
- 10.104 The development would be car free and permit free, as required by Core Strategy Policy CS10 and secured by the s.106 agreement to restrict future of occupiers of the residential units from obtaining parking permits. This will ensure that there is no undue impact or increased demand for existing on street parking.
- 10.105 There would be no increase in community use (D1/D2) floorspace when compared to the existing building, it is therefore considered that the proposed use would not result in increase in trip generation or demand for existing on street parking.
- 10.106 According to the submitted Planning Statement, the proposal would alter the highways arrangement immediately outside the site, in order to improve the street parking and servicing of the site building. Footway and highway reinstatement works would be necessary following completion of the proposed development. This matter is referred to in the recommended Section 106 Heads of Terms. The highways team raised no objection to the proposed highways work.

Servicing and Refuse

- 10.107 The proposed refuse and recycling stores are considered adequate, and are compliant with the council's current Recycling and Refuse Storage Requirements (June 2013). The stores are adequately sized and located within the site. The bin storage for Building A is set away from the front boundary and is at the communal access area. For units within Building B, there will be a bin store at the front of each unit. For Building C, the proposed bin storage will be located at the front lean to structure which is easily accessible from the entrance for collection. It is considered that the proposed refuse storage area would provide adequate refuse arrangement for the development.

Cycle parking

- 10.108 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for cycling. The levels of cycle parking required for this development would need to be in line with the Council's Development Management policy.
- 10.109 One space per bedroom is required for residential units; there would be 23 cycle spaces in total (plus space for a mobility scooter and disability cycle). According to the submitted plans, the proposed

cycle storage for Building A would be located at the communal amenity space (also designated as the play space); and the cycle storage for Building B will be located at the front of each individual house. This arrangement is considered acceptable in principle, it is satisfied that the site is large enough to accommodate cycle storage that is integrated and easily accessible.

10.110 10 cycle parking spaces proposed for the D1/D2 use which is considered to exceed the minimum cycle parking requirement set out in Appendix 6 of the Development Management Policies 2013.

10.111 Details of the cycle storage design would be secured via condition (no.10).

Fire safety

10.112 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire.

10.113 The London Fire and Emergency Planning Authority (LFEPA) has commented on the proposed development. It was confirmed that the LFEPA will be satisfied subject to the proposal meeting the requirements of Approved Document B5 of the Building Regulations.

10.114 To demonstrate compliance of Approved Document B5, the Council's Building Control Officer has advised that further information is required for the development to demonstrate provision of vehicle access for a pump appliance to the site buildings. It is advised the applicant should contact the council's Building Control team in relation to fire safety, an informative is recommended.

Drainage and Flood risk

10.115 The application site is within Flood Zone 1 (and has a low probability of flooding), is less than 1 hectare in size, and is not within a Local Flood Risk Zone. It is not required to submit a Flood Risk Assessment with the application.

10.116 In relation to drainage, the proposed development is assessed against Development Management Policy DM6.6. Following the publication of the Government's "Delivering Sustainable Drainage Systems" paper in September 2014, and the Ministerial Statement of 18/12/2014, sustainable drainage systems (SuDS) are now delivered through the planning process. The applicant has submitted information in relation to SUDS design.

10.117 Due to limited soft landscaping on site, it is considered difficult to implement soft SUDS features such as ponds and rain gardens. Green and blue roofs have also been ruled out as an option given the proposed roof form are all pitched. It is acknowledged that the implementation of SUDS measures should be incorporated into the overall landscaping design, including the provision of hard permeable surfaces therefore, the details of SUDS should be submitted as a condition, in conjunction with the landscaping details that will be secured under condition 15.

10.118 Thames Water has commented on the application and informative is recommended in relation to the drainage design and the requirement to contact Thames Water prior to commencement of development.

10.119 Overall, it is considered that the proposed drainage strategy is acceptable in the context of this area with low probability of flooding.

Planning Obligations and CIL

Community Infrastructure Levy

10.120 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) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.121 Both Islington CIL and Mayoral CIL would be payable in relation to the proposed development.

Section 106 agreement

10.122 The following Heads of Terms are necessary in order to mitigate the impacts of the proposed development. The necessary Heads of Terms are set out at Appendix 1 Recommendation A:

- Highways reinstatement (general) - The provision of highways work, including reinstatement of kerbs at the front of the site
- Provision of accessible parking space
- Car free residential units – removal of future residents' rights to obtain an on street parking permit
- Carbon offset of £4,000 towards the remaining CO₂ emission in relation to the development.
- Affordable housing contribution £50,000 x 9 = £450,000 and clarification that if any future proposal for additional residential units brings the total number of residential units to 10 or more, the total number of units on-site would be considered and the requirement for on-site affordable housing would be triggered, through a viability review.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

10.123 All payments to the council would be index-linked from the date of Committee and would be due upon implementation of the planning permission.

11 **SUMMARY AND CONCLUSION**

Summary

11.1 The benefits of the proposed development must be noted. These include the principle of redeveloping the site, with creation of residential units which comply with the relevant residential standard, the re-provision of community use (Class D1/D2 facilities) and the affordable housing contribution.

11.2 These benefits must, however, be weighed against the shortcomings of the proposed development, the material harm that the proposed development would cause, and the development's non-compliance with development plan policies. Officers' primary concerns relate to the visual impact of Building A, specifically in terms of its appearance and use of materials; it is considered that the details of the proposed external material for both Building A and B would need to be submitted and agreed prior to the commencement of works.

11.3 The comments made by residents and neighbouring businesses have been duly considered, as have responses from consultee bodies.

11.4 The council's assessment is against all relevant Development Plan policies and other material considerations, and determine the proposal in accordance with the plan as a whole unless material considerations indicate otherwise.

11.5 In this case, the benefits of the proposed development have been given due consideration, and are considered to outweigh those shortcomings of the development which can be adequately mitigated through the use of conditions and the provisions of a Section 106 agreement.

Conclusion

11.6 It is recommended that planning permission be granted subject to conditions and Section 106 agreement Heads of Terms as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- Highways reinstatement (general) - The provision of highways work, including reinstatement of kerbs at the front of the site
- Provision of accessible parking space
- Car free residential units – removal of future residents' rights to obtain an on street parking permit
- Carbon offset of £4,000 towards the remaining CO₂ emission in relation to the development.
- Affordable housing contribution £50,000 x 9 = £450,000 and clarification that if any future proposal for additional residential units brings the total number of residential units to 10 or more, the total number of units on-site would be considered in terms of viability and the requirement for on-site affordable housing would be triggered through a viability review.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement CONDITION: 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 CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: Plans approved: GA-000 rev.A Site Location Plan GA-001 rev.A Ground Floor Plan General Arrangement As Existing GA-002 rev.A Site Plan Demolition General Arrangement As Existing GA-200 rev.A, Site Elevations General Arrangement Existing GA-201 rev.A, Site Elevations General Arrangement Existing GA-205 rev.A Site Elevations General Arrangement Existing GA-500 rev.A Site Location Plan As Proposed GA-505 rev.A Block Plan Proposed GA-600 rev.B, Ground Floor Plan General Arrangement As Proposed GA-601 rev.A, First Floor Plan General Arrangement As Proposed GA-602 rev.A Second Floor Plan General Arrangement As Proposed GA-603 rev.B Third Floor Plan General Arrangement As Proposed GA-604 rev.B Fourth Floor Plan General Arrangement As Proposed GA-605 rev.B Roof Plan General Arrangement As Proposed GA-700 rev.B, Site Section General Arrangement Proposed GA-701 rev.A Site Section EE General Arrangement As Existing GA-800 rev.B Site Elevations General Arrangement Proposed GA-801 rev.B Site Elevations General Arrangement Proposed GA-802 rev.B Building Elevations General Arrangement As Proposed 171062-X-00-DR-C-1100 P2 Surface Water Drainage Strategy 171062-X-00-DR-C-1101 P1 Existing Impermeable Areas 171062-X-00-DR-C-1000 P2 Proposed drainage layout

	<p>Documents approved:</p> <p>Cover letter 20 April 2018 DOC-001 View 1 DOC-002 View 2 DOC-003 View 3 DOC-010 rev.A Planning, Design and Access Statement Initial Heritage Appraisal – The Heritage Practice September 2015 Daylight, sunlight and Overshadowing Report XCO2 April 2018 Sustainable Design and Construction Statement XCO2 April 2018 Environmental Noise Assessment – April 2018 Asbestos Survey Report June 2015 Utilities Statement April 2018 Air Quality Assessment April 2018 Envirocheck Report 16 May 2017 P1 Phase 1 Habitat Survey & Protected Species Assessment Brindle and Green September 2015 Protected Species Survey – Bat Emergence Surveys Brindle and Green September 2015 Preliminary Roost Assessment – BG18.179 May 2018 Structural and Civil Engineering Appraisal 170162/A rev. P4 09 May 2018 Tibbalds Planning Note 18 Sept 2018 including appendix one (Planning Response Unit Size, Mix and Number 1653-PL-DOC-015) and appendix two (Illustration drawings PL-DE-001 and PL-DE-002)</p>
3	<p>Removal of Permitted Development rights (Compliance)</p>
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no change of use of the D1/D2 unit shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the adjoining premises and the surrounding area, and to allow the Local Planning Authority to assess the impacts that any change of use in the future.</p>
4	<p>Windows Obscured and Fixed Shut (Details)</p>
	<p>CONDITION: Notwithstanding the plans hereby approved, prior to commencement of works, plans and details of screening measures to the first, second and third floor west and north-facing windows shall be submitted to the Local Planning Authority for approval in writing.</p> <p>Prior to first occupation of the development, the screening measures shall be installed strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To restrict views between the proposal and private outdoor spaces and rear windows for neighbouring properties on Sussex Way, and to ensure that the neighbouring privacy is adequately protected.</p>
5	<p>Construction and Environmental Management Plan (Details)</p>
	<p>CONDITION: No development shall commence until full details of the proposed construction methodology, in the form of a Construction and Environmental Management Plan, have been submitted to and approved in writing by the Local Planning Authority. The Method of Demolition and Construction Statement shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and collections including details of the routing, loading,

	<p>off-loading, parking and turning (within the site) and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;</p> <p>d) Details regarding the planned demolition and construction vehicle routes and access to the site;</p> <p>e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</p> <p>f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>g) The proposed hours and days of work;</p> <p>h) Details of any proposed external illumination and/or floodlighting during construction;</p> <p>i) Details of measures taken to prevent noise disturbance to surrounding residents;</p> <p>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <p>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</p> <p>l) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>m) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning within the site or as otherwise agreed by this condition during the construction period in accordance with the approved details. The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the Method of Construction Statement.</p> <p>The report shall refer to the LB Islington Code of Practice for Construction Sites, the GLA's SPG on construction dust and the Non Road Mobile Machinery Register. It is noted that the site is opposite the schools and the CEMP shall include particular reference to this and potential quiet periods during the day, delivery times, delivery arrangement with the zig zag lines outside, marshalling of vehicles etc.</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: In order to secure highway safety and free flow of traffic on Hornsey Road, local residential amenity and mitigate the impacts of the development.</p>
6	<p>Materials and detailing</p> <p>CONDITION: Notwithstanding the hereby approved plans, details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include large scale drawings, manufacturers details and material samples of the following:</p> <p>a) All proposed external materials for the new building and extension, including terracotta cladding</p> <p>b) windows and doors (including sections and reveals) and notwithstanding condition 4, details of any opaque or translucent glazing;</p>

	<p>c) balustrading, including details of handrails and fixings</p> <p>d) boundary treatments and gates</p> <p>e) copings, soffits, cills and reveals (and details of how these will be designed to avoid watermarks or staining to the surfaces below), the undersides of any projecting elements or balconies and junctions of external materials including the materials and locations for any expansion gaps;</p> <p>f) Roof materials and edge details;</p> <p>g) Rainwater goods (including locations, fixings, material and colour);</p> <p>h) Details and location of all soil, vent and waste pipes which shall (except for the termination) be constructed within the building;</p> <p>i) Details of any other equipment or devices to be installed externally external surfaces of the building including meter boxes, service connection access, aerials and satellite dishes.</p> <p>j) Any other external materials.</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>
7	Pipes
	<p>CONDITION: Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
8	Access (Details)
	<p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. Prior to commencement, details of the access measures shall be submitted to and agreed by the Local Planning Authority, including</p> <p>a) Provision of accessible disability scooter and tricycle storage for the residential units.</p> <p>b) Design of entrance steps for Building A</p> <p>c) Access arrangement and internal layout for Building C, including provision of accessible toilets and level access.</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 order to facilitate and promote inclusive and sustainable communities.</p>
9	Accessible housing (compliance)
	<p>CONDITION: Notwithstanding the drawings hereby approved, the proposed residential units at Building B (Units 05-09) hereby permitted shall meet building regulation M4 (2) (accessible and adaptable dwellings) and the ground floor unit at Building A (Unit 01) shall be 'wheelchair user dwellings' as defined by building regulation Part M4 (3)</p> <p>REASON: To secure the provision of visitable, adaptable and wheelchair accessible homes appropriate to meet diverse and changing needs, in accordance with London Plan policy 3.8.</p>
10	Cycle Parking Provision (Compliance)

	<p>CONDITION: The bicycle storage area(s) shown on approved plan no. GA-600 rev.B shall be fitted out with cycle storage for and provide for no less than 32 bicycle spaces and 1 disability tricycle space across the entire site and shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
11	Waste Management (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plan no. GA-600 rev.B and p.49 of the Planning, Design and Access Statement (1653-PL-DOC-010 rev. A) shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
12	Sound insulations
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to 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) 30dB 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 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>Any self-noise from the mechanical ventilation should be included in any assessment.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
13	Ventilation
	<p>CONDITION: Prior to commencement of the relevant part of the development, full details of ventilation for the residential accommodation 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</p> <p>REASON: To secure an appropriate future residential environment, and to mitigate against poor air quality.</p>
14	Hours of Operation
	<p>CONDITION: The D1/D2 unit hereby approved shall not operate outside the hours of:</p> <p style="padding-left: 40px;">08:30 - 20:00 (Monday - Friday) 09:00 - 18:00 (Saturday) 10:00 - 16:00 (Sundays and Bank Holidays)</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

<p>15</p>	<p>Sustainable urban drainage system (details)</p> <p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system in accordance with the principles as set out in London Plan policies: 5.13 and 5.15. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water.</p>
<p>16</p>	<p>Landscaping (Details)</p> <p>CONDITION: Landscaping (Details): Prior to the commencement of the development hereby approved (including all preparatory work), details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:</p> <ul style="list-style-type: none"> a) a scaled plan showing any vegetation to be retained and trees and plants to be planted: b) proposed hardstanding and boundary treatment: c) a schedule detailing sizes and numbers of all new trees/plants d) Sufficient specification to ensure successful establishment and survival of new planting. <p>Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).</p> <p>Reason: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual and residential amenity is provided and maintained</p>
<p>17</p>	<p>Bat survey and details of swift/bat bricks/boxes (Details)</p> <p>CONDITON: In accordance to the recommendation set out within the submitted Preliminary Roost Assessment, either a dusk emergence or dawn re-entry survey shall be undertaken prior to the commencement of any demolition work taking place. The survey shall be undertaken to establish the presence of or likely absence of bats within the site and the details shall have submitted for approval in writing by the Local Planning Authority.</p> <p>The approved details of the swift/bat bricks/boxes shall be incorporated within the development and maintained thereafter.</p> <p>REASON: To protect local habitats and enhance the biodiversity of the site as part of the redevelopment</p>

18	<p>Deliveries, collections and loading</p> <p>CONDITION: Deliveries, collections, unloading, loading along Hornsey Road associated with the D1/D2 uses shall only be between the following hours:</p> <p>Monday to Saturday - (08:00 - 20:00) Sundays/Bank Holidays - not at all</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic</p>
19	<p>Energy Strategy (compliance/details)</p> <p>CONDITION: The dwellings hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d. No occupation of the dwellings shall take place until details of how these measures have been achieved have been submitted to and approved in writing by the local planning authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
20	<p>Entrances (Details)</p> <p>CONDITION: Details of the residential entrance shall be submitted to and approved in writing by the Local Planning authority prior to the occupation of the hereby residential units, to demonstrate how:</p> <ul style="list-style-type: none"> a) The proposed entrance would result in a clearly legible and attractive entrance b) Access would be securely controlled to post boxes, waste storage and residential units c) Internal corridors would be lit and ventilated <p>REASON: To ensure safe and secure residential entrances and an acceptable residential living environment.</p>
21	<p>Lighting (details)</p> <p>CONDITION: Details of lighting within the communal area of the proposal shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted.</p> <p>The agreed measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of protecting neighbouring and future residential amenity, as well as the safety and security of the site, and protection of natural habitats including bats from undue light-spill in accordance with policies 7.3, 7.5, 7.13 and 7.19 of the London Plan 2016, policies CS9, CS10 and CS15 of Islington's Core Strategy 2011, and policies DM2.1 and DM6.5 of Islington's Development Management Policies 2013.</p>

List of Informatives:

1	<p>S106</p> <p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<p>Superstructure</p> <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>
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> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
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.</p>
5	<p>Construction works</p> <p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
6	<p>Thames Water (1)</p> <p>There may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. Thames Water would need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.</p>

	<p>With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</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>
7	<p>Highways Requirements</p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways.</p>
8	<p>Building Control</p> <p>The Building Acts and Building Regulations: To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works.</p> <p>T: 020 7527 5999 E: building.control@islington.gov.uk</p>

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 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 planning practice guidance for England has been published online

2 Development Plan

The Development Plan is comprised of the London Plan 2016, Islington's Core Strategy 2011, Islington's Development Management Policies 2013, the Finsbury Local Plan 2013 and Islington's 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 2.9 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 3.8 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

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 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening

Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste

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
transport infrastructure
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking

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 7.14 Improving air quality
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 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

A) Islington Core Strategy 2011

Spatial Strategy

Policy CS 3 (Nags Head and Upper Holloway)

Policy CS 8 (Enhancing Islington's Character)

Strategic Policies

Policy CS 9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS 10 (Sustainable Design)

Policy CS 11 (Waste)

Policy CS 12 (Meeting the Housing Challenge)

Policy CS 15 (Open Space and Green Infrastructure)

Policy CS 16 (Play Space)

Infrastructure and Implementation

Policy CS 18 (Delivery and Infrastructure)

B) 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

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.6 Play space

DM3.7 Noise and vibration (residential use)

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

DM6.5 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 and Site Allocations June 2013.

Islington Local Plan

- Archaeological Priority Area
- Core Strategy Key Areas – Nags Head & Upper Holloway
- Local cycle routes
- Locally Listed Building
- Mayor Protected Vistas
- Within 100m TLRN
- Article 4 Direction (A1-A2)

London Plan

None relevant

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

The following SPGs and/or SPDs are relevant:

Islington Development Plan

- Accessible Housing in Islington
- Environmental Design SPD
- Inclusive Design in Islington SPD
- Planning Obligations (Section 106) SPD
- Streetbook SPD
- Urban Design Guide SPD
- Affordable Housing Small Site contribution

London Plan

- Accessible London: Achieving an Inclusive Environment SPG
- The Control of Dust and Emissions During Construction and Demolition SPG
- Housing SPG
- Planning for Equality & Diversity SPG
- Shaping Neighbourhoods – Character and Context SPG
- Shaping Neighbourhoods – Play and Informal Recreation SPG
- Sustainable Design and Construction SPG

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ISLINGTON



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P2018/1452/FUL

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PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE A		AGENDA ITEM NO: B2
B	19 th June 2018	NON-EXEMPT

Application numbers	P2017/4766/FUL
Application types	Full Planning
Ward	Finsbury Park Ward
Listed building	n/a
Conservation area	n/a
Development Plan Context	Nags Head an Upper Holloway Core Strategy Key Area Within 100m of TLRN Within 50m of Mercers Road/Tavistock Conservation Area Article Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	29 Windsor Road, London, N7 6JG
Proposals	Conversion of single family dwelling house into 3 self-contained residential units (1x3bed, 1xstudio and 1x2 bed) plus the excavation of basement, front lightwell and rear courtyard erection of basement, ground and first floor rear extensions and roof extension. Proposed bin and bicycle storage to front garden.

Case Officer	Joe Aggar
Applicant	Mr S Dabasia
Agent	Mr Sean Zhiying Xu

1 RECOMMENDATION

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

- 1) the conditions set out in Appendix 1; and
- 2) conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

2. SITE PLAN (site outlined in black)



3. PHOTOS OF SITE/STREET



Image 1 - Aerial view of the site and surroundings



Image 2 - View of front of site



Image 3 – View of front of the site and adjoining properties at 29 Windsor Road.



Image 4 – View looking to the rear of the property

4. SUMMARY

- 4.1 The application site currently forms a single family, terraced dwelling (. The proposal is for the removal of the existing rear additions and erection of ground and partial width first floor addition. The application also proposes the excavation at basement level to create habitable accommodation with front and rear lightwells. At roof level, an extension is proposed. These works are to facilitate the conversion of the single family dwelling into 1x3bed maisonette, 1x studio and 1x2 bed maisonette.
- 4.2 The design, layout, scale and massing of the proposed development is considered acceptable. The proposed extensions would not detract from the appearance of the host building or the wider terrace.

- 4.3 The intensification of residential use (C3) resulting in 2 no. additional residential units (3 no. in total) is considered acceptable in principle at this location which is in residential use and would be conducive with the existing surrounding residential character.
- 4.4 The Core Strategy aims to ensure that in the future an adequate mix of dwelling sizes are delivered within new development, alongside the protection of existing family housing. Policy CS12 (Meeting the housing challenge) notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Whilst there is concern in relation to the provision of a studio unit, given the unit mix including the provision of a family unit, the overall unit mix and quality of the resulting accommodation is acceptable.
- 4.5 The proposal is not considered to prejudice the residential amenity of neighbouring properties insofar of loss of light, outlook or increased sense of enclosure and would not be contrary to policy DM2.1 of the Islington Development Management Policies June, 2013.
- 4.6 The redevelopment of the site results in no vehicle parking on site and occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 Section which identifies that all new development shall be car free.
- 4.7 The applicant has agreed in principle to small site affordable housing contributions in respect of the sum of £100,000. Any permission is subject to the completion of a Unilateral Undertaking.
- 4.8 The application is referred to committee as based on the number of objections.
- 4.9 The proposal is considered to be acceptable and in accordance with the Development Plan policies and planning permission is recommended for approval subject to conditions and legal agreement.

5. SITE AND SURROUNDINGS

- 5.1 The site is located on the south side of Windsor Road. It forms a three storey, 19th century, terraced dwelling. The property has a painted front façade and parapet at roof level with a shallow valley roof behind. No. 29 Windsor Road along with the majority of properties within the terrace retain much of their original appearance and character. No. 29 Windsor Road is neither statutorily nor locally listed and is not within a conservation area.
- 5.2 The site is also located close to the Nags Head Town Centre, which is one of two major town centres. The Nag's Head is a busy and vibrant major town centre offering a variety of shops and services. Nag's Head is located along the A1, Holloway Road, a heavily passing through the centre of the borough linking north with south. Windsor Road is located off, of Holloway Road and the vicinity of the site is primarily residential, characterised by uniform, traditional late 19th century terraced dwellings.

6. PROPOSAL (in Detail)

- 6.1 The application seeks the removal of the existing rear ground floor and partial width first floor extension, the excavation of a basement with front and rear lightwells and erection of ground floor full width extension and partial width first floor extension. The application also proposes the erection of a roof extension. Permission is also sought for the conversion of the existing single family dwelling house into 3 self-contained units. These would comprise 1 x 3 bed located over basement and ground floors, 1 x studio at first floors and 1 x 2 bed flat located at second and third floor levels.

- 6.2 It is proposed to include bin and refuse enclosures to the front garden and the proposed inclusion of a studio unit within the proposed mix of units.
- 6.5 The application has been referred to the planning sub-committee due to the number of objections received.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 89 Windsor Road, planning application re: P2016/1618/FUL for the '*Erection of mansard roof extension*' was REFUSED on the 17/06/2016.
- 7.2 39 Windsor Road, planning application re: P2015/0639/FUL for the '*Conversion of the house from a single dwelling to two maisonettes (retention)*' was GRANTED on the 22/03/2016.
- 7.3 39 Windsor Road, planning application re: P2014/2696/FUL for the '*The demolition of the existing rear extension and the construction of a full width ground floor rear extension and part width first floor rear extension; excavation to provide a rear basement room and, construction of a roof extension; all in connection with the retention as a single dwelling house*' was GRANTED on the 24/09/2014.
- 7.4 47 Windsor Road, planning application re: P2014/1959/FUL for the '*Erection of mansard roof extension to provide additional accommodation in associated with residential dwelling*' was GRANTED on the 06/08/2014.

ENFORCEMENT:

- 7.5 29 Windsor Road, planning application re: E/2017/036 for '*Without planning permission, the subdivision of a single residential unit to create three self-contained flats*' -closure (No Breach)

PRE-APPLICATION ADVICE:

- 7.1 29 Windsor Road, pre-application response for the '*Removal of existing rear additions, excavation of basement extension and erection of three storey full width extension plus rear roof terraces and associated balustrade. Erection of roof extension and conversion of single family dwelling into three self-contained flats (1x 3 bed, 1 X 1 bed and 1 x 2 bed) plus introduction of front lightwell and alterations to rear windows.*'.

"A revised approach to the roof extension both to the front and rear is encouraged. The roof addition should not protrude above the front parapet and should maintain the distinctive V-shape roof profile. The proposed rear additions are considered excessive and not subordinate to the host dwelling by virtue of their mass, size and height. The terraces are considered to exacerbate this identified harm and consideration should be given to the omission of the rear terraces, based on their impact in terms of design and neighbouring amenity. The proposed roof extension and rear additions are therefore advised to be reduced significantly to become more proportionate and acceptable additions to the property overall.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 15 adjoining and nearby properties at Windsor Road and Hercules Street. Consultation expired on the 07th February 2018. It is the Council's practice to continue to consider representations made up until the date of a decision.

- 8.2 At the time of writing this report 8 responses have been received from the public with regard to the application. Members will be updated at committee of any additional responses received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

Design

- Proposal downgrade streetscape (10.10 to 10.30)
- Bins and refuse would compromise front garden (10.52)
- Concern over alterations at roof level whether at the front or rear (10.13-10.14)
- Lightwell would be out of keeping with the surrounding context (10.20)

Impact on neighbouring Amenity

- Overlooking to the rear of adjoining properties (10.35)
- No details of noise abatement of upper floors (10.37)
- Disruption, noise and traffic caused by works (10.38)

Quality of Accommodation

- Outlook to basement window is poor (10.46)
- The council should not legalise over occupancy (10.6)
- Poor quality of accommodation to proposed units (10.48)

Highways

- Development will increase traffic (10.59)
- Concerned over the localised effect on pedestrian safety (10.38)

Basement

- Concern over structural damage to adjacent properties (10.27)
- Concern over increase ground water pressure on neighbouring walls (10.29)
- Impact on existing drains (10.65)
- Do not want a precedent for basement extensions (10.64)

Sustainability

- There will be semi-permanent structures will works are undergoing (10.38)
- Concern over environmental impact over the loss of garden (10.24)

Other Matters

- Development will impact the local school as these are oversubscribed (10.63)
- No Part Wall Act has been served (10.71)
- No indication of timescale for completion of works (10.70)
- Applicant has no intention on living within the property (10.72)
- Proposal will change the dynamic and community spirit (10.72)
- Neighbouring properties will be devalued and harder to sell (10.67)
- The building is in an area of swifts (10.69)

External Consultees

- 8.3 None

Internal Consultees

- 8.4 **Design and Conservation Officer:** No objection overall subject to conditions.
- 8.6 **Planning Policy:** policy complaint mix and layout of building indicates the justified inclusion of a studio unit.
- 8.7 **Highways Officer:** no comment to make in relation to the application.

9. Relevant Statutory Duties and Development Plan Considerations and Policies.

- 9.1 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);
 - 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 a conservation area, 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)).
- 1.1 National Planning Policy Framework (NPPF): Paragraph 14 states: “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...”
- 1.2 At paragraph 7 the NPPF states: *“that sustainable development has an economic, social and environmental role”*.
- 1.3 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.
- 1.4 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.
- 1.5 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.
- 1.6 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.

National Guidance

- 9.8 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.9 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.10 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
 - Deregulation Bill received Royal Assent 26th March 2015

Development Plan

- 1.7 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 1 to this report.
- 1.8 Some weight is given to the Draft London Plan.

Designations

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

Nags Head an Upper Holloway Core Strategy Key Area
Within 100m of TLRN
Within 50m of Mercers Road/Tavistock Conservation Area
Article Direction A1-A2 (Rest of Borough)

Supplementary Planning Guidance (SPG) / Document (SPD)

- 1.9 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
 - Principle of the conversion
 - Design and appearance
 - Impact on the amenity of neighbouring residents.
 - Quality of Accommodation
 - Accessibility
 - Small Site Housing Contributions
 - Highways
 - Sustainability

- Basement Development
- Community Infrastructure Levy
- Other Matters

Land Use

- 10.2 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Strategy Policy CS12 'Meeting the housing challenge' seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy 3.4 (and table 3.2) seeks to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.
- 10.3 The principle of providing two further residential units is considered to be in accordance with the above. It is therefore the case that there is a policy presumption in favour of the delivery of new housing, and the site is considered to be a sustainable location for new housing. Subject to compliance with other policies, the introduction of these residential units is supported in principle.

Principle of the conversion

- 1.10 The Council's Core Strategy explains that the stock of housing in the Borough is skewed towards smaller dwelling types and that in the recent past a large proportion of smaller flats were being built. Policy CS 12-part E aims to ensure a range of unit sizes is provided, alongside resisting the loss of existing units that are appropriate for family accommodation. The purpose of Policy DM3.3 of the DMP is to maintain a supply of larger homes to meet Islington's housing need and to deliver the objectives in Policy CS 12-part E. These policies are consistent with the Framework that supports the creation of sustainable, inclusive and mixed communities. The Framework expects local planning authorities to plan for a mix of housing based on the needs of different groups in the community and to identify the size, type tenure and range of housing that is required, reflecting local demand.
- 1.11 The proposal involves the change, or conversion, of an existing residential family unit into 3 different sized units, and this change is facilitated by extensions. Policies CS 12 and DM3.3 are relevant.
- 1.12 Policy DM3.3 of the DMP normally only permits the conversion of residential units into a larger number of self-contained units where the total floor area is in excess of 125 sqm (gross internal). The floor area of the house is 138.9sqm. DM3.3 A ii) requires that at least one unit of two or more bedrooms be provided in conversions of dwellings with between 125sqm and 140m. The proposal includes the provision of a 3 bed unit at ground and basement floor levels. Therefore, the conversion of the single family dwelling is acceptable in principle subject to further 'Mix' assessment later in this report.

Design and Conservation

- 1.13 The site is located in a residential area comprising of Victorian terraces of dwellings. The property on the site is mid terraced providing accommodation over three floors. The V-shaped valley/butterfly roof is concealed by a front parapet. No. 29 Windsor Road is very much in the traditional, late 19th century style and the facades of the great majority of properties retain much of their original appearance and character and have a uniform appearance. No. 29 Windsor Road is neither statutorily nor locally listed and is not within a conservation area.
- 1.14 Policy CS8 of Islington's Core Strategy sets the general principles to be followed by new development in the Borough. Policy CS9 deals with the application of those principles to

the Borough's built and historic environment. Policy DM2.1 requires high quality, inclusive design for all developments. The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonises with their setting. New buildings should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.

- 1.15 Islington's Urban Design Guide (UDG) is a Supplementary Planning Document adopted in January 2017 (the Design Guide). The document provides guidance on how urban design principles should be applied to ensure new development successfully contributes to making the Borough a better place. The document is a material planning consideration. This document provides guidance in relation to roof extensions, rear extensions, lightwells and basement extensions.

Roof extension

- 1.16 The UDG accepts that there is greater scope for introducing well designed roof extensions outside of conservation areas and confirms the importance of the roofline to the rhythm and unity of a residential terrace or street.
- 1.17 No. 29, like the other buildings on the north side of Windsor Road, has a butterfly roof, concealed by a front parapet. This design is repeated across the row of terraces to which the application property belongs and the row opposite. It is evident, that there are roof additions within the terrace which has disrupted the original rhythm and character of the roofscape.
- 1.18 The proposal is to create a mansard roof extension. The set back from the front (0.6m) would mean the mansard would be largely obscured behind the retained parapet wall when viewed at street level directly in front of the property. Given the proposed roof height of the mansard is set lower than the height of the adjoining roof addition at No. 28 and site lines provided indicate the proposal will not be visible from longer views, the proposed roof addition is not considered to interrupt the distinct, horizontal, existing cornice parapet and would remain largely obscured from public view.
- 1.19 Given the instances of roof additions within the terrace, including one at the adjoining property (No. 28) the mansard roof extension is not considered to undermine the rhythm of the roofline of the row of terraces and would retain the rear butterfly roof parapet. As such, the proposed would not be harmful to the intrinsic character and appearance of this section of Windsor Road. Moreover, the roof addition would not be visible from street level and would therefore be considered acceptable in that regard.
- 1.20 It is acknowledged the proposal would be visible in private views from the rear, extending the building upwards, rising above the 'V' shaped parapet. However, given the instances of extensions at roof level within the terrace it is not considered that the proposal would unacceptably disrupt the unity of the roofscape at the rear of the properties. Therefore, it is considered there is no material harm to the character and appearance of either the host building, or terrace.



Image: Front elevation (existing and proposed)

Rear Extensions

- 1.21 The application site is located in a residential area comprising of Victorian terraces of dwellings. The terrace within which the application site is located within a compact layout form that provides no opportunity for views of the rear elevations of the terraces to be obtained from the public realm. The wider terrace within which the site is located has been the subject of various additions and alterations at the rear, though in the main, the rear outriggers retain a continuity, with 'additions' to the original form appearing to be at ground floor level.
- 1.22 The proposal is to remove the existing full width addition at ground floor level and partial width at first floor. This is proposed to be replaced by a full width basement and ground floor level extensions and partial width first floor extensions (of the same depth).
- 1.23 The UDG states *'rear extensions must be subordinate to the original building; extensions should be no higher than one full storey below eaves to ensure they are sufficiently subordinate to the main building. For this reason and also in order to respect the rhythm of the terrace, full width rear extensions higher than one storey, or half width rear extensions higher than two storeys, will normally be resisted, unless it can be shown that no harm will be caused to the character of the building and the wider area. Locating an extension on the staircase side of a terraced dwelling can assist in maintaining the established rhythm of the existing rear elevation, and this also allows retention of the original windows to the principal rooms of the property.'*
- 1.24 The proposal, when read from ground level would read as a full width single storey and partial width first floor storey. The replacement additions would not project beyond the existing building line. It is acknowledged that the basement addition would also comprise a full width storey, however this would be set below ground floor level and would not be appreciable from views nearby. It is considered therefore that the proposed rear additions would maintain a sense of subservience to the existing building and that of the wider terrace.



Image: Rear Elevation (existing and proposed)

Front Lightwell

- 1.25 Unlike some developments of this period full-height semi-basements, providing habitable accommodation, are not a common feature of the houses in the immediate area. Also lightwells are not a characteristic feature within this terrace. The application property has a low brick wall on its front boundary. The proposal is open to public view from both the front and the side and the open character of the front garden would result in the grille being a noticeable feature within the immediate street scene. The lightwell would appear to be 0.7m deep and 3.3m in width.
- 1.26 The UDG explains that lightwells can be unsympathetic to the original frontage if they involve the loss of a verdant front garden. The proposed scale of the lightwell means that the majority of the front garden would be retained. Front light wells are not characteristic of the original dwellings in this area; however, in the context of the scale and features of the host dwelling and the houses in the terrace, it is considered that the excavation would have a very limited visual effect on the host dwelling or the wider terrace when seen from the public realm. The basement itself would not be visible from the public realm and is considered to have a neutral impact on the appearance of the streetscene (please also see Basement Development).

Basement

- 1.27 Control of basement development is concerned with site context and proportion of the site already development, proximity to listed building, hydrology of a site, topography, green infrastructure and biodiversity and location of trees and shrubs (DM6.3).
- 1.28 In line with the advice within the Basement SPD, for all basement development a Structural Method Statement (SMS) must be submitted (in accordance with the SMS requirements in Appendix B) in support of any such application. A Structural Engineers Report has been submitted in conjunction with the application and this has been produced and endorsed by a Chartered Structural Engineer.
- 1.29 For extensions to existing residential basements or the creation of new basement areas underneath and/or within the curtilage of an existing dwelling, the majority of original open area of the site should be retained, and the total area of basement beyond the original footprint must be subordinate to the original footprint of the dwelling. A basement and/or other structures should cumulatively occupy less than 50% of the original garden/unbuilt upon area, and be smaller in area than the original footprint of the dwelling, whichever the lesser.

- 1.30 The application proposes a single storey basement extension, front lightwell and rear lower ground floor courtyard. The proposed basement would largely run under the footprint of the existing house and also extend 2.3m into the rear garden. The basement would have 2.6m floor to ceiling heights and an overall approximate depth of 3m. Based on the proposed depth and scale of the basement would comply with design indicate DI.1, DI.2 and DI.3 of the Basement Development SPD.
- 1.31 Concern has been raised with regards to the structural stability of adjoining buildings. The NPPG advises that the effects of land instability may result in landslides, subsidence or ground heave. Failing to deal with this issue could cause harm to human health, local property and associated infrastructure, and the wider environment. The application is also assessed in accordance with the Basement SPD which aims to promote best practice in terms of basement development in the borough.
- 1.32 It is important to note when dealing with land that may be unstable, the planning system works alongside a number of other regulations outside the realms of planning legislation including Building Regulations, which seek to ensure that any development is structurally sound as well as the requirements under the Party Wall Act. Any development hereby approved would also be required to fully comply with these regulations.
- 1.33 The Structural Engineers Report provides a construction methodology to minimise the risk to adjoining occupiers. This confirms that underpinning of the existing foundations is proposed to be carried out. The potential impact to adjoining properties has been looked at and reported on within the SMS, which appears to have dealt with these buildings adequately in the design and mitigation proposals (underpinning and monitoring). As such the approach to require the of implementation of any permission in accordance with an approved method statement would be consistent with the Basement Development SPD.
- 1.34 A condition has been attached also requiring that the certifying professional (or replaced with a suitably qualified person with relevant experience) endorsing the SMS is retained for the duration of construction.
- 1.35 The site is not located within a flood risk zone. In relation to groundwater, the report comments that the underlying layer is London Clay and that ground water flows are considered likely to be minimal to negligible. As such there is considered to be no adverse risk to the application site or potential risk to those adjoining occupiers.

Balance

- 1.36 Taking the proposed alterations together, these are not considered to cause material harm to the appearance of the building or the terrace. The scale and form of the external alterations are considered to comply with policies 7.4, and 7.6 of the London Plan 2016, CS8 and CS 9 of the Core Strategy 2011, Policy DM2.1 (Design) of the Development Management Policies 2013 and the Urban Design Guide 2017.

Trees

- 1.37 There are no trees in close vicinity to the proposed extension at lower ground floor level. It is also confirmed that no pruning or tree works would be needed to assist in the erection of the proposed extensions. It therefore considered that the proposal would not result in any impact to the existing trees. This would be in line with the requirements of policy DM6.5 of the Development Management Plan.

Neighbouring Amenity

- 1.38 The council's planning policies seek to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise.
- 1.39 London Plan Policy 7.6 requires buildings and structures not to cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing, in particular. DMP Policy 2.1 requires development to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, sunlight and daylight, over-dominance, sense of enclosure and outlook. One of the core principles is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 1.40 Concerns have also been raised regarding noise disturbance. The development would result in an intensification of the use of the site compared to its current use as a single family dwelling. Nonetheless, given the predominant residential character of the surrounding area and the overall extent of existing residential development nearby, it is considered that the development of the site for two new dwellings (3 in total) in this location would be relatively limited in its impact on neighbouring living conditions. However, should there be excessive noise generated from such a use, the Council's Public Protection team has powers to deal with noise nuisance.
- 1.41 In this instance, the consultation process has raised a number of concerns in relation to the loss of privacy and overlooking to neighbouring properties. The proposal would result in the installation of new windows to the rear elevation of the host property. However, these additional openings would face the rear garden and not directly face any habitable windows found at the neighbouring properties. It is not uncommon within built up areas to have a mutual degree of overlooking and the proposed window openings would not face directly into habitable windows. In that regard, the proposal is compliant with DM2.1 of the Development Management Policies which seeks to prevent overlooking between habitable windows less than 18m apart. The proposal is therefore not considered to result a harmful loss of privacy or unacceptable degree of overlooking to neighbouring properties.
- 1.42 The proposed above ground floor additions would read as full width at ground floor with partial width at first floor. The proposed rear additions above ground floor level, would be similar in height, size, scale and bulk to the existing additions to adjoining properties to the rear. Moreover, the proposed additions at the application site would not project beyond the existing building line of the host property or that of the neighbouring properties and would abut a two storey element at no. 30. The proposed additions would therefore not unduly impact the amenity of neighbouring occupiers to either side of the application site.
- 1.43 Concern has been raised regarding the transference of noise from the intensified use of the property notably at upper levels. Building Control requires noise measures to ensure no adverse impact on neighbouring occupiers. Taking into account other regulatory regimes (NPPF discourages overlap between regimes), it is considered there would be no undue impact to neighbouring occupiers. Moreover, the proposal is considered reasonable in terms of its scale and intensity and overall layout of units meets minimum standards. As such there is not considered to be an over intensive residential use of the land.
- 1.44 The demolition and construction periods are likely to be responsible for the most disruptive noise impacts affecting residential amenity. Construction impacts are not a material planning considerations that a refusal could legitimately be based on, but conditions to mitigate impacts can be attached to permission. Conditions requiring the submission of a Construction Method Statement (condition 5), and an informative advising of restriction to hours for 'noisy' works have been included as part of the recommendation,

in order to mitigate and reduce the impacts of demolition and construction. A Structural Method Statement has been submitted also taking account of the proposed development, notably the basement on adjoining buildings.

- 1.45 For these reasons, it is considered that the proposed development would not significantly harm the living conditions of the occupiers of the adjoining occupiers, Nos. 28 and 30 Windsor Road. Accordingly, the proposal does not conflict with Policies CS8 and CS9 of Islington’s Core Strategy nor Policy DM2.1 of Islington’s Local Plan: Development Management Policies insofar as they aim to safeguard residential amenity. The scheme would also adhere to a core principle of the National Planning Policy Framework, which is to always ensure a good standard of amenity for all occupants of land and buildings.

Quality of Accommodation

- 1.46 In terms of new residential development, as well as having concern for the external quality in design terms it is vital that new units are of the highest quality internally, being, amongst other things of sufficient size, functional, accessible, private, offering sufficient storage space and also be dual aspect. London Plan (2016) policy 3.5 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington’s Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 1.47 A new nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015.
- 1.48 Policy DM3.4 of the Islington’s Local Plan: Development Management Policies (adopted June 2013) sets the context for housing standards for new development. Table 3.2, which supports this Policy and gives the minimum gross internal areas (GIA) that new residential developments would be expected to achieve.
- 1.49 For 3 bed 5-person units the required floor space is 86sqm. For a 2 bed 4-person unit the required space standard is 70sqm and for s studio unit the required space standard is 37sqm.

Proposed		
	GIA	
	sqm	sqft
Flat 1 (3beds)	94.5	1012
Flat 2 (1beds)	40	431
Flat 3 (2beds)	80.3	861
Total	214.8	2304

Table 1: Proposed unit sizes (sqm).

- 1.50 The proposal would provide a studio with a floor area of 40m. The appropriate standard of a 1 bed/2 person bedspace unit is 50sqm, the standard for 1 bed/1 bed space unit is 37m. The submitted plans show a flat with an open plan living, bedroom and kitchen area on the first floor. Although compact, there still would be sufficient space to accommodate furniture and adequate circulation space. The unit is also dual aspect.

- 1.51 The Development Management Policies state that only in exceptional circumstances will a studio unit be acceptable as there is no identified need and a general oversupply of small units. The reasoning to prevent the provision of smaller sized units. Given the proposal complies with the aims of re-providing a family unit (3-bed) and a 2 bed unit, in accordance with DM3.3 and that the proposal is within the constraints of an existing building, in this instance the provision of a studio is considered acceptable. Moreover, to include the first floor, to create an additional 3 bed with no private amenity space access would not be considered appropriate. Overall therefore the circumstances are considered 'exceptional' and on balance acceptable.

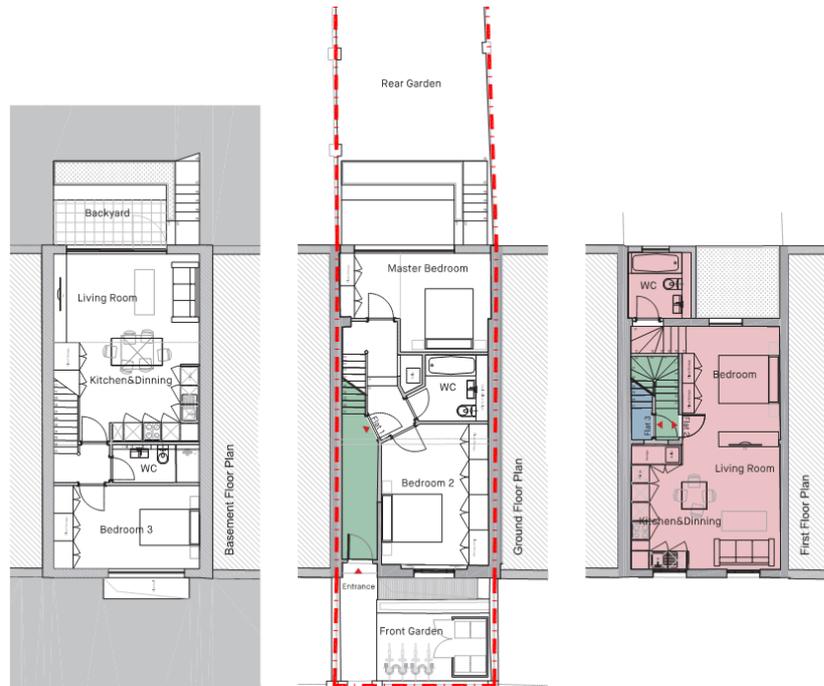


Image: Internal layouts to Flat 1 and Flat 2

- 1.52 In relation to the 3 bed unit (at proposed basement and ground floor) and two bed unit at second and proposed third floor level other units within the proposal would exceed the floor area required by the above prescribed standards in the NDSS and Development Management Policies. The internal layouts of the proposed residential units are considered to be acceptable and a satisfactory unit size has been provided. The units are also dual aspect with good outlook and natural ventilation.
- 1.53 Concern has been raised in relation to a habitable room located in the basement with restricted outlook and light. As reflected in the BRE guidance light levels in basement bedrooms may be less important than for other habitable rooms, particularly where the room is only to be used for sleeping. The same principles apply to the importance of the outlook from such a window. Moreover, the proposed unit benefits from being accommodated over both ground and basement floors with access to a large garden. For these reasons, although there would be restricted outlook and light to the single front bedroom at basement level, this is not a sufficient basis to conclude that the proposed use as a bedroom would be unacceptably harmful to future occupier's amenity or indeed the unit overall.

- 1.54 Taking all these findings together, while there are some shortfalls against the standards included in development plan policies and other guidance an exceptional case is considered appropriate in this instance to support a studio unit. These are not significant and need to be considered against the particular circumstances of the proposal, as set out above. Accordingly, the proposal would provide adequate living conditions for its occupiers, with particular regard to daylight, sunlight and outlook in respect of the basement level front bedroom, and there would be no unacceptable harm in this regard. Therefore, there is no conflict with the policies of the DMP referred to above and Policies CS9 and CS12 of Islington's Core Strategy, concerning quality of design and quality of life for residents, DM3.4 and NDSS.

Outdoor Amenity Space

- 1.55 Policy DM3.5 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 requires the provision of 30 square metres of good quality private outdoor space on ground floors. Part C of the policy states that the minimum requirement for private outdoor space is 5sqm on upper floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors.
- 1.56 The 3 bed family unit would have access to a private garden which exceeds the 30sqm, as stated above (at approximately 70sqm). The studio (5sqm outdoor space required) and 2 bed unit (5sqm outdoor space required plus 1 sqm per additional occupant) would not have access to private outdoor amenity space. However, any terracing at upper levels would appear as a dominant element out of character with the original Victorian features of the host building and damaging to the appearance of the surrounding area. Moreover, there is concern that terraces may give rise to overlooking. Based on the sufficient internal living standards and the proposed units being of a smaller scale, the lack of private amenity space for upper floor units is not considered to justify a reason for withholding permission in this instance.
- 1.57 For the above reasons, it is concluded that the proposed family dwelling provides acceptable living conditions for future occupants in terms of the standard of accommodation and amenity space. Whilst the studio and 2 bed unit do not comply they exceed minimum space standards and are dual aspect. Moreover these units are constrained by the existing building and design considerations for the extensions. On balance the proposal is in general accordance with Policy 3.5 of the London Plan 2015, Policies CS8 and CS9 of the Islington Core Strategy 2011 and Policies DM2.1, DM3.4 and DM3.5 of the Islington Development Management and the National Space Standard, 2015.

Refuse

- 1.58 Paragraph 5.2 of the Islington Street Environment Services 'Recycling and Refuse Storage Requirements' provides advice in relation to acceptable refuse and recycling provision for new residential units. Refuse has been shown in the front garden. It is considered appropriate in this instance to attach a condition to ensure appropriate refuse and recycling storage and capacity. The refuse enclosures are not considered acceptable in design terms and this is reflected in the relevant condition.

Accessibility

- 1.59 As a result of the change introduced by the Deregulation Bill (Royal Assent 26th March 2015) Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor wheelchair housing standards.
- 1.60 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements, if they are not conditioned, Building Control will only enforce the basic Category 1 standards.
- 1.61 The proposal is to convert an existing dwelling. Given the site constraints it is not realistic to expect compliance with Category 2 and therefore Category 1 is appropriate.

Affordable Housing and Carbon Offsetting

- 1.62 Islington's Core Strategy Policy CS 12 - Meeting the housing challenge – states in part G that to provide affordable housing 50% of additional housing to be built in the Borough over the plan period should be affordable. All sites capable of delivering 10 or more units gross should provide affordable homes on site. Schemes below this threshold should provide a financial contribution towards affordable housing provision elsewhere in the Borough.
- 1.63 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (the SPD) supports the implementation of the Core Strategy. The SPD confirms that all minor residential developments resulting in the creation of 1 or more additional residential units(s) are required to provide a commuted sum towards the cost of affordable housing on other sites in the Borough. The requirement applies not only to new build but also conversions of existing buildings resulting in the creation of new units and the subdivision of residential properties resulting in net additional units. Based on a study of the level of financial contribution that would be viable, the required contribution is £50,000 per unit for north and mid-borough locations, which includes the Windsor Road area. Provision is made to take account of site specific circumstances, if supported and justified by viability evidence.
- 1.64 The applicant has stated their willingness to enter into a Unilateral Undertaking in respect of the above sums. At present this UU is not signed or completed. Any planning permission is therefore subject to the finalising of a UU.

Highways

- 1.65 Islington policy identifies that all new development shall be car free. Car free development means 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. This is to be secured via a legal agreement.
- 1.66 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines'. Subject to there being sufficient capacity, the secure and integrated location of the proposed cycle storage on the ground floor is acceptable. Policy DM8.4 of the Development Management Policies supports sustainable methods of transport and requires the provision of 1 cycle space per bedroom. Cycle spaces are indicated on the drawings within the front gardens. It is clear there is a conflict in terms of their location and the desirability to keep the front garden clear of structures. However, bike storage is considered necessary in this instance to encourage and enable

sustainable modes of travel for prospective occupiers. Therefore, it is recommended this detail be conditioned to ensure compliance with DM8.4.

Sustainability

- 1.67 Policy DM7.1 provides advice in relation to sustainable design and construction, stating 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'.
- 1.68 In this instance given the proposal relates to the conversion of the existing building rather than a new build, the requirement for financial contribution of carbon off-setting is not applicable nor is a condition required in relation to water efficiency standard for residential developments (95 litres/person/day). Therefore, on balance the proposal would be acceptable in terms of complying with the policies in regard to sustainability.

Local Finance Considerations

Community Infrastructure Levy (CIL)

- 1.69 The Community Infrastructure Levy 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. The payments would be chargeable on implementation of the private housing.

Other Matters

- 1.70 Concern has been raised claiming that the application will set a precedent for future development. It is a well-established principle within planning that each application should be considered on its own individual planning merits.
- 1.71 It is acknowledged the proposal will result in a material intensification of the use of the site. As a minimum, Thames Water recommend that all drainage connections from basements to sewers are fitted with a one-way valve to prevent sewers surcharging into basements in high flow periods. Thames Water also recommend that all basements are fitted with a 'positive pumped device' (or equivalent reflecting technological advances) as this will assist in directing the flow of sewage away from the basement building, should sewer flooding occur. The increase in sewage would not warrant withholding the planning permission in this instance.
- 1.72 Concern has been raised that the proposal would 'legalise' over occupancy. However as stated in the report, the unit mix and proposed unit sizes are considered satisfactory and would deliver good quality accommodation. The type and intensity of residential land use proposed is considered to be compatible and acceptable with the area.
- 1.73 Representations have been raised that the proposal will devalue local properties and make them harder to sell. The value of adjoining property is not a material planning consideration.
- 1.74 It is inevitable some disruption will be caused by building works. However, these have been mitigated by condition.
- 1.75 A public submission sought that the proposal includes nestboxes for swifts (birds). The site is not located near a SINC and the proposal will have no impact on existing biodiversity, however the Development Management policies seek to enhance biodiversity and in this regard a condition is recommended.

- 1.76 For an application of this nature the planning system cannot control when the works are completed. To attach such a condition would be unreasonable (NPPG). It is worth noting that the applicant has 3 years to implement the permission once granted.
- 1.77 Representations have been made that a Party Wall notice has not been served. Planning permission does not remove the need to act in accordance with other regulatory regimes, these include Building Control, Party Wall Act and the Environmental Protection Act.
- 1.78 It is also stated that the developer does not wish to live in the property, does not have concern of the area or its community and is interested generating profit. These are not material planning considerations and the application can therefore not be legitimately refused on such grounds.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the development is considered acceptable and would reprovide a family unit as well as tow further dwellings. The proposal is considered conducive to the surrounding residential character and use
- 11.2 The proposed roof extension is considered acceptable in terms of its impact on the surrounding townscape and the rear additions are considered subservient to the main dwelling. The basement would be of a commensurate size to the existing building and garden. Overall the design would accord with Policy DM2.1 of Islington's Development Management Policies, Policy CS9 of Islington's Core Strategy 2011 as well as guidance in the Council's Urban Design Guide 2017 (SPD).
- 11.3 It is considered that the development would not result in unacceptable loss of daylight or sunlight to the occupiers of the adjoining residential properties. The proposal would not cause an unacceptable increase in enclosure levels, loss of outlook nor have a detrimental impact upon their amenity levels taken as a whole. An Engineers Report has been submitted demonstrating the potential impact on neighbours and mitigating an impacts.
- 11.4 The proposed residential units would provide acceptable standard of accommodation with all units achieving minimum internal floorspace standards, dual aspect, and proposed family unit would meet the required private amenity space standards. It is noted there are some shortfalls, notably, the restricted outlook to front basement bedroom and lack of amenity space for the upper floor units however, when taken as a whole the residential units would provide acceptable standard of accommodation for prospective occupiers.
- 11.5 The development would be car free and would also encourage sustainable forms of travel through provision of bike stands. In addition, Small Sites Affordable Housing (£100,000) would be secured by way of a Unilateral Agreement.
- 11.7 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.8 It is recommended that planning permission be granted subject to conditions and S106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – Recommendations

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- a) A financial contribution of £100,000 towards the provision of off-site affordable housing.
- b) Car free development.

RECOMMENDATION B

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

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>EX (00)001 Revision P1; Design and Access Statement Revision P1; EX (00) 002 Revision P1; EX (00) 003 Revision P1; EX (00) 004 Revision P1; EX (00) 006 Revision P1; EX (00) 007 Revision P1; DM(00)002 Revision P1; DM(00)003 Revision P1; DM(00)004 Revision P1;DM(00)005 Revision P1; DM(00)006 Revision P1; GA(00)001 Revision P1; GA(00)002 Revision P1; GA(00)003 Revision P1; GA(00)004 Revision P1; GA(00)005 Revision P1; GA(00)006 Revision P1; GA(00)007 Revision P1 Structural Engineering Report dated November 2017.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: The bricks to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.</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>Cycle Storage</p> <p>CONDITION: Notwithstanding the details shown on the approved plans, no occupation of the dwellings hereby permitted shall take place until detailed drawings bicycle store to serve the residential property have been submitted to and approved in writing by the local planning authority and these facilities have been provided and made available for use in accordance with the details as approved and maintained thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development.</p>
5	<p>Construction Method Statement</p> <p>CONDITION: No development works shall take place on site unless and until a Construction Method Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The CMP should include details on the access, parking, and traffic management and delivery arrangement throughout the construction phase of the development. This should include:</p> <ul style="list-style-type: none"> a) identification of construction vehicle routes b) how construction related traffic would turn into and exit the site (including appropriate traffic management) c) the method of demolition and removal of material from the site d) the parking of vehicles of site operatives and visitors e) loading and unloading of plant and materials f) storage of plant and materials used in constructing the development g) the erection and maintenance of security hoarding h) wheel washing facilities where applicable i) measures to control the emission of dust and dirt during construction a scheme for recycling/disposing of waste resulting from demolition and j) construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: to ensure no harm to neighbouring occupiers.</p>
6	<p>Construction Monitoring</p> <p>CONDITION: The Structural Engineers Report as set out will be overseen by the relevant and suitably qualified persons, particularly for key structural phases. A certified professional (or replaced with suitably qualified person with relevant experience) endorsing the Structural Engineers Report shall be retained for the duration of construction.</p> <p>REASON: to ensure no harm to neighbouring occupiers.</p>
7	<p>Bird Boxes</p> <p>CONDITION: Prior to occupation of the proposed residential dwelling units, details of proposed bird boxes shall be submitted to and approved in writing by the Local Planning Authority and implemented in full, in accordance with the approved details and retained thereafter into perpetuity.</p> <p>REASON: to enhance biodiversity.</p>

8	Bin Storage
	<p>CONDITION: Notwithstanding the hereby approved plans, no permission is hereby granted for bin enclosures to the front garden. Details of bin storage shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details and maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development.</p>

List of Informatives:

1	Surface Water Drainage
	<p>It is the responsibility of a developer to make proper provision for drainage to ground, water course 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.</p>
2	Construction works
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
3	Highways Requirements
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. <u>All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. <u>Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>

APPENDIX 2: RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

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

1. National and Regional 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.

- NPPF - Policy 12 - Conserving and Enhancing the Historic Environment
- Planning Practice Guide (2014)

2. Development Plan

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

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

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

B) Islington Core Strategy 2011

Policy CS3 (Nag's Head and Upper Holloway)
Policy CS8 (Enhancing Islington's Character)
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS12 (Meeting the Housing Challenge)
Policy CS15 Open space and green infrastructure

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM3.1 Housing Mix
DM3.3 Residential conversion and extensions
DM3.4 Housing Standards
DM3.5 Private Amenity Space

Health and Open Space

DM6.3 Protecting open space
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood Prevention

Energy and Environmental Standards
DM7.2 Sustainable Design and Construction

Transport
DM8.4 Walking & Cycling
DM8.5 Vehicle Parking

Infrastructure and Implementation
DM9.2 Planning obligations

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:

Islington Local Plan

Nags Head an Upper Holloway Core Strategy Key Area

Within 100m of TLRN

Within 50m of Mercers Road/Tavistock Conservation Area

Article Direction A1-A2 (Rest of Borough)

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

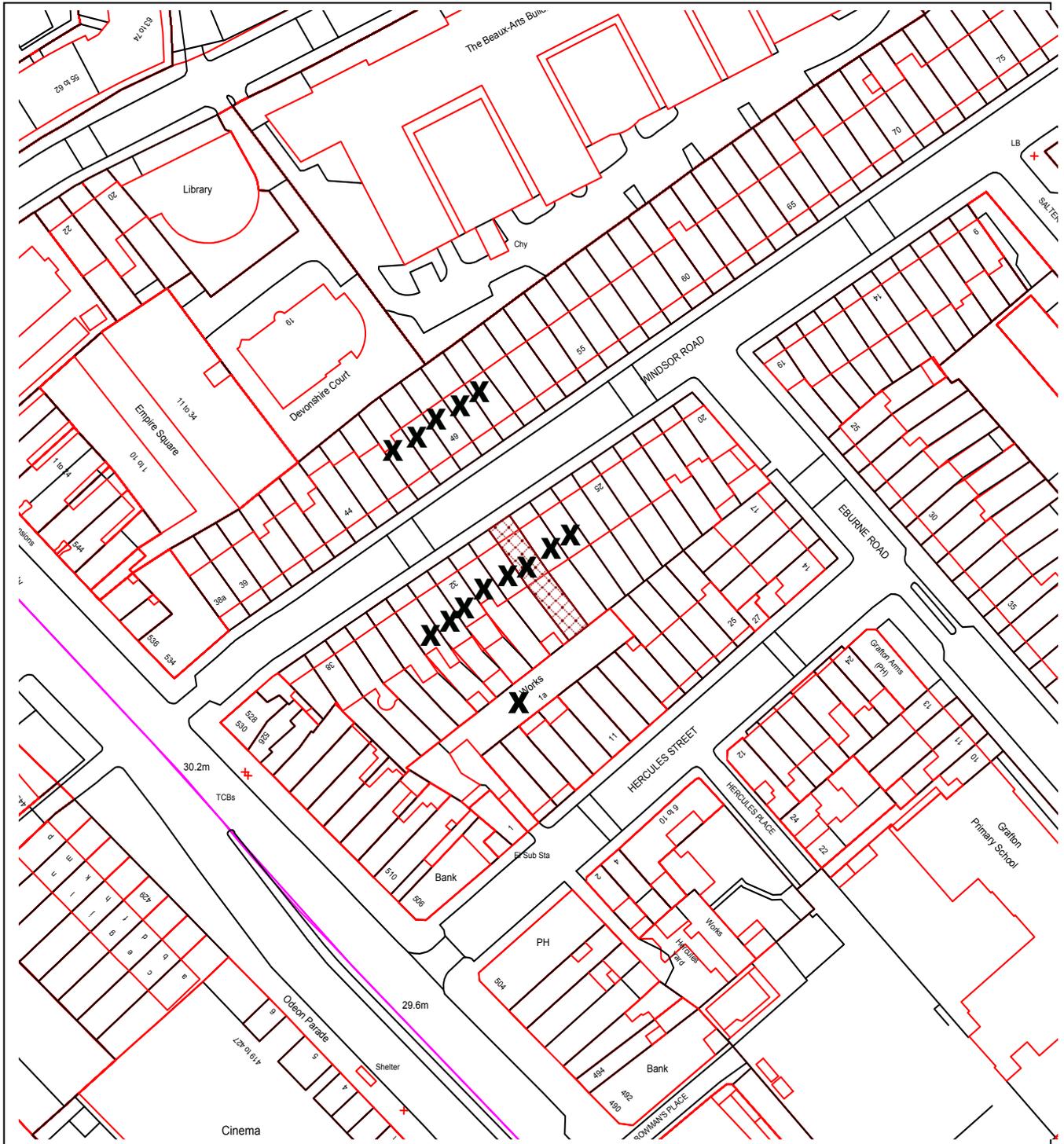
Urban Design Guide

Basement Development

Development Viability

Affordable Housing Small Sites Contributions

ISLINGTON



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P2017/4766/FUL

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ADDENDUM TO PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE A		AGENDA ITEM : B2
Date:	30 th October 2018	NON-EXEMPT

Application number	P2017/4766/FUL
Application type	Full Planning Application
Ward	Finsbury Park Ward
Listed building	N/A
Conservation area	N/A
Development Plan Context	Nags Head an Upper Holloway Core Strategy Key Area Within 100m of TLRN Within 50m of Mercers Road/Tavistock Conservation Area Article Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	29 Windsor Road, Islington N7 6JG
Proposal	Conversion of single family dwelling house into 3 self-contained residential units (1x3 bed, 1x studio and 1x 2 bed) plus the excavation of basement, front lightwell and rear courtyard erection of basement, ground and first floor rear extensions and roof extension, proposed bin and bicycle storage to the garden and associated alterations.

Case Officer	Jessica Robinson
Applicant	Mr S Dabasia
Agent	Mr Sean Zhiying Xu

RECOMMENDATION

- The Committee is asked to resolve to **GRANT** planning permission – subject to
- i) Updated and additional conditions set out within this addendum report and Recommendations contained within in Appendix 1; and
 - ii) Prior completion of a deed of planning obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in appendix 1.

2. REASONS FOR DEFERRAL

2.1 This application was previously discussed at the Planning Sub-Committee A meeting on 19th June 2018 where objectors were given the opportunity to speak.

2.2 In the discussion the following points were made:

- The Planning Officer advised that since publication of the agenda two letters of objection had been received no additional updates had been received.
- Members were advised that the intensification of residential use resulting in 2 residential units was acceptable in principle at this location and conducive with the existing surrounding residential character. In addition the Planning Officer informed Members that the proposal would not prejudice the residential amenity of neighbouring properties in so far as loss of light, outlook or increased sense of enclosure.
- Members were informed that the applicants has agreed in principle to a small sites affordable housing contribution of £100,000.
- Concerns were raised by residents objecting to the proposal regarding the impact of a basement excavation was expressed especially as it was considered to possibly result in structural damage to adjacent properties and granting permission would be setting a precedent for an increase in planning applications for basement excavations. The objector informed Members that no other dwelling in the neighbourhood has a front lightwell.
- Members asked what Annual Daylight Factor the proposed basement level windows achieved, however officers did not have the information and the applicants were not in attendance to respond. Members also raised concerns regarding the limited outlook and increased enclosure to the proposed front bedroom window for the proposed basement and ground floor unit and its adverse impacts on the quality of the proposed accommodation.
- Councillor Picknell proposed a motion to defer as the applicant was not available at the meeting to respond to objectors concerns, nor to respond to the question on ADF levels to the proposed basement rooms which is a fundamental requirement to ascertain the quality of the resulting accommodation. This was seconded by Cllr Graham and carried.

3. UPDATES FOLLOWING COMMITTEE 19th June 2017

3.1 Following the conclusion of the Planning Sub-Committee the following amendments have been made to the proposal:

- Enlargement with a widening of the proposed front lightwell over the previously considered front lightwell to create a larger outlook and open space for the proposed basement bedroom unit.
- Submission of a daylight and sunlight study including ADF calculations for the main habitable spaces of the development.

4. Consultation

4.1 A further round of reconsultation of adjoining neighbours being carried out on the 16th of August and ending on the 30th of August 2018. A further three letters of objection were received restating concerns previously identified within the attached committee report while raising further concerns to the amended plans regarding:

- Object even more to the enlargement of the proposed front lightwell in design and visual terms. **(see evaluation below and within attached original committee report.)**
- Consider the quality of the proposed units to be still poor. **(see evaluation below and within attached original committee report.)**
- Concerns over the council facilitating the development unfairly. **(the planning department are encouraged by the NPPF 2018 to work in a collaborative way with all parties in the planning process.)**

5. Evaluation

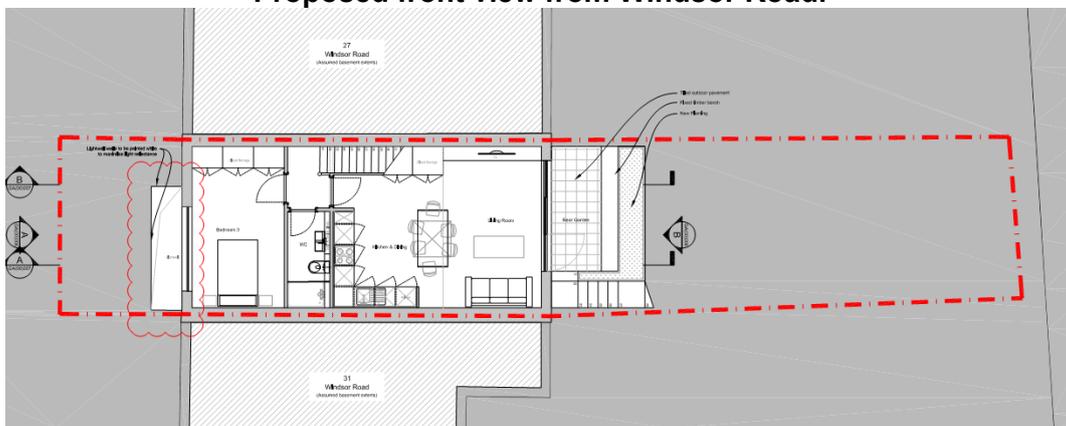
Enlarged front lightwell and design and appearance.

5.1 The amended details have proposed a wider front lightwell than previously considered by members in June at the last committee meeting. The diagrams below clearly show the creation of a larger front lightwell to improve the overall outlook and enclosure levels to the proposed front bedroom which members raised a concern about. It is noted that the lightwell has increased in size but not to an excessively large amount with a slight increase in overall width.

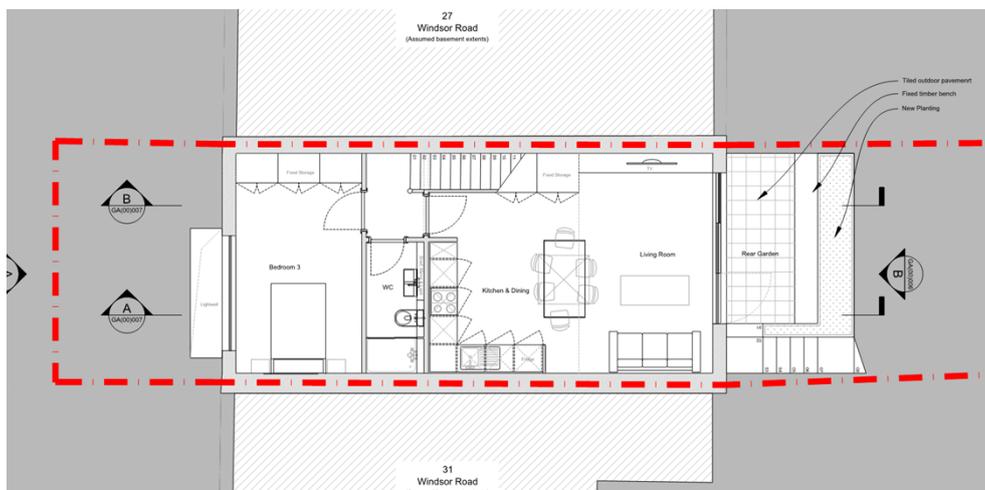
5.2 Concerns regarding the visual dominance and precedent for a front lightwell along Windsor Road have been duly considered by officers. The overall scale, depth and coverage of the front lightwell is not considered to be excessive and would not read as a dominant visual feature when seen behind the existing front boundary wall from the surrounding streetscene. It would be covered with a low scale and minimal grille which would further lessen its visual impact from the street. It is noted that there are very few front lightwells in the surrounding locality. However the council cannot refuse an application on the lack of other examples without being able to justify material detrimental visual harm would result. In this case, it is considered that the extent and size of the front lightwell is not excessive and will not cause any discernible visual harm when seen from the surrounding public realm to justify refusal on this basis.



Proposed front view from Windsor Road.



Amended proposed lower ground floor plan showing a larger and deeper front lightwell.



Previously considered proposed lower ground floor plan

ADF levels and the quality of the proposed living unit at ground and basement levels.

- 5.4 An ADF study has been submitted by the applicants following the deferral from committee to address members concerns regarding lack of detail within the application previously in relation to Annual Daylight Factor levels for the main habitable spaces for the proposed ground and basement level 3 bedroom unit. The report shows results on the originally submitted plans for the front lightwell and show a test result of 2.5% for this front bedroom space and the pass standard is 1%. Under the current amended wider front lightwell this result would be marginally higher and therefore pass by more overall. The main living space towards the rear at basement level likewise achieves a pass mark of 2.75% well above the pass mark of 1.5%. The upper floor flats easily pass the minimum standards in terms of daylight allowances. Therefore it is considered that adequate evidence has been provided to state that all the proposed units of the development will have satisfactory access to daylight and light overall.
- 5.5 It is acknowledged by officers that even with the proposed enlarged front lightwell that the proposed bedroom would have a limited outlook and would be a reasonably enclosed space overall. However, consideration is given to the fact that the space is a bedroom area and not a more heavily used family living space. The flat itself is located over two floors with dual aspects, two further bedrooms at ground floor level and a well laid out main living space at basement level opening out and having access to, a generous rear garden. All these attributes taken together lead officers to consider that the quality of the proposed 3 bed unit over ground and basement levels and the proposal as a whole will create good overall internal living environments for all of the proposed 3 residential units.

6. CONCLUSION

- 6.1 The proposed development is considered to be acceptable in land use, design and visual terms, would offer good quality living accommodation for prospective occupiers without adversely affecting the amenity levels of adjoining occupiers. It is therefore recommended that planning permission be granted subject to conditions contained within the original committee report and completion of UU and the following updated and additional conditions

Updated CONDITION 02: The development hereby approved shall be carried out in accordance with the following approved plans:

Daylight and Sunlight Study Report by Right of Light Consulting dated 7th August 2018, EX (00)001 Revision P1; Design and Access Statement Revision P1; EX (00) 002 Revision P1; EX (00) 003 Revision P1; EX (00) 004 Revision P1; EX (00) 006 Revision P1; EX (00) 007 Revision P1; DM(00)002 Revision P1; DM(00)003 Revision P1; DM(00)004 Revision P1; DM(00)005 Revision P1; DM(00)006 Revision P1; GA(00)001 Revision P2; GA(00)002 Revision P3; GA(00)003 Revision P1; GA(00)004 Revision P1; GA(00)005 Revision P1; GA(00)006 Revision P2; GA(00)007 Revision P1, Structural Engineering Report dated November 2017 project number 1657 by Constructure.

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.

Updated Condition 4: Notwithstanding the details shown on the approved plans, no permission is granted for the front bin enclosure, no occupation of the dwellings hereby permitted shall take place until detailed drawings/location and details of the bin and bicycle store to serve the residential properties located in the rear garden area of the property have been submitted to and approved in writing by the local planning authority and these facilities have been provided and made available for use in accordance with the details as approved and maintained as such thereafter into perpetuity.

REASON: In the interest of securing sustainable development.

New SMS COMPLIANCE CONDITION: The Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) certifying the Structural Method Statement (SMS) dated 29/11/2017 submitted to support the hereby approved development shall be retained (or a replacement person holding equivalent qualifications shall be appointed and retained) for the duration of the development to monitor the safety of the construction stages and to ensure that the long term structural stability of the existing buildings and other nearby buildings are safeguarded, in line with the supporting Structural Method Statement. At no time shall any construction work take place unless a qualified engineer is appointed and retained in accordance with this condition.

REASON: To ensure that the construction work carried out is in accordance to the submitted Structural Method Statement for the duration of the construction and maintain compliance with the Islington Basement Development SPD (2016).

Appendix 2: Minutes from previous Sub-Committee A 19th June 2018.

London Borough of Islington

Planning Sub Committee A - 19 June 2018

Minutes of the meeting of the Planning Sub Committee A held at Committee Room 4, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 19 June 2018 at 7.30 pm.

Present: **Councillors:** Picknell (Chair), Nathan and Graham

Councillor Angela Picknell in the Chair

- 1 **INTRODUCTIONS (Item A1)**
Councillor Picknell welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.
- 2 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies were received from Councillors Cutler and Convery.
- 3 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Woolf substituted for Councillor Convery.
- 4 **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 5 **ORDER OF BUSINESS (Item A5)**
The order of business would be B1, B4, B5, B2 & B3.
- 6 **MINUTES OF PREVIOUS MEETING (Item A6)**

RESOLVED:
That the minutes of the meeting held on 27 March 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 7 **151 ENGLEFIELD ROAD, ISLINGTON, LONDON, N1 3LH (Item B1)**
Change of use from class B1 (532m²) to a *sui generis* mixed use comprising offices, flexible community space, theatre space/community room, counselling and psychotherapy space and associated external alterations.

(Planning application number: P2018/0135/FUL)

In the discussion the following points were made:
 - Members noted that marketing was less than 2 years due to a legal complication but that efforts had gone a long way towards satisfying the policy requirement. The Planning Officer advised Members that the application seeks to bring a dilapidated building into productive use especially as it had been vacant for over 10 years.
 - Members were informed that external alterations being proposed include replacing windows and doors with new aluminium frames and inserting a new door on the west elevation. In addition, the Planning Officer advised that refuse storage will be

Planning Sub Committee A - 19 June 2018

provided along the access way to the site along with 14 cycle parking spaces.

- Members were advised that the proposal was acceptable in land use terms, its design, sustainability, waste and recycling and landscaping and that the only main issue was the impact of noise being generated from the use of the building especially as it is surrounded by residential properties. Members were informed that condition 5, 6 and 7 would address noise levels, hours of operation and deliveries and services onto the site. Members were informed that the Noise Management Plan which is to be submitted prior to occupation, would include measures such as dispersal policy, signage, a close down policy, delivery and servicing times.
- The applicant informed Members that the proposal would result in bringing the building back into use and should be regarded as an investment in Islington. The meeting was informed that the building would provide communal flexible office space to be rented to external parties and an office space to be occupied by Big House, a charity which supports young people leaving the care system. In addition, the building would provide a theatre/performance space which will be of communal benefit to the young and vulnerable young people.
- Members welcomed the proposal in principle especially with regard to its communal use and agreed that concerns about the amenity of residents had been sufficiently addressed.

RESOLVED:

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

8

29 WINDSOR ROAD, LONDON, N7 6JG (Item B2)

Conversion of single family dwelling house into 3 self-contained residential units (1x3bed, 1xstudio and 1x 2 bed) plus the excavation of basement, front lightwell and rear courtyard erection of basement, ground and first floor rear extensions and roof extension. Proposed bin and bicycle storage to front garden.

(Planning application number: P2017/4766/FUL)

In the discussion the following points were made:

- The Planning Officer advised that since publication of the agenda no additional updates had been received.
- Members were advised that the intensification of residential use resulting in 2 no. residential units was acceptable in principle at this location and conducive with the existing surrounding residential character. In addition the Planning Officer informed Members that the proposal would not prejudice the residential amenity of neighbouring properties insofar of loss of light, outlook or increased sense of enclosure.
- Members were informed that the applicant has agreed in principle to a small site affordable housing contribution of £100,000.
- Concerns raised by residents objecting to the proposal regarding the impact of a basement excavation was expressed especially as it was considered to possibly result in structural damage to adjacent properties and granting permission would be

Planning Sub Committee A - 19 June 2018

setting a precedent for an increase in planning applications for basement excavations. The objector informed Members that no other dwelling in the neighbourhood has a lightwell.

- Members asked what ADF levels the basement rooms achieved, however officers did not have that information and the applicant was not present to respond. Members also raised concern regarding the limited outlook and increased enclosure to the proposed front basement bedroom for the basement and ground floor residential units and its adverse impacts on the quality of the accommodation.
- Councillor Picknell proposed a motion to defer as the applicant was not available at the meeting to respond to objectors concerns, nor to respond to the question on daylight receipt (ADF) of the basement rooms which is a fundamental requirement to ascertain the quality of the resulting accommodation. This was seconded by Councillor Graham and carried.

RESOLVED:

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

48 ESSEX ROAD, ISLINGTON LONDON, N1 8LR (Item B3)

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department



PLANNING SUB COMMITTEE A		Agenda Item; B3
Date:	30 October 2018	NON-EXEMPT

Application number	P2018/1955/FUL (Council's own)
Application type	Full Planning Application
Ward	Tollington
Listed building	Not Listed
Conservation Area	Within 50m of Conservation Area (Stroud Green and Tollington Park)
Development Plan	Local Cycle Route
Licensing Implications	None
Site Address	2A Regina Road, London, N4 3QH
Proposal	Replacement of all the buildings main elevations single glazed timber windows with uPVC double glazed casement windows.

Case Officer	Yusif Yusifzada
Applicant	Islington Council
Agent	Mears Group

1. RECOMMENDATION

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

2. SITE PLAN



2A REGINA ROAD SHOWN OUTLINED IN RED, WITH NEIGHBOURING BLOCK 1-42 SALTDENE (2 REGINA ROAD) OUTLINED IN BLUE, SUBJECT OF IDENTICAL PROPOSED UPVC WINDOW RENEWAL GRANTED CONSENT UNDER APPLICATION P2016/4705/FUL.

3. PHOTO OF SITE/STREET

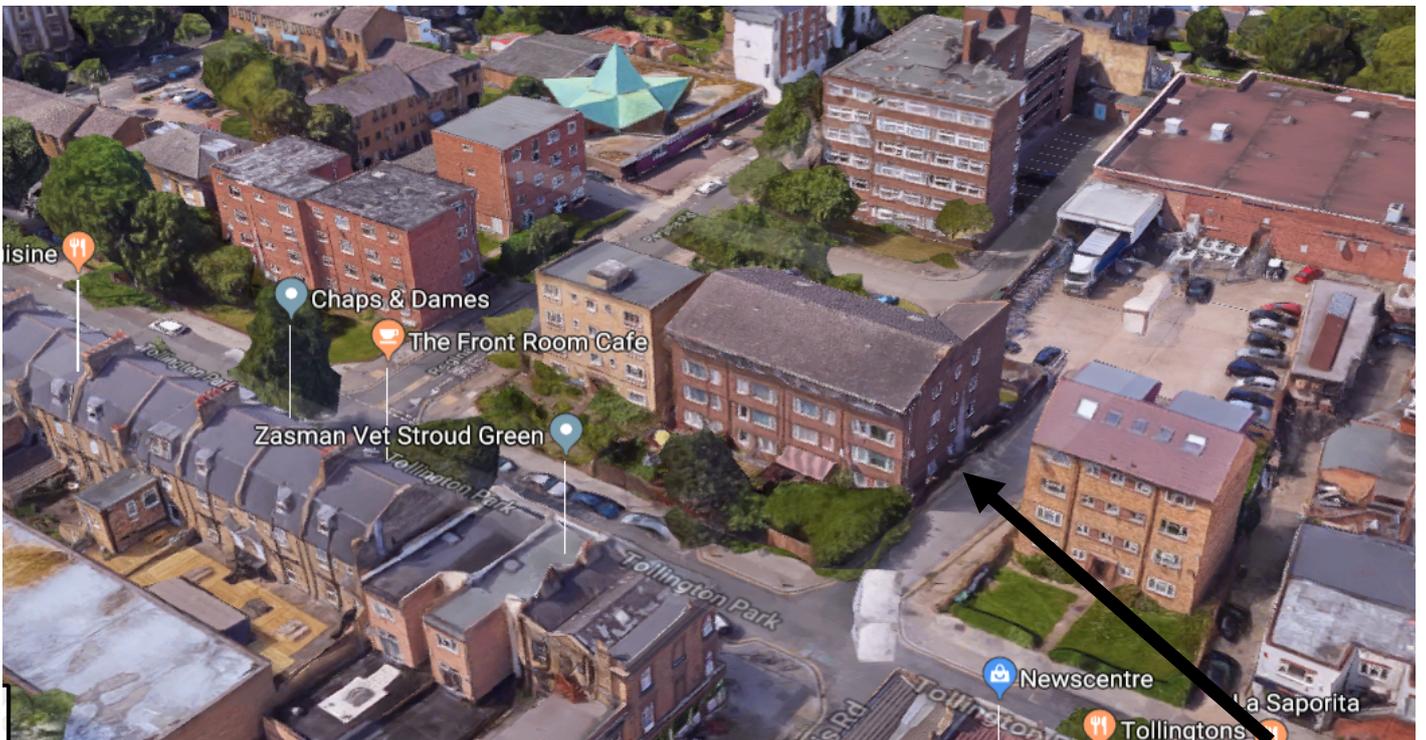


Image 2: Aerial View of the Application Site (2A Regina Road).

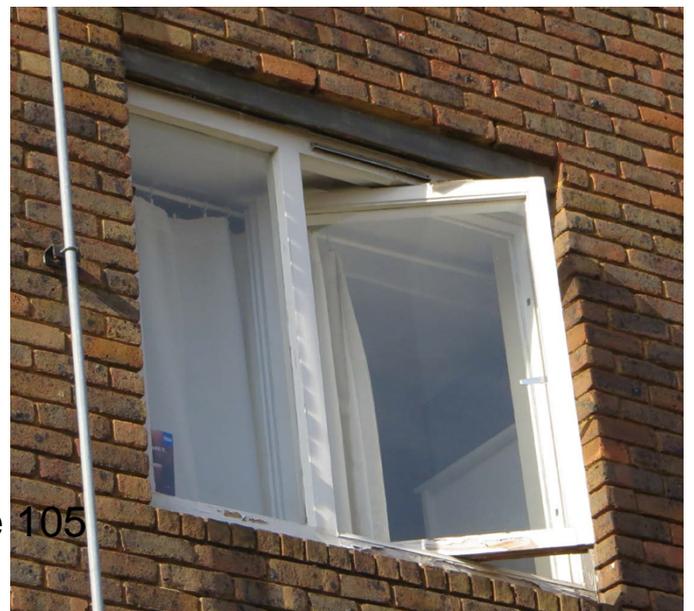
Application site



Image 3: Existing West Elevation of 2A Regina Road



Image 4: Existing East Elevation of 2A Regina Road.



4. SUMMARY

- 4.1 Planning permission is sought for the replacement all elevation of existing single glazed timber windows with white double glazed casement UPVC windows. The key considerations in determining the application relate to the impact on the appearance of the existing buildings and on the character and appearance of the surrounding area, as well as sustainability.
- 4.2 The application is brought to committee as it is Council's own property.
- 4.3 The application site relates to a residential block, which is situated within the Regina Road The building elevation, which fronts the Tollington Park feature single glazed timber windows. The application site is not listed and site is not located within a conservation area.
- 4.4 It is also considered that the proposed UPVC windows and the provision of double glazing would improve the sustainability and thermal efficiency of the residential units. As such, the proposal is considered acceptable and is recommended for approval subject to conditions, in accordance with policies DM2.1, DM7.2 and DM7.4.

5. SITE AND SURROUNDING

- 5.1 The host building is located on Regina Road, close to the junction with Tollington Park. The host building is four storey purpose build block of flats which was constructed in the 1970 and is used for residential purposes. The block is set within its own grounds with a grassed area and railings to the frontage overlooking an access roadway and car parking area shared with Saltdene, with its entrance on Regina Road and with the rear elevation overlooking Tollington Park with rear gardens bounded by close boarded timber fencing. The surrounding area is predominantly residential, with a mixture of purpose-built, social housing blocks as well as, late Victorian terraced housing. There is a large number of commercial premises nearby on Tollington Park and the very busy main shopping and traffic thoroughfare of the A1201 Stroud Green Road to the east of the subject property.
- 5.2 The host building is not listed and is not within conservation area. However, host building sits in between two conservation area, Stroud Green lies to the west and Tollington Park lies to the east.
- 5.3 A total of 16 flats are situated within this host building.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning consent sought for the replacement of the existing single glazed timber windows with double glazed UPVC windows including trickle vents. The proposed replacement windows are similar in appearance and colour, however, would differ in terms of materials. As a new double glazed unit will be used.
- 6.2 The table below outlines the applicants design process sin evaluating and choosing the current windows design and final materials for the proposal.

The following table gives an at-a-glance overview of the considerations – contextual, aesthetic, material and performance – which have contributed to the design proposals which form the subject of this application:

CONSIDERATION	RELEVANT ISSUES	COMMENT
Local Environment	<ul style="list-style-type: none"> • Building type / year - • Conservation Area / Article 4 • Listed Building – 	Low rise block / 1979 No/No No
Current design / material	<ul style="list-style-type: none"> • Material – • Glazing - • Fenestration pattern – • Window profile thickness - 	Softwood timber / aluminium Single Pivot casement/sliding sash 110-125mm
Proposed design / material	<ul style="list-style-type: none"> • Material – • Glazing – • Fenestration pattern – • Sash profile thickness - 	UPVC Double Casement 105-122mm
Security	<ul style="list-style-type: none"> • Existing – • Proposed - 	Aluminium stays Secured by design (SBD)
Thermal Performance	<ul style="list-style-type: none"> • Existing – • Proposed - 	Extremely poor Current L1B standard
Ventilation	<ul style="list-style-type: none"> • Existing - • Proposed - 	Opening lights/trickle vents Opening lights/trickle vents
Maintenance	<ul style="list-style-type: none"> • Existing - • Proposed - 	Cyclical repair & decoration Lubricate/ease & adjust

7. RELEVANT HISTORY

7.1 **991491:** Installation of safety guardrails to roof (Approved 12/10/1999)

7.2 **P080722:** To erect thin wall flue on the outside of Saltdene Adjacent to boiler house. The flue is fitted vertically from ground to approximately 1 metre above roof line (Approved 26/06/2008)

7.3 **P2016/4705/FUL (Saltdene Estate)** - Replacement of existing single glazed timber windows with uPVC double glazing. (Approved with condition 18/10/2018).

ENFORCEMENT:

7.4 None Relevant.

PRE-APPLICATION ADVICE:

7.5 None.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 49 adjoining and nearby properties on 21 June 2018. As a result, the public consultation of the application therefore expired on 16 July 2018, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report two objections have been received from the public with regard to the application. The comments are summarised as followed:
- 8.3 Objection has been raised regarding sustainability of the proposed windows. Officers comment: *"The proposed double glazed uPVC windows would serve to improve the thermal efficiency of each individual residential unit, thereby contributing to reductions in carbon emissions, energy usage and would assist in combatting fuel poverty. Furthermore, the proposal is compliant with Policy DM7.2, which requires developments to be energy efficient in design and specification."*
- 8.4 Objection has been raised regarding how uPVC disposed when it comes to an end of life span. Officers comment *"The chosen UPVC window high-quality, high-performance product which contains a large percentage of recycled materials The life-expired windows will – after 40+ years of average life expectancy – also be almost 100% recyclable"*.

Internal Consultees

- 8.5 None

External Consultees

- 8.6 None.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & 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 affects 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 of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;
 - 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)).
- 9.2 National Planning Policy Framework (NPPF): Paragraph 14 states: "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..."
- 9.3 At paragraph 7 the NPPF states: "that sustainable development has an economic, social and environmental role".

- 9.4 The National Planning Policy Framework 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.5 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.6 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.
- 9.7 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.
- 9.8 Members of the Planning Sub-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.
- 9.9 The Quality 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.

National Guidance

- 9.10 The National Planning Policy Framework 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.11 The National Planning Practice Guidance is a material consideration and has been taken into account as part of the assessment of the proposal.

- 9.12 The Development Plan is comprised of the London Plan 2018, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 9.13 Some weight is attributable to the Draft London Plan.
- 9.14 This report considers the proposal against the following development plan policies and documents

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

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

- Design
- Neighbouring Amenity
- Sustainability

Design

- 10.2 Islington's Planning Policies and Guidance encourage high quality design which serves to compliment the character of the area. In particular, DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
- 10.3 The block is of traditional cavity wall construction with an L-shaped plan form featuring two shallow bays containing the communal front entrances and staircases to the upper units, with the ground floor units accessed from dedicated front entrance doors. The block is finished in dark brown and yellow stock brickwork beneath a concrete-tile covered pitched roof featuring a deep T&G varnished box soffit and fascia. The windows are a combination of single glazed painted timber pivot casements and composite timber framed sliding sash windows with aluminium sliding openers to upper floors to the rear (Tollington Park) elevation. Windows have trickle vents and all are recessed back with brick reveals and set beneath concrete lintels that have been dressed with lead.
- 10.4 The host building is four storey purpose build block of flats which was structured in the 1970's and are used for residential purposes. Furthermore, the double glazed frames often need to be thicker to compensate for the increased weight of the additional glazing, which can impact on the external appearance of the building. The existing building contains single glazed timber framed windows, which are currently in a poor state of repair, therefore, require replacement. The change of materials would not result in an unacceptable degree of visual harm to the appearance of the building or to the character and appearance of the area, particularly having regard to the significant variation in building style, age and materials immediately in the vicinity.

- 10.5 A sample has been provided to Council officers. Should planning permission be granted, a condition outlining that the materials be consistent with the details provided in this application would be imposed (Condition 3).



Image 6: Timber window Thickness

- 10.6 Given the above, the proposal is considered to be consistent with the aims of the Council's policies on design and to accord with policies 7.6 (Character) of the London Plan 2016, policy CS8 (Enhancing Islington's character) of the Core Strategy 2011 and policy DM2.1 of the Development Management Policies 2013.

Neighbouring Amenity

- 10.7 Policy DM2.1 of the Development Management Plan states that development should not have an adverse impact on neighbouring amenity in terms of overshadowing, overlooking, privacy, direct sunlight and daylight, over dominance and sense of enclosure.
- 10.8 The application proposes the replacement of the existing windows, which will be within the same openings. As no additional windows or doors will be installed, it is not considered that the proposal will have a detrimental impact on the amenity of any adjoining occupiers by way of overlooking or loss of privacy. As such, it would comply with policy DM2.1 of the Development Management Policies 2013.

- 10.9 The proposed double glazed uPVC windows would serve to improve the thermal efficiency of each individual residential unit, thereby contributing to reductions in carbon emissions, energy usage and would assist in combatting fuel poverty.
- 10.10 The chosen UPVC window product is a high-quality, high-performance, which contains a large percentage of recycled materials in the manufacturing process. The life –expired windows will - after 40+ years of average life expectancy –also be almost 100% recyclable. Other material improvements offered by this proposal will include vastly improved weather tightness and thermal efficiency leading to increased comfort and reduced financial hardship for residents. It is noted that extensive insulation works have been carried out to other building elements such as cavity walls and roof spaces which are likely to exacerbate problems with the original windows and doors as these now constitute the only significant remaining cold bridges within these properties, leading to condensation and mould. Finally, the new windows and doors will offer a substantial improvement in sound insulation – important given the high traffic volumes on Tollington Park and the nearby busy A1201 Stroud Green Road, which features several main bus routes.
- 10.11 In light of the above, the proposal is compliant with Policy DM7.2, which requires developments to be energy efficient in design and specification.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The proposed replacement windows would improve the appearance and provide more consistent fenestration for the elevations subject to this application. Due to the specific details of units proposed and variety of building styles, age and materials extant, the proposal is considered to be acceptable in this instance. It is not considered that the proposed frames would be substantially different to those existing in the building.
- 11.2 The proposed development is considered to accord with the policies of the National Planning Policy Framework 2018, the London Plan 2016, the Islington Core Strategy 2011, the Development Management Policies 2013 and Supplementary Planning Documents and as such is recommended for approval subject to appropriate conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Sub Committee resolve to GRANT planning permission subject to conditions to secure the following:

List of Conditions:

1	<p>Commencement</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Design and Access Statement (October 2018); Existing Elevation (REG001), Existing Elevation (REG002), Existing Elevation (REG003), Existing Elevation (REG004), Proposed Elevation (REG-011), Proposed Elevation (REG-012), Proposed Elevation (REG-013), Proposed Elevation (REG-014), Existing Window Schedule (EX-SCH), Proposed Section (PRO SECS) Proposed Window Schedule (No- WDS 011), Site Location Plan:</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials</p> <p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the plans. 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>

List of Informatives:

1	<p>It is recommended that you obtain technical advice regarding building control matters during the early stages of project design, and Islington Building Control has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant building control regulations, please contact Andrew Marx on 0207 527 5999 or by email at building.control@islington.gov.uk.</p>
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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 2018 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

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

B) Islington Core Strategy 2011

Spatial Strategy
Policy CS8 (Enhancing Islington's Character)

C) Development Management Policies June 2013

Design and Heritage
Policy DM2.1 Design

Energy and Environmental Standards
Policy DM7.1 Sustainable design and construction
Policy DM7.2 Energy efficiency and carbon reduction in minor schemes
Policy DM7.4 Sustainable Design Standards

3. Designations

Local Cycle Route

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

The following SPGs and/or SPDs are relevant:

- Islington Local Development Plan**
 - Urban Design Guide (2017)
- London Plan**
 - Sustainable Design and Construction

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ADDENDUM PLANNING COMMITTEE REPORT

PLANNING SUB COMMITTEE A		AGENDA ITEM NO: B4
Date:	30 th October 2018	EXEMPT NON-EXEMPT

Application numbers	P2016/4928/FUL
Application types	Full Planning
Ward	Hillrise Ward
Listed building	n/a
Conservation area	None
Development Plan Context	Article 4 Direction – office to residential Cycle Routes (local) Rail Land Ownership – National Rail Surface
Licensing Implications	None
Site Address	469 Hornsey Road, Islington, London, N19 3QL
Proposals	Demolition of existing two storey building and erection of 4 storey building plus set back roof addition and part basement to provide office 226sqm (B1 use) at ground and part basement floor and 7 self-contained resident units (6 x 2 beds & 1 x 3 bed) over second to fourth floor levels plus cycle parking and associated refuse, removal of existing cross over and on street servicing and associated alterations.

Case Officer	Owen Griffiths
Applicant	Mr Payne
Agent	Mr Alessio Cuozzo

1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1 and as amended in paragraphs 8 and 9;
2. conditional upon the signed Deed of Planning Obligations being signed under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 2;

2. REASONS FOR WITHDRAWAL FROM THE AGENDA

- 2.1 A recommendation for this application was previously published and scheduled to be heard at the Planning Committee on 20th June 2017. During the order of business, the Chair informed the meeting that the item was being deferred on advice of Planning Officers as an objection from Network Rail (a statutory consultee) regarding the application was still in place. It was hoped that the objection could be overcome through clarification prior to the Committee meeting however no responses from Network Rail had been received prior to the meeting.

3. UPDATES FOLLOWING PUBLICATION OF PREVIOUS REPORT (20TH JUNE 2017)

- 3.1 A new sunlight and daylight amenity study has been submitted that assesses the impact of the proposed developments at 469 Hornsey Road and 202-210 Fairbridge Road on 212 Fairbridge Road.
- 3.2 Revisions have been made to the scheme to address concerns raised by Network Rail. The development footprint has been moved so that there is a 1m clear distance between the building wall and the boundary fence to Network Rail Land. Condition 11 (Screening) and Condition 23 (Geotechnical Investigation) have been amended due to further issues raised by Network Rail. A further condition, 24 (Glare Assessment) has also been added at the request of Network rail.
- 3.3 The 1m clear distance described in 3.2 has resulted in various alterations to the floor areas of the residential units and office space. The basement has been extended to offset the reduction in the office space at ground floor level. There have also been minor alterations to the elevations of the building as a result of the 1m set back and the resultant floor areas changes.

4. CONSULTATION

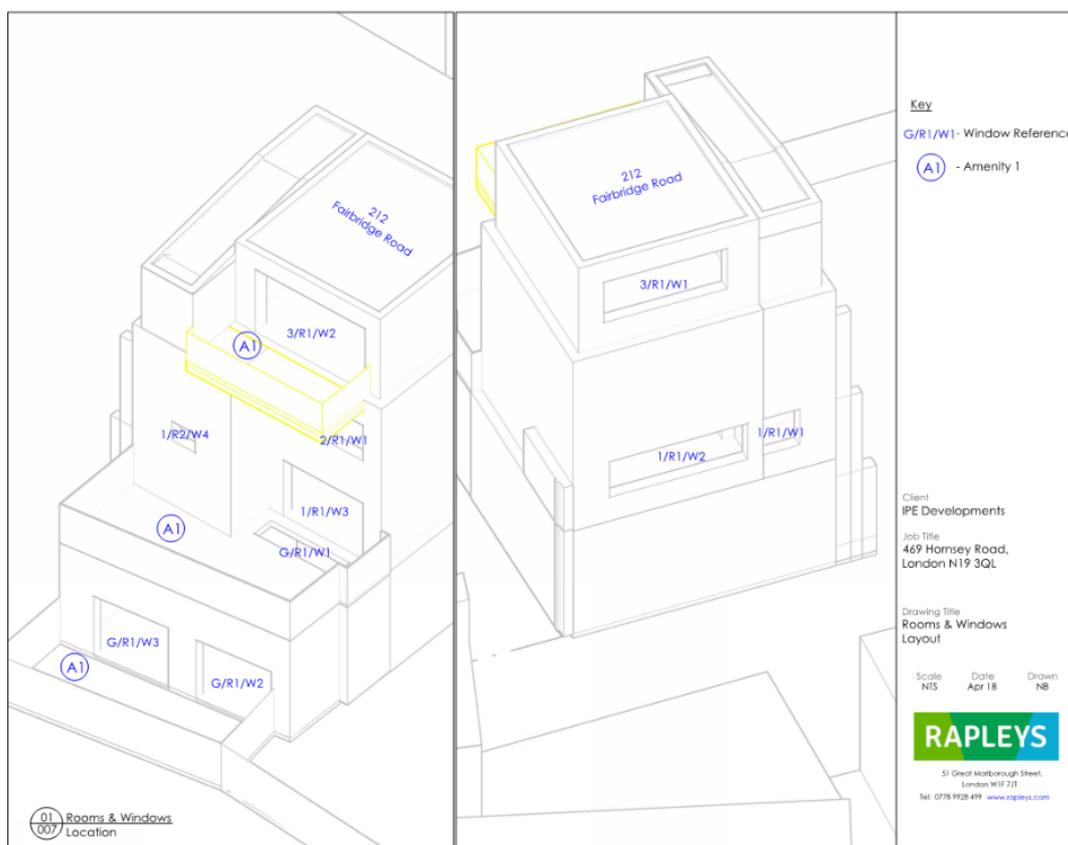
- 4.1 The application has gone through two additional rounds of consultation since the application was deferred due to additional information being provided and revisions to the scheme. The consultation periods were from the 21st December 2017 and the 15th June 2018.
- 4.2 One objection was received after the first round of consultation that ended on the 15th January 2017. The objection related to sunlight and daylight issues as well as privacy issues affecting on 212 Fairbridge Road.
- 4.3 After the second round of consultation the same objector raised the same privacy issue as previously but was satisfied with the sunlight and daylight situation now that the new sunlight and daylight assessment had been produced. The objectors concerns over privacy, that relate to the use of planted screens and non-frosted windows, are addressed in paragraph 5.4.

5. ASSESSMENT OF ADDITIONAL INFORMATION

5.1 Sunlight and Daylight

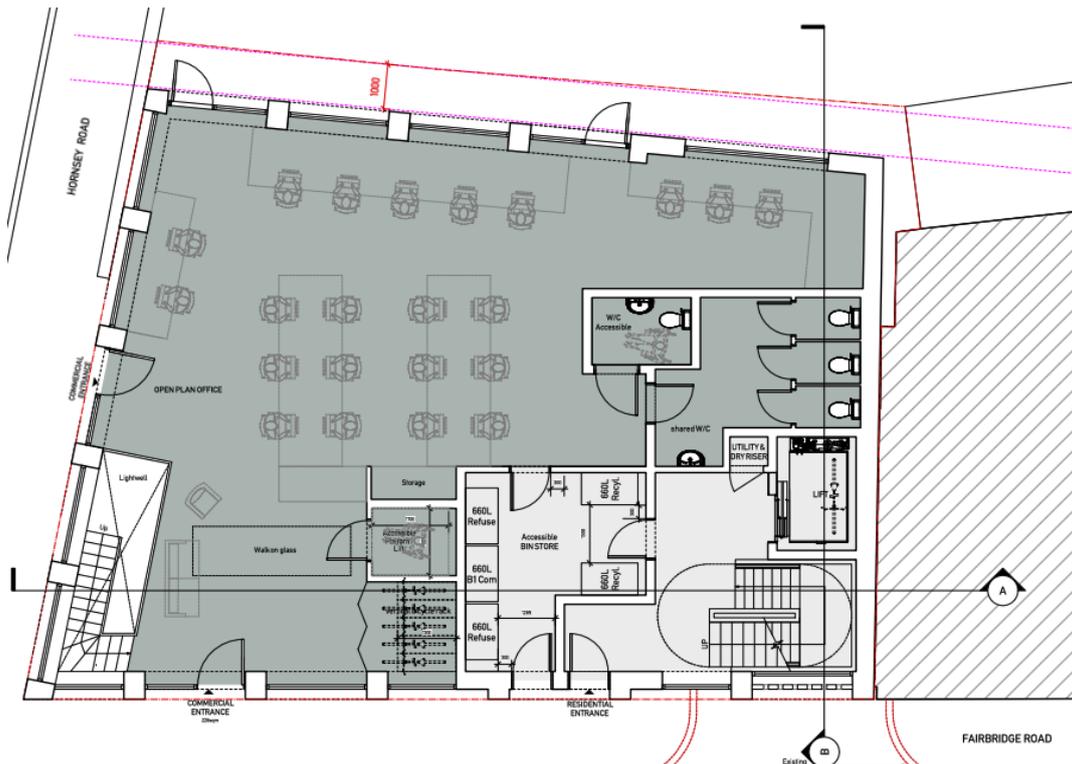
- 5.2 Concerns were raised to the applicant over the effect the proposed development could have on the residential development at 212 Fairbridge Road. A number of objections had also been received from the residents within this building in relation to the previously submitted sunlight and daylight assessment and that it did not accurately assess the effects the development may have on their property.
- 5.3 A new assessment has been made with regard to the joint impact of the proposed developments at 469 Hornsey Road and 202-210 Fairbridge Road on 212 Fairbridge Road. The proposed developments are located either side of 212 Fairbridge Road.
- 5.4 On the 26th April 2018 the Islington Planning Committee approved a mixed use development at 202-210 Fairbridge Road subject to conditions and a legal agreement. The approved development consists of a 4-5 storey building (16.5m in height) with affordable workspace units (B classes) on the ground floor and 15no. flats (4x 1-bedroom, 11x 2-bedroom) on the upper floors. As this development was approved since the current application was last due to be presented to committee the new sunlight and daylight assessment was produced to assess the joint impact on 212 Fairbridge Road.
- 5.5 The new assessment has used the Building Research Establishment's Report 209 "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" (2011 2nd Edition - the BRE Report) to undertake the sunlight and daylight study. The BRE Report provides guidance to designers, clients, consultants and planning officials on laying out proposed development sites to minimise impact on surrounding buildings and open spaces. This document is widely used in the construction industry.
- 5.6 The original committee report (from para 10.19) highlights the guidelines that are set out in the BRE report and how these are applied when assessing the effect development may have on the sunlight and daylight to neighbouring properties.
- 5.7 The new assessment outlines how the sunlight and daylight amenity to the residential accommodation of 212 Fairbridge Road has been retained.
- 5.8 The results table listed in the new assessment (included below) highlights that three windows do not meet the BRE VSC requirements. W1 of the ground floor Living/Kitchen/Dining area will have a reduced VSC from 38.66 to 23.69 (0.61). However, this window is a skylight and does not form one of the principle windows that allows light into the effected room. As the room benefits from large terrace doors that meet the BRE criteria, the reduction to W1 is considered acceptable.
- 5.9 W3 to the first floor has a reduction ratio of 0.77. This is only marginally below the 0.8 BRE requirement and as the room has two further windows that meet the BRE criteria the marginal reduction below the BRE criteria for W3 is considered to be acceptable.

- 5.10 First floor window W4 provides light to a non-habitable room (WC) and therefore the VSC reduction from 38.21 to 25.04 (0.65) will not have a detrimental effect on the living conditions for the inhabitants of the unit.
- 5.11 The results confirm that all windows tested meet the BRE requirements with the exception of second floor W1 which is located underneath a balcony. However, if the assessment is conducted without this balcony being in place the window would pass the VSC test and this is an acceptable methodology when assessing windows that are affected by overhanging balconies.
- 5.12 The results also indicate that all windows meet the APSH and WSPH criteria with the exception of the second floor W1 for the same reason as described in 5.1.4. W1 on the second floor services a bedroom which has a higher degree of leniency within BRE assessments due to the use of the room compared to a living room or dining room/kitchen.
- 5.13 The new assessment has demonstrated how the residential properties at 212 Fairbridge road will not lose an unacceptable level of sunlight and daylight. The assessment has taken consideration of recently approved development next to the property and used the industry standard BRE assessment to conclude that there will be no adverse effects on 212 Fairbridge road as a result of the proposed development.



Network Rail - Removal of Objection

- 5.14 On the 15th June 2018 Network Rail removed their objection to the application on the basis that there is now a 1m clearance from the building face to the boundary fence with Network Rail Land, as can be seen on the Ground Floor Plan (120-001-Q). Network Rail also highlighted that the dynamics of the soil interaction with the building structures need further consideration during the design and construction phase. Condition 23 has been amended to address this issue.



Ground Floor Plan (120-001-Q)

- 5.15 Issues in relation to screening heights were also raised by Network Rail due to safety concerns that drivers may be distracted due to the possibility of people congregating on roof/terrace areas that are not adequately screened. A 1.8m screen is required to the terraces facing the railway line and a 1.5m screen is required to the roof top area (accessed only for maintenance) and the terraces that do not directly face the railway line. Condition 11 requires details of screening to be submitted prior to occupation and the details required have been amended to incorporate Network Rail's requirements. Further consultation will occur with Network Rail once the details for condition 11 have been submitted.

5.16 Network Rail have also requested a Glare Assessment condition to be included to assess the impacts of the development on the operation of the railway. A Glare Assessment condition has been added to the list of conditions below. Network Rail also requested a number of informatives that have been included below.

5.17 The footprint of the site has been reduced due to the 1m setback and this has resulted in piles and columns being moved. Furthermore, the basement has been extended. The applicant has supplied an SMS addendum that addresses the concerns of Network Rail and states that there will be less disturbance to the embankment and that there will be a reduced risk of trespassing onto Network Rail land thanks to the 1m setback. However, an updated SMS has not been provided that addresses the fact that there have been alterations to the basement and the locations of piles and columns. These changes will reduce the structural work and requirements slightly over the scale and extent of basement works previously proposed. At the time of writing the applicant was discussing this issue with the structural engineer and the issue should be resolved prior to the committee meeting or can be conditioned.

Amendments to Floor Areas

5.18 The 1m set back between the boundary wall and the Network Rail land has resulted in a reduction in floor area for the ground floor commercial unit. This has been offset by an increase in the basement floor area resulting in the same floor area being provided in the revised scheme. The residential units have undergone various minor alterations due to the footprint amendment. These are summarised in the following tables:

Original Proposals					
		GIA		Amenity Space	
		sq.m	sq.ft	sqm.	sq.ft
Unit 1	2b4p	79	850	7.0	75
Unit 2	2b4p	80	861	7.2	78
Unit 3	2b4p	79	850	7.0	75
Unit 4	2b4p	80	861	7.2	78
Unit 5	2b4p	79	850	7.0	75
Unit 6	2b4p	80	861	7.2	78
Unit 7	3b6p	118	1270	54.0	581
Commercial Unit		226.5	2438		

Revised Proposals					
		GIA		Amenity Space	
		sq.m	sq.ft	sqm.	sq.ft
Unit 1	2b4p	78	834	7.0	75
Unit 2	2b4p	74	791	7.2	78
Unit 3	2b4p	78	834	7.0	75
Unit 4	2b4p	74	791	7.2	78
Unit 5	2b4p	78	834	7.0	75
Unit 6	2b4p	74	791	7.2	78
Unit 7	3b6p	118	1270	54.0	581
Commercial Unit		226	2433		

- 5.19 The alterations to the floor areas of the units do raise any concerns in terms of standard of living accommodation as all units comply with the nationally described space standards and the requirements outlined in table 3.2 of Islington's Development Management Policies (2013).
- 5.20 The floor area amendments have resulted in minor changes to the elevations of the development. The terraces to the residential units on the corner of Horney Road and Fairbridge Road have been reduced in size and there is now a column at this corner of the plot. The ground floor rear elevation fenestration has been amended with two doors allowing access to the 1m strip between the building face and the Network Rail boundary and a large widow towards the west of the site has been reduced in size. These amendments are considered to acceptable and necessary to facilitate the reduction in footprint of the development.

Other Matters

- 5.21 The Privacy issue that was raised by the most recent objector has been addressed by condition 11 (Screening). The details that are required for condition 11 must demonstrate how privacy will be maintained for the residents at 212 Fairbridge Road and the future residents at 468 Hornsey Road. The use of screening should provide sufficient privacy between dwellings and therefore the use of frosted/opaque glass will not be necessary, as was requested by the objector (4.2).

6. CONCLUSION

- 6.1 The application was initially deferred due an objection from Network Rail being extant. This objection has now been removed and conditions have been amended and a new condition included to ensure the safe operation of the railway. It was recommended to the applicant to produce a new sunlight and daylight assessment to alleviate an objection by a neighbouring resident. The new assessment was provided that demonstrates the amenity of neighbouring residents will be sufficiently protected. Finally, internal floor areas have been altered and minor changes to the exterior have occurred as a result of the decreased footprint of the building. Overall, the amendments are considered to be acceptable and necessary to address Network Rails concerns. The applicant has evidenced how neighbouring amenity will be protected and so the application is recommended for approval, subject to conditions and legal agreement.

7. UPDATED CONDITIONS

Condition 2 Approved Plans

CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:

019 Rev A; 014 Rev A; 015 Rev A; 016 Rev A; 017 Rev A; 018 Rev A; 000 Rev N; 001 Rev Q; 002 Rev Q; 003 Rev Q; 004 Rev P; 005 Rev F; 006-A Rev P; 007 Rev P; 008 Rev R; 009 Rev F; 010 Rev F; Note on Service Strategy; Design Statement dated December 2016; Environmental Noise Survey Report; Energy Statement; Air Quality Assessment; Sustainable Design and Construction Principles; Structural Method Statement September 2016; Desk Study Report dated October 2016; Daylighting Study 17 March 2017; MSL17440-E3; Email dated 25/05/2017 from Joseph Larbie (VSC) Property 5; Email dated 25/05/2017 from Joseph Larbie (APSH/WPSH) 212 Fairbridge Road.

Addendum to Structural Method Statement No CMS 575 Dated Sept 2016, Design and Access Statement Addendum December 2017, Daylight and Sunlight Amenity Study April 2018 Ref: 18-00896, Addendum to Structural Method Statement Dated Sept 2016.

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.

Condition 11 Screening

CONDITION: Full details of the screening as shown on drawing number 008 Rev Q shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail prior to first occupation of the proposed residential units.

Any residential terrace that faces the railway lines to the south of the development shall have screens with a minimum height of 1.8m. Screens to the roof area or to terraces not directly facing the railway line shall be constructed to a minimum height of 1.5m.

The information submitted shall demonstrate how the privacy of surrounding and future residents at the development will be maintained and the privacy screens shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: In the interests of protecting neighbouring residential amenity and the safe operation of nearby transport infrastructure.

Condition 23 Geotechnical Investigation

CONDITION: Notwithstanding the approved plans, an updated Geotechnical Investigation Report shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail prior to commencement. The Geotechnical Investigation Report shall also assess the dynamics of the soil interaction with the building structures.

REASON: To ensure no adverse impact on adjacent infrastructure.

Amend condition 5: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

The CEMP shall include details and arrangements regarding:

- a) The notification of neighbours with regard to specific works;
- b) Advance notification of any access way, pavement, or road closures;
- c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;

- d) Details regarding the planned demolition and construction vehicle routes and access to the site;
- e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
- f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)
- h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;
- i) Details of measures taken to prevent noise disturbance to surrounding residents;
- j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)
- l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic using Fairbridge Road, Hornsey Road and Spears Road at all times, including emergency service vehicles;
- m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.
- o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.

The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.

The demolition and development shall thereafter be carried out in accordance with the approved details and measures.

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.

REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.

8. NEW CONDITIONS

Condition 24 Glare Assessment

CONDITION: A Glare Assessment shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail prior to the construction of the superstructure. The Glare Assessment shall assess the potential effect the south facing glazing may have on the safe operation of the adjacent railway line.

REASON: To ensure the development has no adverse impact on the safe operation of the railway.

New SMS COMPLIANCE CONDITION: The Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) certifying the Structural Method Statement (SMS) dated 29/11/2017 submitted to support the hereby approved development shall be retained (or a replacement person holding equivalent qualifications shall be appointed and retained) for the duration of the development to monitor the safety of the construction stages and to ensure that the long term structural stability of the existing buildings and other nearby buildings are safeguarded, in line with the supporting Structural Method Statement. At no time shall any construction work take place unless a qualified engineer is appointed and retained in accordance with this condition.

REASON: To ensure that the construction work carried out is in accordance to the submitted Structural Method Statement for the duration of the construction and maintain compliance with the Islington Basement Development SPD (2016).

9. NEW INFORMATIVES

- 1 The developer must ensure that their proposal, both during construction and after completion of works on site, does not:
 - encroach onto Network Rail land
 - affect the safety, operation or integrity of the company's railway and its infrastructure
 - undermine its support zone
 - damage the company's infrastructure
 - place additional load on cuttings
 - adversely affect any railway land or structure
 - over-sail or encroach upon the air-space of any Network Rail land
 - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with the following comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

Future maintenance: The development must ensure any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space, and therefore all/any building should be situated at least **2 metres (3m for overhead lines and third rail)** from Network Rail's boundary. The reason for the **2m (3m for overhead lines and third rail)** standoff requirement is to allow for construction and future maintenance of a building and without requirement for access to the operational railway environment which may not necessarily be granted or if granted subject

to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. Any less than **2m (3m for overhead lines and third rail)** and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land. No structure/building should be built hard-against Network Rail's boundary as in this case there is an even higher probability of access to Network Rail land being required to undertake any construction / maintenance works. Equally any structure/building erected hard against the boundary with Network Rail will impact adversely upon our maintenance teams' ability to maintain our boundary fencing and boundary treatments.

Drainage: Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 – 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Plant & Materials: All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Scaffolding: Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling: Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Fencing: In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting: Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration: The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Vehicle Incursion: Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

Network Rail strongly recommends the developer contacts AssetProtectionanglia@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/aspx/1538.aspx.

Appendix 1:

Appendix 2: Minutes of previous planning Committee dated which this item was deferred.

London Borough of Islington

Planning Committee - 20 June 2017

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 20 June 2017 at 7.30 pm.

Present:	Councillors:	Klute (Vice-Chair), Donovan-Hart (Vice-Chair), Nicholls, Fletcher, Court, Kay and Ward
Also Present:	Councillor	Martin Klute in the Chair (Items B5 & B6) Alice Donovan-Hart (Items B1,B3 & B4)

Alice Donovan-Hart in the Chair

285 INTRODUCTIONS (Item A1)

Councillor Donovan Hart welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.

286 APOLOGIES FOR ABSENCE (Item A2)

Apologies were received from Councillors Khan, Picknell and Gantly.

287 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

There were no declarations of substitute members.

288 DECLARATIONS OF INTEREST (Item A4)

The Chair informed the meeting that due to issues around predetermination Councillor Klute, the Vice Chair would be chairing the meeting while Item 5 & 6 – The Old Sessions House was being considered. The meeting was informed that the Chair would be chairing all the other items on the agenda.

289 ORDER OF BUSINESS (Item A5)

The Chair informed the meeting that Item 2, 469 Hornsey Road, Islington London, N19 3QL had been withdrawn by Officers as responses from a statutory consultee had not been received.

The Chair informed the meeting that based on the level of public interest, the items on the agenda will be taken in the following order, B5& B6, B3, B4 and B1.

290 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 27 April 2017 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

291 APPOINTMENT OF PLANNING SUB-COMMITTEES (Item A7)

Members noted the report proposing the memberships and Chairs of the Planning Sub-Committees.

RESOLVED:

- a) That the Sub-Committees be confirmed as five member Sub-Committees and the Terms of Reference be noted.
- b) That it be noted that the allocation of seats was determined in accordance with the advice in the report.
- c) That Councillors Klute, Nicholls, Picknell, Gantly and Ward be appointed as members of Planning Sub-Committee A for the current municipal year or until their successors are appointed.
- d) That Councillors Donovan-Hart, Khan, Court, Kay and Fletcher be appointed as members of Planning Sub-Committee B for the current municipal year or until their successors are appointed.
- e) That it be noted that Councillor Klute had been appointed Chair of Planning Sub-Committee A and Councillor Donovan-Hart had been appointed Chair of Planning Sub-Committee B for the current municipal year or until their successors are appointed.

292 1-9 WHITE LION STREET, LONDON, N1 9PD (Item B1)

The construction of a single storey roof addition at 9 White Lion Street to create additional B1 office floorspace and associated alterations including rooftop plant/enclosures; Demolition of existing building to the rear of 9 White Lion Street and construction of a new building to create basement, ground plus six upper floors comprising flexible A1 retail/A3 restaurant and cafe (ground floor), B1 office (basement, and first to third floors), and six residential units (fourth to sixth floors); together with landscaping and associated works.

(Planning application number: P2016/4721/FUL)

In the discussion the following point was made:

- In response to a question on the preference for off -site financial contributions rather than the provision of affordable homes on site, the Planning Officer advised that this was only applicable where the proposal was for the provision of over 10 dwellings.

RESOLVED:

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

Planning Committee - 20 June 2017

The Chair informed the meeting that the item was being deferred on advice of Planning Officers as an objection from Network Rail (a statutory consultee) regarding the application was still in place. It was hoped that the objection could be overcome through clarification prior to the Sub-Committee meeting however no responses to attempts to contact Network Rail had been received.

ISLINGTON



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P2016/4928/FUL

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department



PLANNING COMMITTEE		AGENDA ITEM NO: B2
Date:	20th June 2017	NON-EXEMPT

Application numbers	P2016/4928/FUL
Application types	Full Planning
Ward	Hillrise Ward
Listed building	n/a
Conservation area	None
Development Plan Context	Article 4 Direction – office to residential Cycle Routes (local) Rail Land Ownership – National Rail Surface
Licensing Implications	None
Site Address	469 Hornsey Road, Islington, London, N19 3QL
Proposals	Demolition of existing two storey building and erection of 4 storey building plus set back roof addition and part basement to provide office 226sqm (B1 use) at ground and part basement floor and 7 self-contained resident units (6x2 beds, 1x3 bed) over second to fourth floor levels plus cycle parking and associated refuse, removal of existing cross over and on street servicing.

Case Officer	Joe Aggar
Applicant	Mr Payne
Agent	Mr Alessio Cuzzo

1. RECOMMENDATION

- 1.1 The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1; and
- 1.2 conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;

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



3. PHOTOS OF SITE/STREET

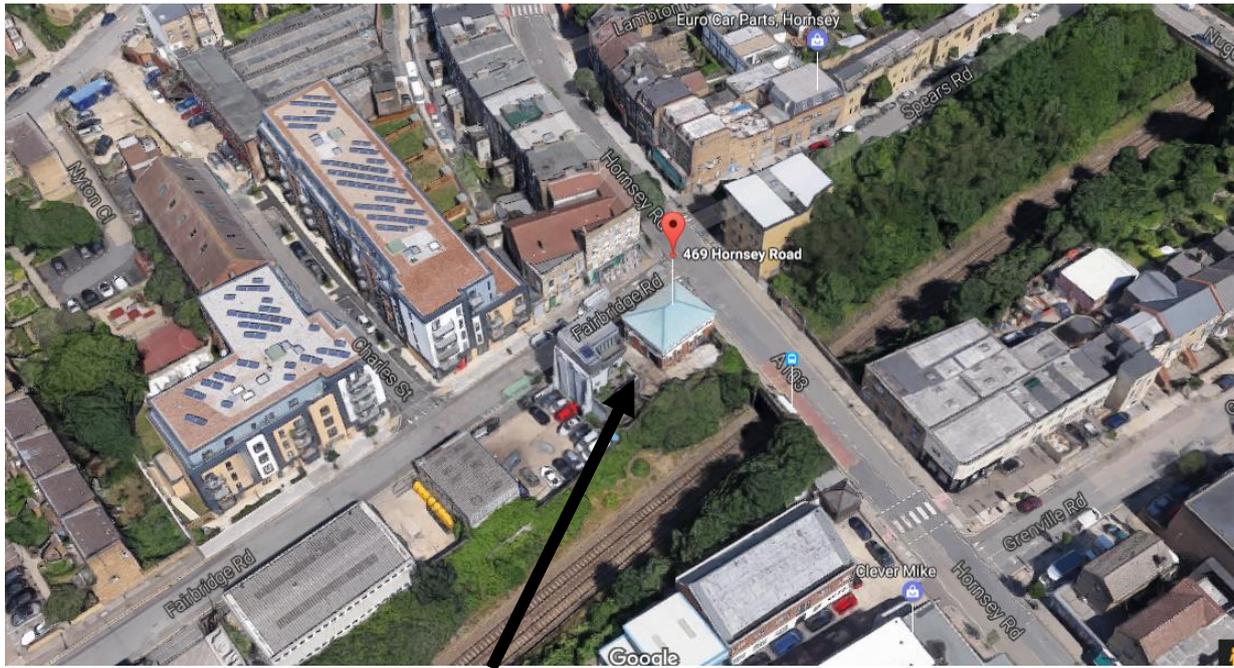


Image 1 - Aerial view of the site and surroundings



Image 2 - Aerial view of the site and surroundings



Image 3 – View of site from Hornsey Road



Image 4 – View of site from Hornsey Road looking west to Fairbridge Road.

4. SUMMARY

- 4.1 The application site is comprised of a two storey commercial building (B1 use) with hardstanding to the west and south of the main building. The area is mixed in character and use. The site is not located within a conservation area, nor is the existing building on site listed.
- 4.2 The proposal is to erect a four storey building plus set back roof extension and part basement level. The basement and ground floor are proposed to comprise office use (B1) with the upper floors comprising 7 residential units. The proposed elevations are designed as a grid with the horizontal and vertical columns finished in brick, with large windows. The building's southern facade is split into four bays, 5 bays to the eastern façade and seven bays to the northern elevation.

- 4.3 The existing building is in active use as office and workshop for a building maintenance company (Tradeforce). The site is located within an Employment Growth Area. The proposed would development provide a of total 226sqm of office space (B1 use) located at the proposed ground and basement floors. The proposed development would provide an uplift in office space of approximately 50sqm. The development accords with DM5.1 as the proposal results in an intensification, modernisation and renewal of existing business floorspace.
- 4.4 The design, layout scale and massing of the proposed development is considered acceptable and to accordance with CS9 of the Islington Core Strategy, DM2.1 of the Development Management Policies and the Urban Design Guide.
- 4.5 The quality and sustainability of the resulting scheme is acceptable, the residential units complying with the minimum internal space standards required by the London Plan (2016). The proposed scheme provides a good mix of 2 and 3 bedroom residential units, and is considered to comply with Policy CS12 and Development Management Policy DM3.1 (Mix of housing sizes).
- 4.6 Private amenity space is provided in accordance with Development Management Policy DM3.5. It is proposed that the new self-contained units would be constructed to meet the National Housing Standards set by the Building Regulations.
- 4.7 The proposal is not considered to prejudice the residential amenity of neighbouring properties insofar of loss of daylight or sunlight, outlook nor increased sense of enclosure and would accord with policy DM2.1 of the Islington Development Management Policies June, 2013.
- 4.8 The redevelopment of the site would result in no vehicle parking being provided within the site. Future residential occupiers will have no ability to obtain car parking permits (except for parking needed to meet the needs of disabled people), in accordance with Islington Core Strategy policy CS10 which identifies that all new development shall be car free. The provision of on street servicing based on a reduction in the overall vehicular trips to and from the site and satisfactory delivery and servicing from Fairbridge Road is considered acceptable and would not warrant a reason for refusal in this instance.
- 4.9 The application is referred to committee as a result of the number of objections. The proposal is considered acceptable in terms of land use, design, the quality of the proposed residential accommodation, dwelling mix, affordable housing, inclusive design, sustainability and energy, subject to conditions and to an appropriate Section 106 (S106) agreement. The main shortcomings of the proposed development relate to transportation and servicing and a marginal increase in sense of enclosure to the adjoining neighbouring property. These and other matters are outweighed by the benefits of the proposed development, are minor in nature, or can be addressed through a S106 agreement and conditions.
- 4.10 The proposal is considered, to be acceptable (and subject to conditions) in accordance with the Development Plan policies. Planning permission is recommended for approval.

5. SITE AND SURROUNDING

- 5.1 The site comprises a two storey commercial building with vehicular entrance from Fairbridge Road and hardstanding / car parking to the rear and side of the main building. The site is located on a prominent corner of Hornsey Road and Fairbridge Road. The site is gently sloping from front to back with a chain link fence to the train line boundary and self-seeded vegetation to the embankment. Directly adjacent to the application site, to the west, is a four storey residential building comprised of one residential unit and one live work unit. The site is not affected by any formal heritage constraints.

- 5.2 A National Rail Surface railway line runs along the rear of the site. This provides a degree of relief in built form and affords longer views of the site, notably views north from Hornsey Road.
- 5.3 Fairbridge Road is a local road with no classification and is a local cycle route. Double yellow lines exist directly outside the site on Fairbridge Road. The site has vehicular access via a crossover onto Fairbridge Road. This gives access to the service yard which is located to the side and rear of the main two storey building. The A103 (Hornsey Road) which the site also fronts is part of the local strategic road network. Hornsey Road from Fairbridge Road to the Bus Stop is standard single yellow, with parking restrictions from 8:00 am to 6:30pm Monday to Friday and 8am to 1:30pm Saturday and no restrictions on a Sunday.
- 5.4 Fairbridge Road is characterised by 2-3 storey commercial buildings on the south side and 3-5 storey residential buildings to the north. These generally have yellow brick elevations (which continue onto Hornsey Road). To the east of the site on the corners of Spears Road and Hornsey Road are 3-4 storey buildings with commercial ground floors and residential uses to the upper floors.
- 5.5 There is a mix of uses in the surrounding area, including retail and other commercial uses along Hornsey Road (within the Hornsey Road North Local Shopping Area) to the North West. Other adjacent properties, including those immediately opposite, are in commercial and residential uses, generally with commercial uses on the ground floor, and further commercial or other floorspace above.

6. PROPOSAL (in Detail)

- 6.1 The applicant proposes the demolition of the existing building on site and the removal of the crossover fronting Fairbridge Road and excavation at basement level, redevelopment of the site to provide 226sqm of office space at ground and basement levels, plus 7 residential units (6 x 2-bedroom flats, and 1x3 bedroom flat) at first floors and above. The proposed building would be 4 storeys in height plus a setback roof addition. Located at ground floor would be a designated bin store with residential cycle parking located at basement level and office cycle parking located at ground floor level. Residential access is proposed from Fairbridge Road with access to the office premises from both Hornsey Road and Fairbridge Road.
- 6.2 The façade is proposed to be constructed in yellow stock brick. The elevations articulate a grid façade with strong vertical elements and large inset windows to the upper floors consisting of metal side panels. A blank bay to Fairbridge Road would consist of hit and miss brick work. The ground floor has been designed to appear 'heavier' with a rusticated brick bond and would appear darker than the brick above with large expanses of glazing to serve the proposed office at ground floor.
- 6.3 Inset balconies are proposed to serve as private amenity spaces for the residential units. These are located to the north east and south east corners of the building and a proposed roof terrace is located above the fourth floor to serve the 3 bedroom dwelling. At the first floor level and above to the south west corner of the proposed building line is angled away from the adjoining property at 212 Fairbridge Road. The elevations are proposed to be topped with reconstituted stone coping.
- 6.4 The top storey would be set back 2.3m from the buildings parapet and is proposed be clad in a green wall. The internal stairwell and the lift would be located directly behind the hit and miss brick façade. A lift is proposed to access all floors. The building would comprise a lift overrun, located to the west of the building above roof level and would be visible from public views. Screening is proposed to the southern elevation and a green roof and photovoltaic panels are proposed at roof level.

- 6.5 The proposed curtilage of the site is roughly rectangular in shape and the proposed footprint of the building would cover the application site. It is proposed to carry out servicing and deliveries, on street, from Fairbridge Road.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 469 Hornsey Road, application 831756 for Redevelopment to provide a 3 storey building to be used as light industry and ancillary stores and offices and as a retail shop was granted on 19/04/1984.
- 7.2 469 Hornsey Road, application P930188 for Construction of two storey building for B1 use was granted on 17/05/1993.
- 7.3 469, Hornsey Road, application P120992 for Demolition of existing 2 storey B1 workshop building and store. Erection of new 6 storey building to comprise workshops and one car parking space on the ground floor and 13 x one, two and three bedroom flats on the upper floors was refused on 13/05/2005.
- 7.3 469 Hornsey Road, application P2014/0110/OUT for Demolition of existing building and erection of 4 storey building to provide one commercial B1 unit to ground and first floors and 5 two bedroom flats and 3 one bedroom flats to upper levels was refused on 24/03/2014.
- 7.4 469 Hornsey Road, application P2014/1862/PRA for Prior approval application for proposed change of use of the first floor and part of ground floor of the building to create two flats, comprising one x two-bedroom unit and one x one-bedroom unit was refused on 08/07/2014.

REASON: In accordance with The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 and specifically the provisions of (amended) Paragraph N (2A), the Local Planning Authority refuses this application as in its opinion, the developer has provided insufficient information to enable the LPA to establish whether the proposed development complies with restriction J.1.(b) which requires that the use of the building subject to this application was as B1(a) offices on or before 30 May 2013.

- 7.5 469 Hornsey Road, application P2015/1885/OUT for Outline Planning Application for Demolition of existing building and erection of 4 storey building to provide one commercial (B1) unit with parking on ground floor and part first floor and 7no.residential units to upper levels comprising of 4no. 1 bed units, 2no. 2 bed units and 1 no. 3 bed units, plus cycle parking and associated refuse was refused on 15/02/2016.

REASON: The proposed detailed design of the proposed building by reason of its poor overall finish, articulation of its main elevations, utilitarian features, poor window articulation and detailed design would fail to form a contextual and attractive addition to the surrounding streetscene to the detriment of the character and appearance of the surrounding urban form. The proposal also fails to provide an appropriate level of activity at street level and would fail to appropriately preserve or enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is contrary to policies 3.5 (Quality design of housing developments), 7.4 (local character) and 7.6 (architecture) of the London Plan 2015, policy CS8 (Enhancing Islington's Character) and CS9 (Protecting and Enhancing Islington's built and historic environment) of the Islington Core Strategy 2011, Policy DM2.1 (Design) of the Islington Development Management Policies 2013 and Islington's Urban Design guidance 2006.

- 7.6 202 – 210 Fairbridge Road pre-application Q2016/1991/MJR for the Demolition of the existing MOT Garage (Use Class B2) and the erection of a 6 storey mixed use building,

comprising a 92sqm ground floor commercial unit (Use Class A1/A2/B1) 19 flats (Use Class C3) and ancillary cycle storage, refuse storage and outdoor amenity spaces.

ENFORCEMENT:

7.7 None

PRE-APPLICATION ADVICE:

7.8 469 Hornsey Road, pre-application response for the 'Pre-application for demolition of existing building and erection of four storey building (plus setback penthouse storey) to provide one commercial (B1) unit at ground floor and part first floor and eight No. residential units to upper levels comprising of three No. 1 bed units, three No. 2 bed units and two No. 3 bed units, plus cycle parking and associated refuse.'

"In summary, the principle of a mixed-use development or a residential development at the site may be supported subject to robustly justifying the proposed quantum and quality of the proposed new employment space on site, the residential mix of units, acceptable overall design and massing and ensuring acceptable living conditions for prospective occupiers and safeguarding the amenity levels of adjoining occupiers and those within the development. There may be potential to maximise employment space further on site through the creation of a basement level to the building."

Officers suggested:

- *The inclusion of a lift to all levels of the building to provide level access.*
- *The inclusion of basement to generate a greater uplift in the quantum of floorspace.*
- *Repositioning the internal stairs, lift and bin storage to create more functional ground floor commercial space.*
- *Overhanging balconies considered unacceptable and should be inset.*
- *Provide a visually strong base to the proposed building.*
- *Removal of the proposed recessed ground floor and reinstate the building line to the street.*
- *Reduction in the number of one bedroom units proposed (3x1 bedroom units).*
- *Provide distinct separation of residential and commercial uses.*
- *Reduction in the proportions of parapet.*
- *Demonstrate ability to accommodate on street servicing that would be safe and not cause traffic obstruction.*

7.9 469 Hornsey Road, pre-application response for the 'Demolition of existing two storey building and erection of 4 storey building plus set back roof addition to provide office (B1 use) at ground and part basement floor and 7 self-contained resident units (6x2 beds, 1x3 bed) plus cycle parking and associate refuse.'

"In summary, the principle of a mixed-use development is considered acceptable. The uplift in the office floor space is considered in accordance with Policy DM5.1. The provision of largely 2 bed units is considered to comply with Policy DM3.1 of the Development Management Polices and are of a sufficient size and quality overall.

The council welcomes the recent changes and details contained within the pre application and officers consider that the scheme has come a long way to creating a high quality redevelopment of the site."

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent on the 11th January to occupants of 216 adjoining and nearby properties at Fairbridge Road, Porter Square, Charles Street, Hornsey Road, Spears Road and Lambton Mews
- 8.2 A site notice was also displayed. Consultation expired on the 9th February 2017. It is the Council's practice to continue to consider representations made up until the date of a decision. A further period of consultation expired on the 12th April 2017 based on additional sunlight daylight information being received. Further drawings were also received which reduce the size of the roof terrace and introduce full height glazed screens to the south elevation facing the railway embankment in response to Network Rails concerns.
- 8.3 At the time of writing this report 8 objections have been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).
- Loss of sunlight & daylight to adjoining properties (paragraph 10.25-10.28, 10.30-10.33)
 - The daylighting study fails to recognise 212 is split into two properties (paragraph 10.27)
 - Potential of overlooking from upper level windows at the proposed site (paragraph 10.39)
 - Overlooking from terrace area (paragraph 10.39)
 - Scale, massing would create a sense of enclosure to 212 Fairbridge Road (paragraph 10.35-10.37)
 - The proposed building is an overdevelopment of the site (paragraph 10.12 & 10.18)
 - Increase in parking problems (paragraph 10.61, 10.72)
 - Another nurse, doctors or building to serve the community (paragraph 10.4)
 - Must take into account Human Rights (paragraph 10.87)

External Consultees

- 8.4 **Network Rail:** The basement is in close proximity to the rail embankment and has the potential to destabilise the land leading us to raise this as a potential issue in causing high safety concerns for our network. The site is adjacent to a railway cutting which is approximately 7m deep. A geotechnical investigation will be required to determine foundation options. Network Rail should be consulted at an early stage to determine any requirements that they may have.

Internal Consultees

- 8.5 **Design and Conservation Officer:** the design is of good quality, modern yet contextual approach and responds to the surrounding townscape.

Environmental Protection: Concern regarding the sites proximity to the railway in terms of noise and vibration. Also measures to ensure sufficient sound insulation and air quality are required. If officers are minded to approve, conditions are recommended to ensure satisfactory residential standards.

- 8.6 **Tree Preservation Officer:** no trees in the vicinity of the site which would be adversely impacted. No objection to the application.

- 8.7 **Planning Policy:** Whilst the policy states maximisation of business floor space, this is not implicit within DM5.1 for minor schemes. The proposal represents uplift in floor space by almost a third and the proposed new floor space can be split into smaller units which is welcomed in providing potential space from SMEs. The proposed segregation of uses on separate floors, with sufficient measures, will not comprise the ongoing proposed commercial use and function of the proposed office space or Employment Growth Area generally.

- 8.8 **Highways Officer:** objection to the location of loading and unloading to Hornsey Road and Fairbridge Road. Provision should be retained for service and delivery within the curtilage of the site based on potential issues arising from loading from the highway.

From Hornsey Road there are approximately 3 vehicle spaces for stacking based on the location of the servicing vehicle. Given how busy the road is this will fill quickly and lead to blockage at the junction and on Hornsey Rd (particularly with the northbound bus stop in close proximity) as there is a likelihood vehicles will be oncoming along Fairbridge Road regularly so there will not be the opportunity to go around the parked vehicle.

On Fairbridge Road if a servicing vehicle is parked, loading, there is insufficient space for vehicles in both directions to pass then blockage will occur on Fairbridge Road when those from Hornsey Road turn in and head westbound. Loading only in the interpeak may help but this junction is considered busy at all times.

- 8.9 **Access Officer:** commitment to meet M4(2) Accessible and adaptable dwellings. The lift in the commercial unit is only a platform lift, this is not ideal. Consideration should also be given to the provision of some facility for the storage and charging of mobility scooters and accessible cycle storage.

9. RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.3 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable ‘optional requirements’
 - Deregulation Bill received Royal Assent 26th March 2015

Development Plan

- 9.4 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 1 to this report.

Designations

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

Employment Growth Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design, appearance
- Impact on the amenity of neighbouring residents
- Residential mix
- Quality of accommodation
- Refuse
- Accessibility
- Small Site Housing Contributions and Carbon Offsetting
- Highways
- Trees
- Sustainability
- Basement Development
- Community Infrastructure Levy
- Other Matters

Land Use

10.2 Planning application 921415 was granted for the 'construction of two storey building for B1 use'. This permission indicates the properties lawful use is B1 use which can include office uses. It is apparent the nature of operations which have taken place at the premises have not always reflected the lawful use of the premises and are considered to have previously comprised sui generis or B2 uses. None of the previous uses which fall outside B1 have been established through certificate of lawfulness, or via planning permission. Therefore it is considered the existing lawful use of the building is B1, which can include offices (other than those that fall within A2), research and development of products and processes and light industry appropriate in a residential area.

10.3 The site contains a two storey building with associated parking and servicing to the side and rear of the main building. The site was previously used by a company 'Zone-2-Zone Transport Limited' as an operation base for their business which comprised private hire services and courier services. The upper floors comprised the control office, while the ground floor comprised vehicle maintenance workshop and storage area. A prior approval application (P2014/1862/PRA) for the proposed change of use of the first floor and part of ground floor of the building to create two flats, comprising one x two-bedroom unit and one x one-bedroom unit was refused on 08/07/2014. Based on the above, the site was not in use as B1(a) offices on or before 30 May 2013.

10.4 The site is currently in use as office and workshop space for a property maintenance and refurbishment business (Tradeforce). While the exact nature of the business is not known, it is considered that the current operation can be considered to fall within (B1) based on use of office and an element of light industrial operation. Nevertheless, the lawful use of the site is considered B1 based on the relevant planning history. The proposal is for reprovision of business (B1) floorspace. In this regard, Policy DM5.1 of the Development Management Policies is relevant given the sites location within an Employment Growth Area (EGA). DM5.1, part A is clear that proposals for redevelopment are required to incorporate the maximum amount of business floorspace reasonably possible on site. The existing commercial floor space comprises approximately 176sqm. The proposed office floor space (B1a use class) is 226sqm at basement and ground floors. This provides an uplift of approximately 28% in business floor space at the site.

- 10.5 The business floorspace is shown as one open office and overall the new floors space is considered improved in terms of its overall quality and usability. The proposed floor space also has the ability to be split into three separate units to provide Small and Medium Enterprise (SME) space in line with the aims of DM5.1. The basement floor still maintains level access via a through the floor lift and sufficient light is maintained via an internal lightwell to the basement as shown in the sunlight daylight report. The floor to ceiling heights of the proposed ground floor are 2.6m and the basement floor, 2.5m, DM5.1 requires adequate floor to ceiling heights (at least 3 metres of free space). Whilst the proposed height does not meet the stated minimum height, this must be balanced against the consideration to overall height of the building and its relationship to adjoining buildings, which is considered satisfactory in townscape terms. In conclusion, based on the overall uplift in business floor space within the Employment Growth Area the proposal is considered to comply with aims of Policy DM5.1 of the Development Management Policies.
- 10.6 Of material consideration in the assessment of the above application are two previous outline applications submitted in relation to the site. Both applications were for the demolition of existing building and erection of 4 storey building comprising office and residential uses. Within the assessment of application P2014/0110/OUT there was a proposed net loss of 1sqm of commercial space and a 2sqm loss proposed as part of P2015/1885/OUT.
- 10.7 Neither of the above applications were refused based on the proposed provision of commercial space. Based on the merits of the current application, given the uplift proposed in floorspace by almost a third and taking into account the previous decisions as material considerations, the proposal is considered in accordance with policy DM5.1 of the Development Management Policies.

Design and Conservation

- 10.8 The existing site comprises a two storey building of little architectural merit. The site also contains a servicing yard and directly adjoins the embankment to the railway line to the south and a residential property to the west. The site sits on a prominent corner of Hornsey Road and Fairbridge Road. The railway cutting provides open views of the site from the south. There is no policy basis for the retention of the building on site. The building is not locally or statutorily listed. The proposed demolition of the existing building and redevelopment of this site is welcomed in design terms.
- 10.9 Policy CS9 of Islington's Core Strategy (CS), 2011 and Policy DM2.1 of Islington's Development Management Policies 2013, accord with the National Planning Policy Framework (NPPF). Taken together, they seek to ensure that amongst other things, development respects and responds positively to existing buildings, the streetscape and the wider context, including local architecture and character.
- 10.10 The Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonises with their setting. New building should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.
- 10.11 At Kipling House on the north side of Fairbridge Road, the buildings rise to 5 storeys. Directly opposite the site on the corner of Hornsey Road and Fairbridge Road, the Victorian buildings are three storeys in height (these properties have generous floor to ceiling heights and parapets and are more akin four storeys in height). At no. 20 Spears Road, to the east of the site, the building rises to 4 storeys. The buildings within the vicinity of the site comprise a mix of age and design and the bridge and railway cutting provide a degree of open aspect which makes the corner site prominent in the public domain.

- 10.12 The proposed scheme would be 4 storeys with a setback roof addition. It is considered in this highly visible location that this is the appropriate form of development which does not appear over dominant. The main parapet is similar in height to the adjoining property giving a coherent appearance to the streetscene. The proposed height and mass of the building is considered reflective of the prevailing surrounding building heights.
- 10.13 The façade is proposed to be constructed in yellow stock brick. The north, west and south elevations would exhibit a grid pattern with strong vertical emphasis and large inset windows to upper residential floors. A blank bay to Fairbridge Road would consist of hit and miss brick work which is considered to add to the visual interest to the proposed building. The internal stairwell and the lift which allows access to all floors would be located directly behind this element. The elevations are topped with reconstituted stone coping.
- 10.14 The ground floor has been designed to appear 'heavier' with a rusticated brick bond and would appear darker than the brick above with large expanses of glazing to serve the proposed office at ground floor. The commercial unit has entrances from Hornsey Road and Fairbridge Road with the refuse and residential entrances located on the Fairbridge Road elevation. Residential inset balconies are proposed to the north east and south east corners of the building and a proposed roof terrace is located above the fourth floor to serve the 3 bedroom flat.
- 10.15 A lift overrun would rise above the proposed top floor roof level and would be visible from the public realm. Whilst this element is not considered ideal in design terms, it has been positioned to visually reduce its impact and moreover the lift is considered necessary to allow for the residential units to be fully accessible and comply with Category 2 Homes.
- 10.16 The top storey would be set back 2.3m from the buildings parapet and is proposed to be clad in a green wall. These characteristics would soften the appearance of the top floor giving it a recessive quality that would not appear discordant with its surroundings. In the context of the site forming a corner plot, a setback floor level is considered appropriate in this location.
- 10.17 The proposed scheme is considered much improved in design terms from refused application P2015/1885/OUT (figure 1) in terms of its materiality and articulation. Overall, the proposed design and scale of the development is considered to be a contextual, yet modern design and would form an attractive addition to the surrounding streetscape.



Figure 1: images of refused scheme at 469 Hornsey Road (P2015/1885/OUT)



Figure 2: proposed image of development at 469 Hornsey Road



Figure 3: proposed image of development at 469 Hornsey Road

10.18 Overall therefore the proposed mixed use building is considered to be contextual and appropriate in townscape terms. The size and bulk and articulation of the façade is considered an appropriate fit within the street scene and adjoining and nearby buildings and to accord with Policy DM2.1 of Islington’s Development Management Policies , Policy CS9 of Islington’s Core Strategy 2011 as well as guidance in the Council’s Urban Design Guide 2017 (SPD). Collectively these seek to ensure that development respects and responds positively to existing buildings, the streetscape and the wider context.

Neighbouring Amenity

- 10.19 London Plan Policy 7.6 requires buildings and structures not to cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. DMP Policy 2.1 requires development to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, sunlight and daylight, over-dominance, sense of enclosure and outlook. One of the core principles is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 10.20 Daylight: In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. The application has been submitted with a sunlight and daylight assessment dated January 2017. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.
- 10.21 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.
- 10.22 The BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:
- The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight);*
- And
- The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.*
- 10.23 A Daylight and Sunlight Assessment was submitted in support of the application. An updated report has been submitted on 21 March 2017 to show the potential impact to each window at first floor level to 471 Hornsey Road and 20 Spears Road. Updated information was also received relating to the sunlight/daylight results to the ground and first floor windows to 212 Fairbridge Road.
- 10.24 The first floor windows to no. 20 Spears Road and no. 471 Hornsey Road (which are located across a highway) fail the 25 degree line in section. The report examines the Vertical Sky Component of the first floor windows to the south facing windows of 471 Hornsey Road, the first floor west facing windows of no. 20 Spears Road and the south facing ground and first floor windows to 212 Fairbridge Road.
- 10.25 At no. 471 Hornsey Road, windows marked 'W1' and 'W2' would continue to retain 0.8 times their former value. The skylight to windows marked 'W3' and 'W4' would not fall below the required 27% and therefore are considered to pass the test.
- 10.26 In relation to 20 Spears Road, the submitted report indicates all the first floor windows would pass the VSC test and not fall below 27%. The first floor windows to both 20 Spears Road and 471 Hornsey Road pass the relevant VSC test. The second floor windows to both these properties are located higher than the first, and pass the 25 degree line, it is highly

likely that's these windows will retain 80% their former value and as such are unlikely to see a significant reduction in the amount of diffuse daylight.

- 10.27 No. 212 Fairbridge Road rear elevation faces due south. The ground floor is considered to comprise a live/work unit with a further residential unit at first floor and above. VSC test has been carried out in relation to the ground and first floor rear windows which are closest to the proposed development. Both the windows tested at ground and first floors exceed the required 27% and pass the relevant VSC test.
- 10.28 The ground floor at 20 Spears Road is in use as a nurse's office and at 471 Horney Road as a carpet shop. These uses are considered less sensitive in terms of light and therefore there is considered to be no undue impact.
- 10.29 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:
- In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.*
- In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.*
- 10.30 No. 471 Hornsey Road and no. 212 Fairbridge Road have a particular sensitive relationship to the site in terms of sunlight as both buildings face due south. The annual summer and winter sunlight hours have been tested in relation to first floor windows at 471 Hornsey Road and 20 Spears Road and the ground and first floor windows to 212 Fairbridge Road. None of these are considered to be unduly impacted in terms of loss of sunlight (for summer and winter) as a result of the development.
- 10.31 The 45 degree test also a method used to check sunlight and daylight impacts from developments that are perpendicular to a potentially affected window. The windows at first and second floor level are shown in plan. The BRE Guidelines state that if a proposed neighbouring extension obstructs both of these 45 degree lines (i.e in height and depth) then the extension may cause noticeable loss of light. If it obstructs one of these lines but not both then sufficient light should be maintained.
- 10.32 The first and second floor windows pass in plan. It is acknowledged the 45 degree line would be minimally broken, however this would be at a point 8m from the potentially affected windows. Given this separation distance and that the 45 degree rule is passed in plan, substantiated by further tests in relation the BRE Guidance stated above, there is not considered to be a significant impact on the adjoining neighbour of 212 Fairbridge Road in terms of loss sunlight and daylight.
- 10.33 The submitted report and assessment indicates there would be no undue loss of sunlight or daylight to the neighbouring properties and given the proposals acceptable form and massing and compliance with the BRE guidance sufficient daylight and sunlight is considered to be maintained. In this regard Policy DM2.1 and the BRE Guidelines are met.

Outlook and Sense of Enclosure

- 10.34 Due to the overall design of the proposal, its form and the relative separation distances involved, it is considered that it would not be unacceptably overbearing or have a detrimental effect on neighbouring occupiers at 20 Spears Road (12.5m away, separated

by a highway) or 417 Hornsey Road (set 12.3m away, across a highway), opposite the application site.

- 10.35 The proposed development has a sensitive relationship to 212 Fairbridge Road. The footprint of the building occupies the whole site. Above ground floor level the flank wall of the proposed development would reach a height of 3m which is not considered to cause an undue sense of enclosure nor loss of outlook to the live/work unit located at the ground floor of 212 Fairbridge Road.
- 10.36 The rear of 212 Fairbridge Road is tiered with a garden at ground floor and rear terraces at first floor and rear of third floor levels. The proposed building line to 469 Hornsey Road would project 2.4m (approximately to the rear of the top terrace) from the main building line to 212 Fairbridge Road, after which point the built form angles away. Whilst this would bring the built form appreciably closer and beyond the main rear building line to 212 Fairbridge Road at first floor level and above, outlook from the upper floor windows would not fundamentally change with the new built form in place. As a result, it is considered that the effect of the proposal on the outlook to rear windows would not be unduly harmful. It is considered that based on the projection of the rear building line by 2.4m beyond that of 212 Fairbridge Road this would slightly diminish the quality of the living conditions of the occupiers of 212 Fairbridge Road in terms of sense of enclosure. This needs to be tempered against the context. Based on 212 Fairbridge Road abutting the railway cutting to the rear, and with no built form to the west, a satisfactory level of outlook to the rear, overall, is considered to be maintained from habitable rooms and private amenity spaces.
- 10.37 The proposed design is similar to that of outline application P2015/1885/OUT. It is acknowledged that at first, second and third floor levels the rear projection of the building extends further outwards. It is important to note that a previously refused outline application ref P2015/1885/OUT was not refused on the grounds of any unacceptable or material loss of outlook or increased sense of enclosure to this adjoining or any other nearby property. Based on the above reasoning and similarities in design to the current proposal, it is not considered the resultant scheme would result in undue harm to the neighbouring occupiers at 212 Fairbridge Road by increased sense of enclosure or loss of outlook.

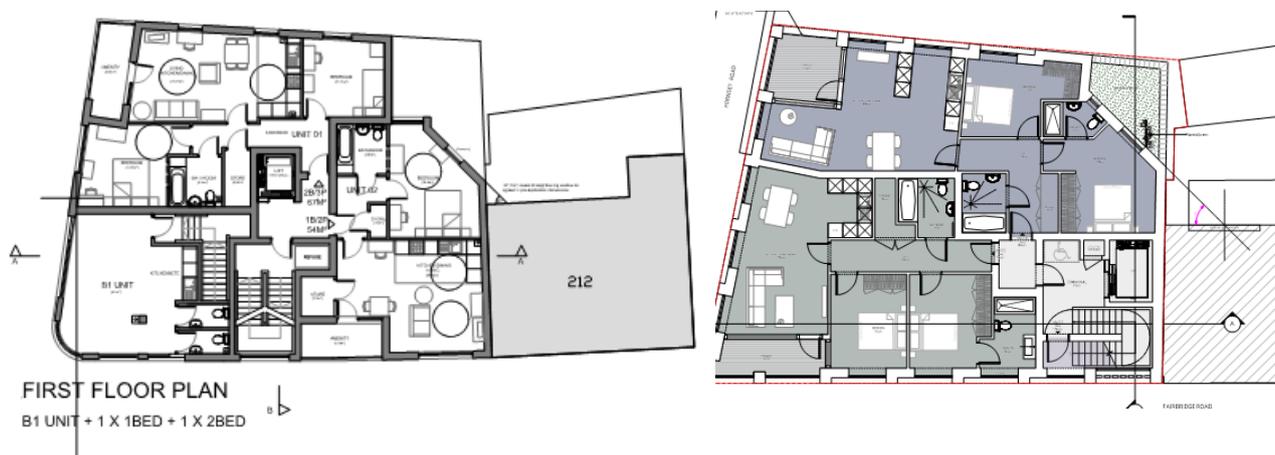


Figure 4: proposed first floor of P2015/1885/OUT and P2016/4928/FUL

Overlooking/Loss of Privacy

- 10.38 To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms, unless across a highway. As such there is considered to be no undue overlooking or loss of privacy to 471 Hornsey Road and 20 Spears Street, located directly opposite the proposed site.

- 10.39 The proposed south west elevation has been designed to angle away from 212 Fairbridge Road. It is proposed to install screens in order to prevent overlooking to the rear elevation and private amenity spaces of 212 Fairbridge Road. It is recommended to condition these screens to be installed and maintained in order to prevent overlooking. Amended drawings have been received which reduce the size the 4th floor terrace area facing the railway track. This has been restricted via a full height glazed screen. The corner of the screen has been chamfered in order to prevent this being seen from the street. The properties to the south side of the railway are considered sufficient distance away as to not be adversely impacted by the proposed development. As the habitable windows to 471 Hornsey Road and 20 Spears Road are located over a highway, no harmful overlooking is considered to occur in line with policy DM2.1 of the Development Management Policies.

Summary

- 10.40 For these reasons, it is considered that the proposed development would not materially harm the living conditions of the occupiers of No 212 Fairbridge Road, 471 Hornsey Road or 20 Spears Road or any other neighbouring properties. Accordingly, the proposal does not conflict with Policies CS8 and CS9 of Islington's Core Strategy and Policy DM2.1 of Islington's Local Plan: Development Management Policies insofar as they aim to safeguard residential amenity. The scheme would also adhere to a core principle of the National Planning Policy Framework, which is to always ensure a good standard of amenity for all occupants of land and buildings.

Residential Mix

- 10.41 Planning policy and guidance requires a range of unit sizes to be provided on all new developments in order to meet specific housing demand and to help foster stable and balanced communities. Policies within the London Plan, in particular Policy 3.9, stress that communities 'mixed and balanced by tenure and household income' should be promoted across London'.
- 10.42 Policy DM3.1 (Mix of housing sizes) of the Islington Development Management Policies (2013) seeks to secure a good mix of housing sizes on all sites. The proposal consists of 6 x 2 bedroom flats and 1 x 3 bedroom flat. The proportion of 2 bed units and 3 bed units is considered to provide an acceptable range of unit sizes and to be policy compliant.

Quality of Accommodation

- 10.43 In terms of new residential development it is vital that new residential units are of the highest quality internally, being amongst other things of sufficient size, functional and accessible layout, private, offering sufficient storage space and also be dual aspect. London Plan (2016) policy 3.5 requires that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan prescribes the minimum space standards for new housing, which is taken directly from the London Housing Design Guide space standards. Islington's Development Management policy DM3.4 also accords with these requirements, with additional requirements for storage space.
- 10.44 Policy DM3.4 of the Islington's Development Management Policies (2013) sets the context for housing standards for new development. Table 3.2, which supports this policy gives the minimum gross internal areas (GIA) that new residential developments would be expected to achieve. A nationally described space standard (NDSS) was introduced on 25 March 2015 through a written ministerial statement as part of the New National Technical Housing Standards. These new standards came into effect on 1 October 2015.

Internal Living Space Standards

- 10.45 The proposed development would consist of 6x 2bed, 4person flats and 1x 3bed, 6person flat. All of the proposed units exceed the minimum requirement as set out in Table 3.2 of the Development Management Policies. The units would all be dual aspect. The internal layouts of the proposed residential units are considered to be acceptable and a satisfactory provision of unit sizes has been provided. All units have good access to light, outlook and acceptable ventilation levels.
- 10.46 The external private amenity space to the 2 bed units on the first, second and third floors are approximately 7sqm. Policy DM3.5 requires 5sqm of private outdoor space on upper floors for 1-2 person dwellings. For each additional occupant an extra 1sqm is required. The proposal complies with the relevant minimum standard and sufficient private amenity space is provided. The three bed unit has a private amenity space of approximately 36sqm and therefore exceeds the minimum requirement.

Noise and Vibration

- 10.47 Policy DM3.7 of the Development Management Policies seeks to ensure all residential development proposals shall demonstrate how potential adverse noise impact on and between dwellings will be mitigated. Proposals for residential development adjacent to railway lines (or other sites that maybe subject to vibration) are required to incorporate adequate mitigation to ensure a good standard of amenity for future occupants.
- 10.48 The adjacent Gospel Oak to Barking line was closed as part of the electrification project from 24th September onwards. The accompanying Hann Tucker noise survey ran from 23rd-26th September 2016. It is considered this does not fully reflect the railway noise and sound scape in the area. There is also no consideration of ground borne noise and vibration, likely to be a considerable issue and an existing source of complaints along the line, particularly due to freight traffic (specifically at night). In order to ensure sufficient quality of the internal living environment to the residential units (based on these concerns) details of sound insulation and details of the structural design of the foundations is required. A further condition is recommended to minimise noise transfer between the commercial and residential use. As a result, subject to condition, the proposal is considered in line with Policy DM3.7 of the Development Management Policies.

Ventilation

- 10.49 Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs). Policy DM 6.1 of the Development Management Policies document requires that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 10.50 Islington is an Air Quality Management Area in recognition of borough-wide poor air quality. An air quality assessment was submitted dated September 2016. The Pollution Officer has reviewed the information submitted. The site introduces new receptors into the area with predicted exposure to NO₂ concentrations in excess of the annual mean objective. The Air Quality report advises that mechanical ventilation is installed to mitigate this. The ventilation should draw air from a cleaner façade or employ filtration. Details of this and the scheme layout and any other measures is recommended by condition to ensure compliance avoid undue exposure to poor air quality.

Summary

- 10.51 For the above reasons it is concluded that the proposed residential units provide acceptable living conditions for future occupants in terms of the standard of accommodation and amenity space and complies with Policy 3.5 of the London Plan 2016, Policies CS8 and

Refuse

- 10.52 The proposal includes storage for 1980 litres of refuse and a 1320 litres of recyclable space on the ground floor which is accessed from Fairbridge Road. In areas where there are mixed residential and commercial units, residential dwellings will be required to have eight day's storage. Refuse produced by premises containing both commercial and residential units must be stored separately.
- 10.53 Residential units must have independent storage. This is because, if the refuse for both is stored together, there is potential for the abuse of free collections provided for residents (paid for through their council tax) by commercial users. Aside from residential storage, each separate user should have an independent store for waste and recyclable material.
- 10.54 The proposal does provide separate areas for refuse and recycling and recycling and it is considered sufficiently large. It is recommended to attach a condition to ensure these separate facilities are provided prior to occupation of the building (Condition 4).

Accessibility

- 10.55 As a result of the change introduced by the Deregulation Bill (Royal Assent 26th March 2015) Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor wheelchair housing standards.
- 10.56 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements, if they are not conditioned, Building Control will only enforce the basic Category 1 standards.
- 10.57 The Access Officer is satisfied with external and internal access arrangements to the commercial and residential aspects of the building. All of the new residential units have level entry virtue of a lift to all floors. The units are also laid out to comply with Category 2.

Affordable Housing and Carbon Offsetting

- 10.58 The Affordable Housing Small Site Contributions document was adopted on the 18th October 2012. This document provides information about the requirements for financial contributions from minor residential planning applications (below 10 units) towards the provision of affordable housing in Islington. As per the Core Strategy policy CS12, part G and the Affordable Housing Small Sites Contributions SPD, as this proposal includes 7 new residential units the contribution amount is £350,000.
- 10.59 The council adopted the Environmental Design Planning Guidance Supplementary Planning Document (SPD) on 25 October 2012. This document is supplementary to Islington's Core Strategy policy CS10 Part A, which requires minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the off-set contribution is a flat fee based on the development type as follows: Flats (£1,000 per flats). This therefore would amount to a £7,000 contribution towards carbon off-setting from this proposal.
- 10.60 The applicant has stated in respect of both small site housing contributions and carbon offsetting they are willing enter into a Unilateral Undertaking to pay the Council these amounts.

Highways

Car- Free Development

- 10.61 Islington policy identifies that all new residential development shall be car free. Car free development means 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. If an existing Islington resident moves into a development who has previously held a permit for the previous 12 months, then they may also transfer their permit to this location. No on or off site parking provision is proposed and any future possibility of gaining a parking permit is removed via legal agreement and condition. Therefore the proposal complies with policy CS10 of the Islington Core Strategy and DM8.5 of the Development Management Policies.

Cycle Parking

- 10.62 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) is expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines.' Policy DM8.4 of the Development Management Policies supports sustainable methods of transport and requires the provision of 1 cycle space per bedroom. Provision for 14 cycle spaces is indicated in the basement area. There are 15 bedrooms within the proposed development, however there is an 'accessible space' shown capable of housing further bike storage. As such bicycle provision is considered in accordance with policy DM8.4.
- 10.63 For minor developments, 1 cycle space is expected per 80sqm of office floor space. The proposed development comprises 226sqm of office space. The floor plans show provision for 5 bicycles. As such this aspect of the scheme is considered in accordance with the requirement of Appendix 6 and DM8.4 of the Development Management Policies.

Servicing and Delivery

- 10.64 Policy DM8.6 (delivery and servicing for new developments) of the Development Management Plan, requires the provision for delivery and servicing to be provided off-street, particularly for commercial developments over 200sqm.
- 10.65 Where on-street servicing is proposed, details must be submitted to demonstrate the need for on-street provision and that off-street provision is not practical and to show that arrangements will be safe and will not cause a traffic obstruction or nuisance.
- 10.66 The site has an existing service yard. Double yellow lines exist directly outside and the site is within a Controlled Parking Zone to Fairbridge Road. Single Yellow lines are present to Hornsey Road with a Bus Stop in close vicinity to the south. The site's Public Transport Accessibility Level (PTAL) is 3 (moderate). Fairbridge Road is a local road with no classification and is a local cycle route. The A103 (Hornsey Road) is part of the local strategic road network and no TFL roads pass nearby. Directly outside the site is one crossover onto Fairbridge Road.
- 10.67 Presently the number and frequency of trips to the site is not controlled by condition, although two previous conditions were attached to planning permission 921415 stating, on-site servicing shall be unobstructed at all times and a further condition to allow for sufficient parking and turning of vehicles.
- 10.68 The proposed commercial floor space at ground and basement level is 226sqm and therefore exceeds the stated 200sqm within policy where on site servicing is sought. Part A of Policy DM8.6, in certain instances, can allow for servicing on street. It is proposed to service the site via on street loading and unloading from Hornsey Road and Fairbridge Road, although only Fairbridge Road is supported by officers, as set out below.

- 10.69 The quantum of floor space proposed is marginally over the threshold as stated by DM8.6. Additionally, the existing commercial floorspace on the site measures 176sqm and therefore the uplift over the existing situation is 50sqm and it is considered relatively modest. It is the view of officers that the proposed unit could not be serviced from within the site. On-site servicing is considered to result in the loss of a large proportion of the ground and first floor area, based on the requirement for a turning circle and 3.5m height clearance to allow for vehicles to enter and leave the site in forward gear. Moreover, on-site servicing is considered undesirable in townscape and urban design terms. The proposed design is contemporary and contextual approach that appropriately brings the building line to the back edge of the pavement which is welcomed.
- 10.70 Turning to the provision of on street servicing, the Highways Officer has raised concern over the proposed provision of on street servicing from both roads but raised greatest concern from Hornsey Road.
- 10.71 The Highways Officer has stated both Hornsey Road and Fairbridge Road are busy routes. If servicing was to occur from Hornsey Road there are approximately 3 vehicle spaces for stacking if a servicing vehicle stopped in the proposed location as shown in the service and delivery plan. Given the busy nature of Hornsey Road, it is considered by the Highway Officer that this space would fill quickly and potentially lead to blockage (particularly with the northbound bus stop in close proximity). The Highways officers' primary concern is a lack of stacking capacity between where the applicants proposal to load from on the proposed section of Hornsey Road. Based on these concerns it is considered necessary to add a condition that no loading or unloading shall occur on Hornsey Road.
- 10.72 In relation to servicing from Fairbridge Road, the Highway Officer considered, if a vehicle is parked loading, there would be insufficient space for vehicles in both directions to pass and blockage would occur. It is however considered possible to safely service the site from Fairbridge Road with up to a 7.5t vehicle, in accordance with existing Traffic Management Order restrictions. On-street servicing is a long established activity in the vicinity and the borough. On-street servicing at the proposed location on Fairbridge Road, in accordance with the TMO restrictions, based on an anticipated 3 to 4 trips per week, in order to serve the office space is considered not to unacceptably impede two-way passage of other vehicles and would reduce overall trip movements relative to the existing commercial use of the site, which has the provision of a cross over and servicing yard. The proposed development is considered to generate fewer trips than at present. As a further measure it is also considered appropriate to add a condition that no loading or unloading can occur at peak times on Fairbridge Road to mitigate any potential impacts to the highway.

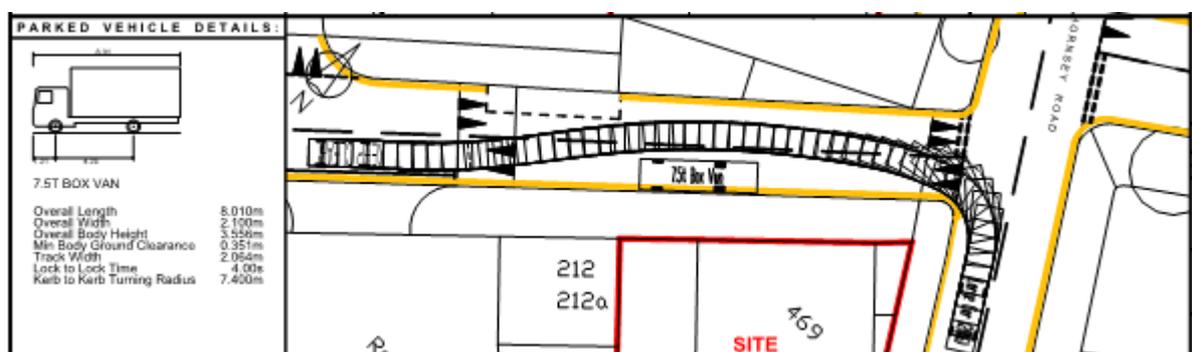


Figure 5: proposed servicing arrangement to 469 Hornsey Road from Fairbridge Road.

- 10.73 As there is no longer the need for on-site servicing, the existing crossover would become redundant. Therefore it is considered appropriate to attach a Grampian condition to ensure the crossover is removed and the highway is reinstated prior to occupation of the building.

- 10.74 Based on the fewer anticipated trips to serve the proposed business floor space and the existing arrangements to the Fairbridge Road Traffic Management Order which allows for 40 minutes loading, the proposal is not considered to have an unacceptably adverse impact on the operation of the highway or highway safety. Moreover conditions have been recommended which restrict the location and timing in relation to serving and deliveries. These measure would secure compliance with Policy DM8.6B and avoid traffic obstruction or nuisance.
- 10.75 It is acknowledged that site 202-210 Fairbridge Road is in discussion to develop the site and there may be cumulative highway impacts. However, each application is considered on its own merits and based on the above assessment, the proposal for on street servicing and delivery is, on balance, considered acceptable and to comply with the aims of DM8.6 of the Development Management Policies.

Trees

- 10.76 There are no trees or vegetation within the application site. To the rear of the site is a chain link fence. There is self-seeded vegetation to the embankment located to the rear of the site. There is one small street tree (T1) adjacent to the site but it is relatively small and distant from the development. As such it is considered to not be adversely affected. No conditions are required in order to protect the identified tree.

Sustainability

- 10.77 Islington Core Strategy Policy CS10 seeks to minimise Islington's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life.
- 10.78 Policy DM7.2 requires minor developments to achieve best practice energy efficiency standards, in terms of design and specification. The applicant has submitted a Sustainable Design and Construction statement to support the aims in reduction of carbon and water usage. In order to ensure these details are met as part of the scheme an appropriate condition is recommended to ensure these sustainable targets are met. Water efficiency standard of 110L/p/day is also required to be achieved for all homes as required by Core Strategy Policy (CS10).
- 10.79 Policy DM6.5 states that developments should maximise the provision of green roofs and the greening of vertical surfaces as far as reasonably possible, and where this can be achieved in a sustainable manner, without excessive water demand. New-build developments should use all available roof space for green roofs, subject to other planning considerations.
- 10.80 The site presently contains an existing two storey building and hardstanding. The extent of the proposed site coverage provides no opportunity for soft landscaping. However the scheme does provide a number of green roofs which cover the majority of roof space which would provide landscape and ecological benefits as well as accommodate 29 solar panels.
- 10.81 In accordance with the Council's Zero Carbon Policy, the council's Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement." A carbon offset contribution of £7,000 would be required, based on the seven new-build flats, in accordance with the Environmental Design SPD.
- 10.82 Overall, subject to attached conditions (condition 6 and 10) and legal agreement the proposal offers a high quality, sustainable form of development.

Basement Development

- 10.83 For all basement development a Structural Method Statement (SMS) must be submitted (in accordance with the SMS requirements in Appendix B) in support of any such application, and this must be signed and endorsed by a Chartered Civil Engineer or Chartered Structural Engineer with relevant experience, appointed by the applicant. The basement covering approximately half the site is considered a modest way of creating additional floor space. The basement has been designed to be set away from the railway embankment which forms part of the surface railway.
- 10.84 Structural stability is a material consideration for the Local Planning Authority insofar as the requirement to consider the potential risk and effects a proposal may have upon property, infrastructure and the public, as set out in Planning Practice Guidance. For clarity, this does not require the council to approve a technical solution for a development proposal, but rather to confirm that these issues have been sufficiently evaluated and responded to in a design and ensure that this process has been undertaken by a suitably qualified and experienced professional. A structural method statement report (ref: CMS575, dated September 2016) has been produced for the site by GLaSS Consulting Engineers which details the foundations to be adopted and method of working for the proposed structure and has been produced by a suitably qualified person.
- 10.85 The basement is considered relatively modest in relation to the footprint of the building and is considered to comply with the aims of the Basement SPD. The basement has been designed provide clear relief from the railway infrastructure. At the closest point the basement would be 6.5m from the rear boundary with the railway embankment. The basement is considered proportional to the overall footprint and massing of the proposed building and is considered to comply with the guidance as laid out in the Basements SPD. Condition 5 is recommended to ensure the excavation and construction generally does not impact neighbouring amenity or the local highway.

Community Infrastructure Levy

- 10.86 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. The payments would be chargeable on implementation of the private housing.

Other Matters

- 10.86 In response to Network Rails' concerns over the ability to throw objects onto the track, the 1st, 2nd and 3rd floor amenity terraces will have the side to the railway line enclosed with full height glazing so as not to limit views and light but prevent objects from being thrown down to the track. The 4th floor terrace has been reduced in size, and access to the terrace area facing the track has been restricted with a full height glazed screen. These amendments are seen to directly resolve the concern raised and not to prejudice any of the neighbouring occupiers. As such these amendments have been taken into account with the assessment of the application.
- 10.87 Overall, the development is considered to be in accordance with planning policies. Furthermore whilst it is acknowledged that residents would experience change to their surroundings, it is considered there would be no undue harm to their living conditions. Accordingly the degree of interference that would be caused would be insufficient to give rise to a violation of rights under Article 1 or Article 8 of the Human Rights Act.
- 10.88 The wider public benefits of the application including the increase and improved office space, increase in housing supply, improved appearance to streetscape, and affordable off-site housing and environmental financial contributions weigh heavily in favour of the assessment of the application.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the development and providing a mixed use building is considered acceptable in land use terms. The proposal would result in improved and increased amount of business floor space within an Employment Growth Area and result in the uplift of seven residential units.
- 11.2 The 4 storey with set back 5th floor building is welcomed in visual and streetscape terms, have a positive impact upon the character and appearance of the adjacent properties and the surrounding townscape. It would fit in with the prevailing scale and massing and character of the area and accord with Policy DM2.1 of Islington's Development Management Policies, Policy CS9 of Islington's Core Strategy 2011 as well as guidance in the Council's Urban Design Guide 2017 (SPD).
- 11.3 It is considered that the development would not result in unacceptable loss of daylight or sunlight to the occupiers of the adjoining residential properties, in particular 212 Fairbridge Road or 471 Hornsey Road. The proposal would not cause an unacceptable increase in enclosure levels, loss of outlook nor have a detrimental impact upon their amenity levels taken as a whole.
- 11.2 The proposed residential units would provide acceptable standard of accommodation with all units achieving minimum internal floorspace standards, dual aspect, and meet the required private amenity space standards. The proposal would achieve Category 2 Homes in relation to Building Regulation for wheelchair accessible units and level access to the entrance. Subject to condition there would be no adverse impact on future occupiers living conditions in terms of noise, vibration or air quality.
- 11.3 The proposal to service via the street from Fairbridge Road is considered acceptable subject to condition and in line with the existing Traffic Management Order. The proposed development is not considered to have an unacceptably negative impact on the local highway in terms of congestion or highways safety.
- 11.4 The proposed development offers a sustainable form of development through the inclusion of green roofs, recycling facilities and photovoltaics panels. Water usage is limited and carbon emissions reduced via condition. In addition Small Sites Affordable Housing (£350,000) and Carbon Offsetting (£7,000) contributions would be secured by way of a Unilateral Agreement.
- 11.5 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.6 It is recommended that planning permission be granted subject to conditions and S106 (Unilateral Undertaking) as set out in Appendix 1 – Recommendations

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- a) A financial contribution of £350,000 towards the provision of off-site affordable housing.
- b) A financial contribution of £7,000 towards CO2 off setting.
- c) Car free residential units – removal of future residents rights to obtain an on street parking permit

RECOMMENDATION B

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

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>019 Rev A; 014 Rev A; 015 Rev A; 016 Rev A; 017 Rev A 018 Rev A; 000 Rev M; 001 Rev O; 002 Rev O; 003 Rev O; 004 Rev N; 005 Rev D; 006-A Rev O; 007 Rev M; 008 Rev P; 009 Rev F; 010 Rev D; 011 Rev F; 012 Rev H; Note on Service Strategy; Design Statement dated December 2016; Environmental Noise Survey Report; Energy Statement; Air Quality Assessment; Sustainable Design and Construction Principles; Structural Method Statement September 2016; Desk Study Report dated October 2016; Daylighting Study 17 March 2017; MSL17440-E3; Email dated 25/05/2017 from Joseph Larbie (VSC) Property 5; Email dated 25/05/2017 from Joseph Larbie (APSH/WPSH) 212 Fairbridge Road.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials e) details of roof level plant and equipment; and f) any other materials to be used.

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Bin Storage
	<p>CONDITION: Prior to commencement, details of separate refuse / recycling enclosure(s) shall be shown for the proposed residential dwellings and business floor space. These shall be submitted to and approved in writing by the local planning authority 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>
5	Construction Method Statement
	<p>CONDITION: No development (including demolition works) in respect of the dwellings hereby approved shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall provide details of:</p> <ol style="list-style-type: none"> a. the parking of vehicles of site operatives and visitors; b. loading and unloading of plant and materials; c. storage of plant and materials used in constructing the development; d. the erection and maintenance of security hoarding; e. wheel washing facilities; f. measures to control the emission of dust and dirt during construction; and g. a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>Any response should pay reference to BS5228, the GLA' SPG on control of dust and emissions, LBI code of construction practice and any other relevant guidance.</p> <p>The development shall be carried out strictly in accordance with the Statement as approved throughout the construction period.</p> <p>REASON: to ensure no harm to neighbouring occupiers.</p>
6	Carbon and water efficiency
	<p>CONDITION: The dwellings hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 110 l/p/d. No occupation of the dwellings shall take place until details of how these measures have been achieved.</p> <p>REASON: In the interest of securing sustainable development.</p>
7	Highways
	<p>CONDITION: Servicing and deliveries to the office space (B1 use class) shall only occur between 10am and 4pm, and only from Fairbridge Road as shown on drawing 2016-2952-TR01 as part of the 'Note on Servicing: 469 Hornsey Road'</p>

	<p>dated September 2016. No servicing or deliveries shall take place form Hornsey Road.</p> <p>REASON: In the interests of highway's safety.</p>
8	Highways
	<p>CONDITION: The development shall not be occupied until the crossover immediately situated to the north of the site has been removed and the pavement has been reinstated pursuant to an agreement with the local highway authority under Section 278 of the Highways Act 1980.</p> <p>REASON: In the interests of ensuring the redundant feature to the street scene as a direct result of the development is removed and the highway reinstated.</p>
9	Accessibility
	<p>CONDITION: All residential units shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs.</p>
10	Green Roofs and Walls
	<p>CONDITION: Details of the biodiversity (green/brown) roofs and the green walls shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The biodiversity(green/brown) roofs shall be: a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plan 005 Rev:C hereby approved; and c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roofs 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 roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainable development.</p>
11	Screening
	<p>CONDITION: Details of the screening as shown on drawing number 008 Rev 0 shall be submitted to and approved in writing by the Local Planning Authority and installed prior to first occupation of the proposed residential units.</p> <p>The privacy screens shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: In the interests of protecting neighbouring residential amenity.
12	Cycle Parking Compliance
	<p>CONDITION: The bicycle storage area(s) shown on approved plans shall be fitted out with cycle storage for and provide for no less than 15 bicycle spaces at basement level as per drawing 000 Rev M and 5 bicycle spaces at ground floor level as per drawing 0001 Rev 0 and shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
13	Lift Installation
	<p>CONDITION: The lift serving all floors of the proposed development hereby approved shall be installed and operational prior to the first occupation of the residential dwellings hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that adequate access is provided to the residential units at all floors.</p>
15	Noise and 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>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 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: in order to protect the living conditions of future occupiers.</p>
16	Anti-vibration
	<p>CONDITION: A scheme for anti-vibration treatment of the foundations and services shall be submitted to the Council for written approval prior to the commencement of the development, and implemented to the satisfaction of the Council to achieve the following internal noise targets:</p> <p>Internal vibration levels shall not exceed the category of “low probability of adverse comment” in Table 7 of Appendix A of BS 6472:2008.</p> <p>REASON: in order to protect the living conditions of future occupiers.</p>

17	Noise
	<p>CONDITION: Groundborne noise shall not exceed 40dB LAmax,Slow as measured in the centre of any residential room.</p> <p>REASON: in order to protect the living conditions of future occupiers.</p>
18	Insulation between business floor space and residential
	<p>CONDITION: Full particulars and details of a scheme for sound insulation between the proposed office and residential use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</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: in order to protect the living conditions of future occupiers.</p>
19	Land Contamination
	<p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</p> <p>REASON: To secure an appropriate future residential environment.</p>
20	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 secure an appropriate future residential environment.</p>
21	Photovoltaic panels (details)
	<p>CONDITION: Prior to first occupation of the development hereby approved,</p>

	<p>details of the proposed Solar Photovoltaic Panels shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to: location; area of panels; and design (including section drawings showing the angle of panels in-situ, and elevation plans).</p> <p>The solar photovoltaic panels as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</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 of design.</p>
22	Car Free Development
	<p>CONDITION: All future occupiers of the additional residential units, hereby approved shall not be eligible to obtain an on street residents parking permit except:</p> <p>i) In the case of disabled persons;</p> <p>ii) In the case of the resident who is an existing holder of a residents parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>
23	Geotechnical Investigation
	<p>CONDITION: Notwithstanding the approved plans an updated Geotechnical Investigation Report shall be submitted to and approved by the Local Planning Authority prior to commencement.</p> <p>REASON: To ensure no adverse impact on adjacent infrastructure.</p>

List of Informatives:

1	Positive statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</p>
2	Surface Water Drainage
	<p>It is the responsibility of a developer to make proper provision for drainage to ground, water course 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</p>

	Water Developer Services will be required. They can be contacted on 0800 009 3921.
3	Signage
	Please note that separate advertisement consent application may be required for the display of signage at the site.
4	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
5	Car-Free Development
	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.
6	Roller Shutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
7	Roof top plant
	The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.
8	Construction works
	Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the

	hours stated above.
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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 and Regional 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.

- NPPF
- Planning Practice Guide

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

2 London's places

Policy 2.9 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 3.8 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

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 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.15 Water use and supplies

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

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 transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

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 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS 8 (Enhancing Islington's Character)

Strategic Policies

Policy CS 9 (Protecting and Enhancing Islington's Built and Historic Environment)

Policy CS 10 (Sustainable Design)

Policy CS 11 (Waste)

Policy CS 12 (Meeting the Housing Challenge)

Policy CS 13 (Employment Spaces)

Policy CS 15 (Open Space and Green Infrastructure)

C) Development Management Policies June 2013

Design and Heritage

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

Housing

DM3.1 Mix of housing sizes

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.7 Noise and vibration (residential use)

Employment

DM5.1 New business Floorspace

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.4 Sustainable design standards

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new Developments

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:

Islington Local Plan

Employment Growth Area

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

The following SPGs and/or SPDs are relevant:

London Plan

- Accessible London: Achieving an Inclusive Environment SPG
- The Control of Dust and Emissions During Construction and Demolition SPG
- Housing SPG
- London Housing Design Guide (Interim Edition)
- Planning for Equality & Diversity SPG
- Shaping Neighbourhoods – Character and Context SPG
- Shaping Neighbourhoods – Play and Informal Recreation SPG
- Draft Social Infrastructure SPG
- Sustainable Design and Construction SPG

Islington Local Plan

- Environmental SPD
- Basements SPD
- Planning Obligations (Section 106) SPD
- Urban Design Guide SPD

PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department



PLANNING COMMITTEE A		AGENDA ITEM NO: B5
Date:	30 th October 2018	NON-EXEMPT

Application number	P2017/4485/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	Opposite Grade II listed buildings at 18-26 Randell's Road
Conservation area	No
Development Plan Context	<ul style="list-style-type: none"> • Kings Cross and Pentonville Road Core Strategy Key Area • Site Allocation KC4 – 176-178 York Way • Brownfield Register – 57-65 Randell's Road • Cally Plan SPD • Adjoins CTRL and Crossrail 2 rail safeguarding areas • Opposite SINC at Copenhagen Junction
Licensing Implications	None
Site Address	57 - 65 Randell's Road, London, N1 0DH
Proposal	Demolition of single-storey workshop. Construction of 5 storey plus basement building with B1 accommodation (253 sq metres) at basement and ground floor level and residential use above (5 x 2-bed flats, 1 x 3-bed flat, 1 x 1-bed flat) and associated bin and bicycle storage and associated alterations.

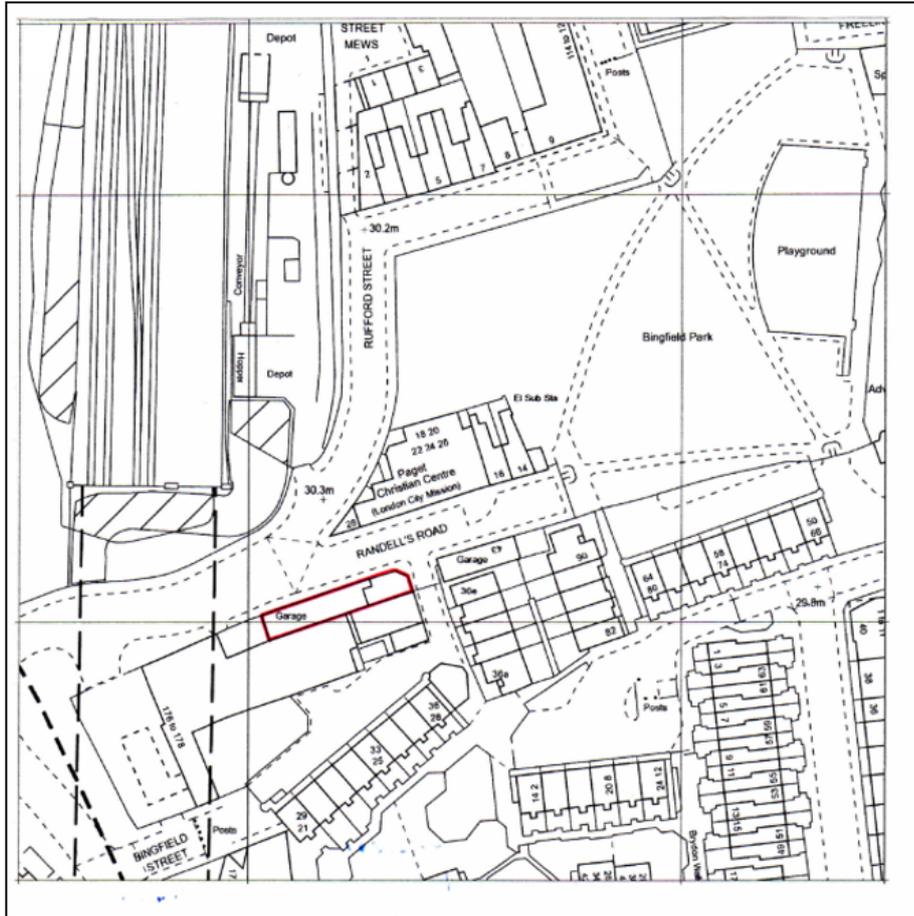
Case Officer	Jessica Robinson
Applicant	Mr John McDonagh
Agent	Peter Brades Architects

1. RECOMMENDATION

1.1 The Committee is asked to resolve to **GRANT** planning permission – subject to

- i) conditions set out in Appendix 1; and
- ii) Prior completion of a deed of planning obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in appendix 1.

2. SITE PLAN



PHOTOS OF SITE/STREET

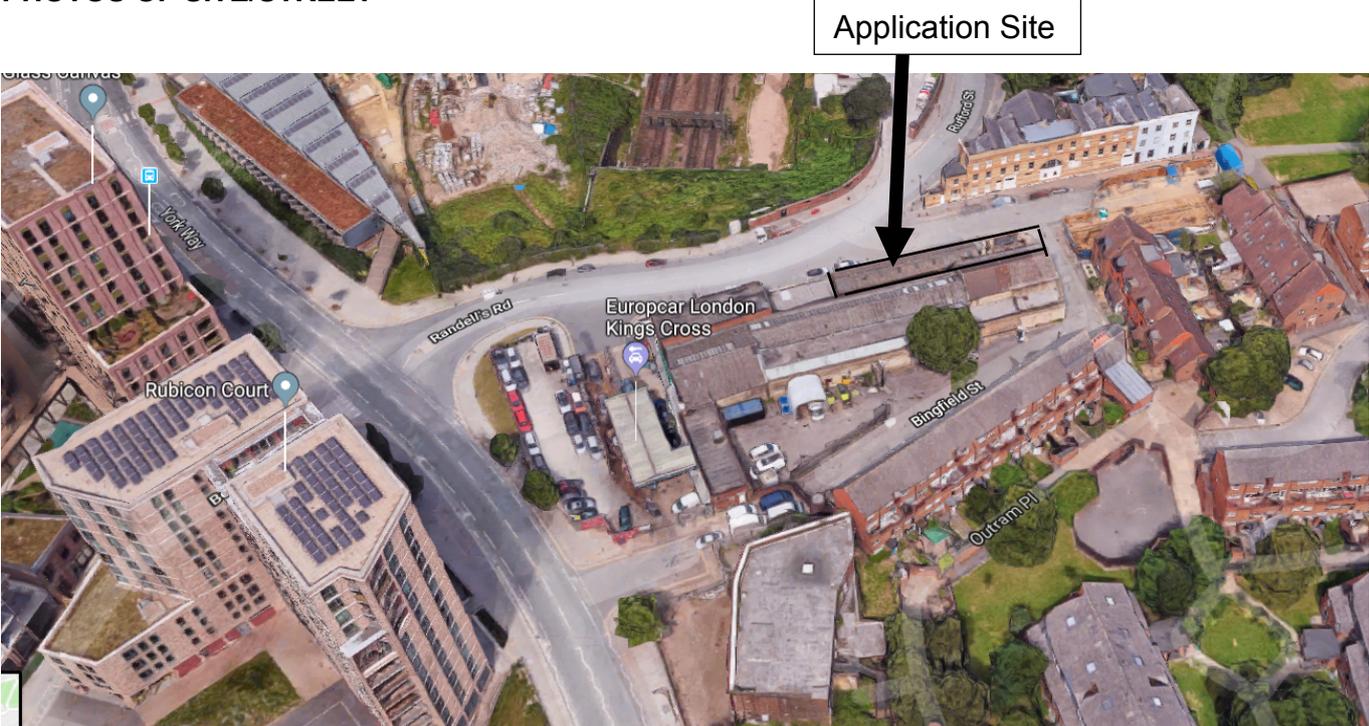


Image 1: Aerial View of the Application Site



Image 2: Photograph looking at the principal elevation from Rufford St junction



Image 3: Photograph taken looking west along Randell's Road



Image 4: Photograph taken from the junction of Randell's Road and York Way



Image 5: Photograph showing the East of the site



Image 6: Photograph showing the site post demolition of car workshop



Image 7: Photograph showing sites to the rear of the site on Bingfield Street

3. Summary

- 3.1 Planning permission is sought for the demolition of the existing single storey workshop building and seeks consent for erection of a 5 storey mixed used building. This scheme seeks to implement an additional storey to the previously approved four storey scheme (ref: P2015/2834/FUL) at 57-65 Randell's Road, to which this application follows on from. The 5th floor will provide for one additional 3-bedroom flat and associated outside amenity space. The scheme as proposed by this application also increases the amount of B1 floorspace from approximately 200sqm (as existing) and 228sqm (as approved) to approximately 253sqm representing an overall net uplift of 25 sq metres over the extant permission in place.
- 3.2 The proposed revised scheme to implement a further storey to a portion of the approved roof and associated works, along with an increase in the amount of B1 floorspace is considered acceptable in regards to height, scale, form and design. The proposed alterations will not have an unacceptable impact upon the surrounding visual amenity, nor cause demonstrable harm to the setting of the listed building to the opposite side of Randall's Road.

- 3.3 The development proposed will not cause an unsatisfactory material change to the daylight/sunlight currently enjoyed by nearby properties. Furthermore, there will not be an adverse level of overshadowing or sense of enclosure caused to nearby properties. The information provided in support of the application, along with information required by condition, is considered to demonstrate and ensure that the proposed development will preserve the residential amenities of the nearby properties and the proposed dwellings within the development scheme. There is also a clear public benefit achieved in the proposal through the provision of additional residential floor space, affordable housing contributions and upgraded B1 floor space. The development also seeks to develop part of an allocated site and in doing so does not prejudice the further development of the wider site allocation.
- 3.4 The proposed development is considered to accord with the policies of the National Planning Policy Framework 2018, the London Plan 2016, the Islington Core Strategy 2011, the Development Management Policies 2013 and Supplementary Planning Documents and as such is recommended for approval subject to appropriate conditions. Therefore, the committee are asked to resolve to grant permission for this scheme for the detailed reasons set out within this report.

4. SITE AND SURROUNDING

- 4.1 The site currently consists of a single storey plus shallow pitched roof structure, providing car repair facilities, and has been operating on site for at least 40 years. The site has a single access onto Randell's Road and has an area of 212sqm.
- 4.2 The building is not listed nor in a conservation area, but faces the Grade II listed Paget Christian Centre at 18-26 Randell's Road, and is close to but not adjoining the former York Way Underground Station, which is locally listed.
- 4.3 The site is identified in the Councils Site Allocations as KC4, and allocates it for a residential-led mixed use development, and including the re-provision of business floorspace. It should be noted that the application site is only part of the total site allocation, with the bulk of the site allocation being at 176-178 York Way.
- 4.4 The surrounding area is a mix of land uses with industrial uses to north and south and residential use to the north east and east.

5. PROPOSAL (IN DETAIL)

- 5.1 The application seeks to secure permission for the previously permitted scheme (ref: P2015/2834/FUL) for the demolition of the workshops and construction of a new building to accommodate new B1 space and residential units comprising five 2-bed apartments, one 3-bed and one 1-bed apartment, with associated bin and bike stores. This application also seeks to add an additional floor to provide a further 3-bed apartment with associated outside amenity space and a new flat roof. This would provide 7 no. flats in total throughout the building.
- 5.2 This application therefore proposes the demolition of the existing garage/workshop and the erection of a five storey plus basement building to provide commercial (B1) space at ground floor and basement levels, and residential use (one x 3-bed flat, five x 2-bed flats and one x 1-bed flat) together with the incorporation of refuse bin stores and bicycle storage.

Revisions

- 5.3 Additional information was provided during the application process which was subsequently consulted on from the 24th May 2018 until the 14th June 2018. The additional information included a daylight/sunlight assessment and window specifications.

When the application was originally submitted it proposed a reduction in the amount of B1 floorspace compared to the previously approved scheme. This was because the basement was to be reduced in size due to constraints imposed by Transport for London and the proximity of the underground tunnels. As the application has progressed the application has been in discussion with TfL engineers and they have agreed that the full size basement is now acceptable, a photographic conditions survey of the tunnels, signed by TfL, has consequently been submitted and the plans have been revised with the basement enlarged to its previously approved size.

6. PLANNING HISTORY:

- P2015/2834/FUL. Demolition of the existing garage/workshop and the erection of a four storey plus basement building to provide commercial (B1) space at ground floor and basement, and residential use (five x 2-bed flats and one x 1-bed flat) to the four upper floors, together with the incorporation of refuse bin stores and bicycle storage. Approved subject to conditions and legal agreement 07/12/2015.



Visuals of the extant permission on site.

Nearby properties:

43 Randell's Road:

- P120579 Demolition of existing vacant warehouse/garage buildings and the erection of 2 x two storey 2 bed dwellings and associated alterations and landscaping. Approved 05/06/2014.
- P2014/4553 Section 73 application to vary condition 2 (drawings as approved plans Nos.) of P120579 granted in June 2014 in connection with amendments with the inclusion of a basement floor level within the footprint of both dwellings. Approved 03/02/2015.

176-178 York Road:

- P111380 External alterations to building and site layout including part demolition (to facilitate occupation as a builders' merchant). Approved 08/09/2011.
- P110941. Temporary change of use (for a period of 5 years) from a garage for the display, sale, storage and repair of vehicles (sui generis) to a builders' merchant (sui generis) for the display, sales and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage. Refused 24/11/2011.
- P2015/1973 Temporary change of use of offices and part of the forecourt from a garage for the display, sale, storage and repair of vehicles (sui generis) to a car hire office including ancillary parking (B1 use class). Withdrawn

29-36 Outram Place:

- P2013/3432 At 29-36 Outram Place. Provision of office space and parking for service vehicles for mechanised services provided to council estates. Approved 14/01/2014.

7. PRE-APPLICATION ADVICE:

- 1.1 Q2014/1488 Pre-application advice for 57-65 Randell's Road issued 10 October 2014. The submitted scheme accords with the general guidance given in the letter.

8. ENFORCEMENT:

- 8.1 None.

9. CONSULTATION

Public Consultation

- 9.1 This application has been subject to two rounds of consultation to allow for further information.
- 9.2 Letters were sent to occupants of 38 adjoining and nearby properties on 14th December 2017. A site notice was displayed outside the site. The initial public consultation of the application therefore expired on 4th January 2018.
- 9.3 A second round of consultation letters were sent out to the occupants of 38 adjoining and nearby properties on the 24th May 2018 following the submission of additional information on sunlight/daylight. A site notice was also displayed at the application site. The second public consultation expired on the 14th June 2018, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 9.4 At the time of the writing of this report 4 letters of objection had been received from the public with regard to the application. The issues raised can be summarised as follows (including corresponding paragraphs in this report addressing the issues in brackets):
- The proposed development will result in a large, incongruous building which is out of scale with the prevailing character of the area (**paragraphs 13.1 to 13.11**)
 - The development due to its height will reduce sunlight and daylight to the neighbouring properties (**paragraphs 15.3 to 15.27**)
 - The Daylight/Sunlight report drafted by Hawkins environmental consultants submitted in support of the application has been prepared by the applicants and is therefore biased in its conclusions and therefore should be disregarded (**OFFICER COMMENT: all documents submitted with a planning application have been prepared by consultants on behalf of the applicant. Officers have assessed the results of the report to check that they comply with BRE guidance**)

- The development will impact the residential amenity of nearby properties and cause a loss of privacy to their occupants (**paragraph 15.27**)
- The development makes no contribution to affordable housing (**paragraph 20.3**).
- Cumulative impact of developments in the area (**each application is considered on its own merits in the context of any approved schemes in the area**).
- Incorrectly identifying the property at 36e Outram Place as 36e Bingfield Street (**the daylight/sunlight assessment has been amended to refer to the correct address**).
- Private residential units are likely to be rented out at inflated prices to students and combined with the fact that it is a high rise development, will lead to anti-social behaviour impacting on the wellbeing of children in the area (**there are no restrictions on whether market residential units can be rented out or the levels of rent that can be charged. The local planning authority can only consider the principle of the provision of residential units and not the likely occupants**).
- The proposal is likely to affect swifts in the local area and appropriate measure should be made to accommodate them within the proposal (**see suggested condition 14**)

Overly price rents by private landlords (**this is not a planning consideration in the determination of this application. A small sites contribution towards affordable housing has been secured towards the provision of affordable housing.**)

Internal Consultees

- 9.5 Highways: No Objection subject to conditions relating to the need for an overhang license and to ensure that all highways remedial works are to be undertaken by LBI highways. A condition has also been requested to ensure that no doors open out over a highway.
- 9.6 Design & Conservation: Object as the proposal would result in a building of less quality than that previously approved that would detract from the setting of the listed building.
- 9.7 Refuse/Recycling: Commented stating the refuse/waste & recycling has not been clearly stated on the plans/drawings and only mentioned in the D&A.
- 9.8 Sustainability Officer: No comments received.
- 9.9 Acoustics Officer: No objection subject to conditions.
- 9.10 Inclusive Design:
- Questioned whether the door to the mobility scooter store would be powered;
 - The mobility scooter store door conflicts with the bike store door;
 - Positive that cycle storage is at ground floor but Sheffield stands would be preferred to wall hung racks;
 - One accessible cycle rack should be provided for larger cycles (tricycles or cargo bikes);
 - Surprised that the lift does not go to the basement but there is an accessible toilet facility in the basement and there must be step free access to this;
 - Winding treads to the stairs down to the basement are not inclusive and should be redesigned;
 - The plans do not show furniture layouts in all of the bedrooms;
 - All bathroom doors must have doors that open outwards and sliding doors shown on some of the bathrooms are not acceptable; and
 - A condition is required to include all Part M(4) category 2 requirements.

External Consultees

9.11 TFL London Underground – No Objection subject to condition.

10. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

10.1 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 affects 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 of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;

10.2 National Planning Policy Framework (NPPF) (2018): Paragraph 11 states: "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..."

10.3 At paragraph 8 the NPPF (2018) states: "that sustainable development has an economic, social and environmental role".

10.4 The updated National Planning Policy Framework 2018 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.

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

10.6 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.

10.7 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.

- 10.8 Members of the Planning Sub-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.
- 10.9 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.
- 10.10 Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

Development Plan

- 10.11 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 10.12 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:
- Kings Cross and Pentonville Road Core Strategy Key Area
 - Site Allocation KC4 – 176-178 York Way
 - Brownfield Register – 57-65 Randell's Road
 - Cally Plan SPD
 - Adjoins CTRL and Crossrail 2 rail safeguarding areas
 - Opposite SINC at Copenhagen Junction

Supplementary Planning Guidance (SPG) / Document (SPD)

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

11. ASSESSMENT

- 11.1 The main issues arising from this proposal relate to:
- Land Use
 - Design
 - Accessibility
 - Neighbouring Amenity
 - Quality of Resulting Residential Accommodation
 - Basement Development
 - Energy Efficiency, Renewable Energy and Sustainability
 - Highways and Transportation
 - Planning Obligations and CIL

12. LAND-USE

- 12.1 The site was originally identified in the Regenerating King's Cross Neighbourhood Framework SPD. It was subsequently included as a Site Allocation for a residential-led mixed use redevelopment: KC4: 176-178 York Way and 57-65 Randell's Road. Both documents envisage the site being developed holistically with site assembly producing a better site for development, for example in urban design terms and layout.
- 12.2 The site allocation proposes a residential led mixed use redevelopment, including the re-provision of business floorspace. The proposal complies with the uses but the application is only for the North Eastern 10% of the entire site allocation site (KC4). Should this part of the site be developed as part of a first phase, it is important that it does not prejudice the future development of the wider site allocation. The policy considerations for the site do not preclude phased developments but require that the individual proposals for the constituent parts anticipate joined up development.
- 12.3 The proposed development site has previously benefited from planning permission for a similar scheme to provide 6 no. residential apartments and the provision of B1 floorspace. A residential led mixed use in this particular location has therefore been deemed acceptable in principle. The proposed scheme essentially seeks to add on an additional storey to provide 1 no. 3-bed flat, representing an uplift on one residential unit. The scheme also seeks to increase the provision of B1 floorspace by approx. 25sqm with changes to the size of lightwells at ground floor level.
- 12.4 There is strong policy protection for business floorspace within the development plan. Policy CS13 of the Core Strategy looks to protect existing business floorspace, while CS6 (Core Strategy) is clear that business floorspace within the King's Cross area will be protected from changes of use, with the King's Cross area expected to accommodate an increase in B-use class jobs. Policy DM5.2 protects existing business floorspace unless there are exceptional circumstances. Policy DM5.1 supports the provision of new business floorspace outside of employment growth areas and town centres within mixed use development where this would enhance the vitality of the area, not detrimentally impact on residential amenity and would not comprise residential growth. The previously approved scheme increased the commercial floorspace provision by 28sqm to 228sqm, when compared to the existing floor area (200sqm) and there is now a further increase in B1 floorspace to 253sqm.
- 12.5 The approved scheme was for 2 duplex commercial units at basement and ground floor (95sqm and 133sqm) and the layout has been amended to provide flexibility for the B1 floorspace to be used either as 1 larger unit (253sqm), 2 units, or 3 units of 32sqm, 72sqm and 150sqm. The site is not within an area where small and medium size (SME) units need to be provided by policy DM5.4 as it is not within an employment growth area or a town centre, and the site allocation does not refer to SME space either.
- 12.6 The remainder of the ground floor provides the communal residential entrance, refuse and recycling store, bicycle store and mobility scooter dock for the upper residential units. The introduction of residential use to the new upper floor is acceptable as part of the mixed use development in this location. The dwelling mix of one x 1-bedroom flat, five x 2-bedroom flats and one 3-bedroom flat is considered suitable for the location and accords with dwelling mix policy as set out within DM3.1 of the Development Management Policies.
- 12.7 The design anticipates and allows for future development to the west along Randell's Way and the proposed solid flank wall will enable future development of appropriate scale to abut and continue the established building line towards York Way.
- 12.8 In summary, this residential led mixed use scheme with an additional residential unit and an increased amount of B1 floorspace with a different layout when compared to the approved scheme, is considered acceptable and in line with the policy objectives of the site allocation and policies CS6, CS13, DM5.1 and DM5.2.

13. DESIGN & THE SETTING OF ADJOINING LISTED BUILDING CONSIDERATIONS

- 13.1 The site is identified in Site Allocations DPD2013 as KC4 (Local Plan), and includes 176-178 York Way. The site allocation seeks residential led mixed use redevelopment and gives key design considerations (see appendix 3 for full site allocation) which sets out that the site is located in the part of Kings Cross where large scale development is taking place and is planned and that any development should consider the relationship to the wider area/site, responding to the surroundings and be sympathetic in scale.
- 13.2 Core Strategy 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’. Policy DM2.1 states ‘All forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics’. In relation to heritage, Policy DM2.3 states ‘Islington’s historic environment is an irreplaceable resource and the council will ensure that the borough’s heritage assets are conserved and enhanced in a manner appropriate to their significance’. The Urban Design Guide provides guidance on how urban design principles should be applied to ensure that new development successfully contributes to making the borough a better place. It is applicable to all new developments, including alterations and extensions to existing buildings.
- 13.3 The application site is situated on a prominent corner location and the proposal will contribute to a high quality street environment that is welcoming to pedestrians and provides active frontages. A modern approach to the design of the development is appropriate and there is little architectural context of merit to draw on within the existing streetscene, except for the 3 storey brick listed building opposite.



Image 8: Proposed front elevation (Randell’s Road, North elevation)



Image 9: Extant permitted development front elevation.



Image 10: Proposed view looking west



Image 11: Extant view looking west.

- 13.4 The proposed development will comprise a five storey modern block which is tapered at one end with balconies, the additional floor is set back slightly from the fourth floor and will be clad in pre-painted copper cladding. The lower floors will be blue-black brick built with projecting courses to emphasise texture and break up the façade. A central glass element will highlight the staircase and break up the horizontal plane of the façade. The proposed glazing comprises mainly large aluminium framed sliding windows and balconies with integrated planters and have 1.8-metre-high privacy screens finished in a copper-green finish. The doors to the refuse and bicycle storage areas will be finished in Oak.
- 13.5 The surrounding context is of existing three storey buildings on Randell's Road, an approved two storey scheme for the adjacent site to the west at 43 Randell's Road and four and five storeys on Bingfield Street/Outram Place and Bingfield Park. Recent developments on York Way rise to 15 and 16 storeys.
- 13.6 The mass and volume has been designed to allow for a continuous and active ground floor frontage and above this the two wings of the block have been designed to provide a central location for the staircase and lift core for the residential units. This serves a practical function but also provides a point of distinctiveness for the building, with the full height glazing providing a strong feature and focal point.

- 13.7 The site is not in or adjoining a conservation area, but is opposite a grade II listed building. The additional floor inevitably adds height and built form along Randell's Road which results in a scale and massing which detracts from the setting of the Grade II listed building opposite, as identified by the Design & Conservation Officer. However, it is considered by planning officers that the proposed additional floor in this case would not be excessive overall and is set away from the Listed buildings across a public highway such that the overall setting and visual impact is considered to be very limited there is limited impact on the building's significance, therefore any harm would clearly amount to less than substantial harm.
- 13.8 The public benefits of the scheme are considered to outweigh this harm and include the fact that the scheme will bring a vacant site back into use, will repair the streetscene and will bring activity to the ground floor. Consideration needs and has been given to the fact the site has an extant modern finished development already in place as a fallback position. The scheme has also been designed as far as possible to minimise the size of the building and mitigate the impact on the listed building with the stepped design to the western side of the site; the top floor being set back from the street elevation; and the use of a copper cladding to the top floor to soften the expanse of brick wall.
- 13.9 The development is also not considered to harm the locally listed building (former York Road Underground Station, 172-174 York Way), as there is the rest of the site allocation and a road in between the application site and the locally listed building.
- 13.10 The overall size, scale and design of the proposed building has been considered in relation to the likely future development of the adjacent site, 176-178 York Way (part of the same site allocation KC4), where there is potential for taller buildings (although there have not been any planning applications at this site and it is unlikely that towers would be acceptable). The proposed building steps up from the adjacent smaller scale buildings at 43 Randell's Road from 3 storeys to 5 storeys at the boundary with 176-178 York Way, in order to mediate between the existing smaller scale buildings to the east and the potential development sites to the west. The proposed design does not inhibit any future development of the York Way part of the site allocation KC4.
- 13.11 In summary the proposal is considered acceptable in terms of design and scale and the less than substantial harm to the nearby listed building is outweighed by the public benefit of the scheme, in compliance with policies CS8, CS9, DM2.1 and DM2.3. Should the Sub-Committee resolve to grant permission a condition will be attached requiring details and samples of materials to be submitted and approved by the Local Planning Authority.

14. ACCESSIBILITY

- 14.1 On 1 October 2015 a new National Standard for Housing Design was introduced, as an enhancement of Part M of the Building Regulations, which will be enforced by Building Control or an Approved Inspector. This was brought in via
- Written Ministerial Statement issued 25th March 2015
 - Deregulation Bill (amendments to Building Act 1984) – to enable 'optional requirements'
 - Deregulation Bill received Royal Assent 26th March 2015
- 14.2 As a result of the changes introduced in the Deregulation Bill (Royal Assent 26th March 2015), Islington is no longer able to insist that developers meet its own SPD standards for accessible housing, therefore we can no longer apply our flexible housing standards nor local wheelchair housing standards.
- 14.3 The new National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to our present wheelchair accessible housing standard. Planning must check compliance and condition the requirements. If they are not conditioned, Building Control will only enforce Category 1 standards which are far inferior to anything applied in Islington for 25 years.

- 14.4 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 London Plan 2016, has reframed 3.8 Housing Choice to require that 90% of new housing be built to Category 2 and 10% to Category 3 and has produced evidence of that need across London.
- 14.5 The proposed accommodation will be detailed to meet Category 2 of the National Standard for Housing Design as set out in the Approved Document M 'Accessible and adaptable dwellings' M4(2), and with Islington Flexible Homes and the Islington Inclusive Design SPD. The approach to all units will be step-free and the approach to the main entrance will be level and a condition is recommended to secure this.
- 14.6 Parking/drop-off is directly from the street for the B1 use. There is a mobility scooter store/re-charge dock and the cycle store is adjacent to the eastern B1 unit. Access to the upper floor flats will be via a level threshold and lift access to all units

15. NEIGHBOURING AMENITY

- 15.1 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.
- 15.2 London Plan policy 7.6 (part Bd) states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy 7.15 (part B) states that development proposals should seek to manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development; separating new noise sensitive development from major noise sources through the use of distance, screening or internal layout in preference to sole reliance on sound insulation; controlling and mitigating potential adverse effects through the application of good acoustic design principles; and promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.
- 15.3 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook. Paragraph 2.13 states that the design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing. This supporting text goes on to specifically reference relevant guidance prepared by the Building Research Establishment (BRE).

BRE Guidance: Sunlight and Daylight:

- 15.4 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 neighbour
- 15.5 BRE Guidelines (2011) 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".

BRE Guidance: Daylight to existing buildings

- 15.6 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 (or reduced by more than 20%), known as “the VSC test”.
 - 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 (or reduced by more than 20%), known as the “No Sky Line” (NSL) or “Daylight Distribution” (DD) test.
- 15.7 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 of lit by the window is likely to appear gloomier, and electric lighting will be needed more of the time.”
- 15.8 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.
- 15.9 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”.
- 15.10 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.
- 15.11 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 degrees. 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”

Daylight and Sunlight Assumptions for neighbouring residential properties

- 15.12 The following are the closest residential buildings to the application site:
- 36e Outram Place;
 - 43-55 Randell’s Road;
 - 26a/26b Randell’s Road (the daylight/sunlight report states that the upper floors of the Paget Christian Centre at 18-26 Randell’s Road are subdivided into two flats at the western end with the address of 26a/26b Randell’s Road and the ground floor is offices); and
 - 33-36 Outram Place.

15.13 The applicant submitted a Daylight and Sunlight study prepared by Hawkins Environmental dated 9 May 2018 and an addendum assessment dated 24 August 2018.

Daylight

15.14 For 36e Outram Place, 26b Randell's Road and 33-36 Outram Place all windows would maintain a level above 27%VSC and above 0.8 times the existing level of daylight.

15.15 For 43-55 Randell's Road all but one window would maintain a level above 27%VSC. One window (1005) will experience a loss in the level of daylight, with the proposed development, below 27% VSC and less than 0.8 times the existing level of daylight (with existing VSC of 18.9% and proposed of 14.7% which is 0.78 times the existing). This is only marginally below the BRE guidance (0.8 times test), it is the only window affected and other windows serve the dwelling (which will be three storeys and dual aspect when constructed).

15.16 For 26a Randall's Road, at windows 1010 and 1011 the proposed level of daylight would be below 27% VSC and less than 0.8 times the existing (with existing VSCs of 36.6% and proposed of 22.9% and 25.2%, which is 0.62 and 0.69 times the existing). The property is served by a number of windows to the rear which are unaffected and the level of reduction is only marginally below the BRE guidance (0.8 times test).

15.17 An Addendum to the daylight impact assessment was received on the 24th August 2018 to include calculations in relation to Daylight Distribution (No Sky Line) test. The results show that all windows meet the DD test and are above 0.8 times the existing level.

15.18 Overall it is considered that there would not be unacceptable loss of daylight caused to nearby residential windows in regard to the potential loss of daylight by virtue of the proposed development and is therefore considered acceptable and to satisfy the Development Management Policy DM2.1.

BRE Guidance: Sunlight to existing buildings

15.19 The BRE Guidelines state in relation to sunlight at paragraph 3.2.11: "If a living room of an existing dwelling has a main window facing within 90 degrees 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."

15.20 This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual (winter) probable sunlight hours between 21 September and 21 March (WPSH) and;
- Receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period and;
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

15.21 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."

15.22 The Guidelines go 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."

Sunlight

15.23 The same properties tested above were analysed for the impact on their sunlight levels. For 36e Outram Place, 26a/26b Randell's Road and 33-36 Outram Place, all windows would maintain a level above 25% APSH, 5% winter and above 0.8 times the existing level of sunlight. Window 1005 at 43-55 Randell's Road would see an APSH of 15%, winter of 1% and a ratio of 0.75. There are other windows serving the property (which will be three storeys and dual aspect when constructed) and the window is only marginally below the 0.8 times test.

BRE Guidance: overshadowing of gardens and open space

15.24 The BRE guidance states at paragraph 3.3.7 that: "it is recommended that at least half of amenity areas (gardens, parks, playgrounds etc) should receive at least 2 hours of sunlight on 21 March".

Overshadowing of gardens and open space

15.25 A number of shadow path diagrams using a virtual 3D model have been submitted for the 21 March. These demonstrate all nearby gardens, parks and playgrounds would meet the BRE test.

15.26 Overall it is considered that there would not be unacceptable loss of sunlight caused to nearby residential windows or parks, gardens and open space in regard to the potential overshadowing by virtue of the proposed development and is therefore considered acceptable and to satisfy the Development Management Policy DM2.1.

Overlooking and privacy

15.27 The majority of the proposed windows are to the Randell's Road elevation. The end of the site and the proposed living room windows to the end units on each floor will face existing windows to the property on the opposite side of the road at 18-26 Randell's Road (approximately 14m away). Other windows to these end units face east across Bingfield Road towards 43 Randell's Road (approximately 12m away from approved windows). Overlooking across a public highway does not constitute an unacceptable loss of privacy as highlighted in paragraph 2.14 of the Development Management Policies and is considered an established situation across the Borough.

16. QUALITY OF RESULTING RESIDENTIAL ACCOMMODATION

16.1 The development proposes seven residential units: one x three-bedroom, five x two-bedroom and one x one-bedroom. The scheme provides gross internal areas of 67sqm for the one-bedroom unit, between 75sqm and 77sqm for the two bedroom units and 115sqm for the three-bedroom unit and, therefore all comfortably complies with policy DM3.4 which requires one bedroom units to be 50sqm, two bedroom units to be 70sqm and three bedroom units to be 95sqm. All residential units have floor to ceiling heights of 2.6m (in line with policy DM3.4), good levels of internal storage and all will have good levels of light, outlook and aspect, good circulation space and all are dual aspect.

16.2 The top floor 3-bedroom flat is in excess of the space standards by 20sqm which may be considered an inefficient use of residential floor space. In this case it is considered that the proposed mix, with the inclusion of a top floor 3-bedroom unit, is preferable to splitting the top floor to provide 1 x 1-bedroom and 1 x 2-bedroom unit.

16.3 All seven units have outdoor terraces in accordance with policy for new private external space standards. Policy DM3.5 requires a minimum of 5sqm on upper floors, with an extra 1sqm for each additional occupant. The terraces each have between 8sqm and 9sqm and the 3 bedroom flat has a terrace of 10sqm and another of 22sqm. As such, each flat complies with the minimum outdoor amenity provisions as set out within Policy DM3.5.

16.4 If the committee resolve to grant permission a condition shall be attached to any grant of consent requiring a noise assessment to be submitted for sound insulation and noise control measures between the commercial floor and residential units above to achieve internal noise targets.

- 16.5 Notwithstanding an acceptable noise assessment, the proposed development is considered to provide high quality residential accommodation which complies with and exceeds the minimum requirements as set out within the adopted development plan.

17. BASEMENT DEVELOPMENT

- 17.1 The proposed single storey basement level excavation at a depth of 3 metres would occupy approximately two thirds of the proposed building's footprint, and equating to an area of approximately 95 square metres below the site.
- 17.2 The Basement Development SPD sets out that on commercial and mixed use redevelopment schemes with proposed basements, the extent of basement development should be commensurate to the site context and building design. Any basement component of the scheme should be designed to avoid adverse impacts to sensitive sites, building, trees and other structures that may be affected by the construction of the proposed development. The SPD sets out those basements should generally not exceed 1 storey in depth, and not exceed 3m floor to ceiling height.
- 17.3 London Underground have recommended that a condition is attached regarding the submission of details in relation to the underground tunnels beneath the site.
- 17.4 The extent and proposed depth of the proposed basement excavation is considered to be proportionate in scale to the existing above ground portion of building without unduly intensifying the use of the site and therefore meets the requirements of the SPD. The information provided in the Structural Report is considered to demonstrate that the proposals would not result in adverse structural impacts on the surrounding buildings and accords with the requirements of the Basement Development SPD and a condition is recommended.

18. ENERGY EFFICIENCY, RENEWABLE ENERGY AND SUSTAINABILITY

- 18.1 The proposal is designed to be a low and passive consumer of energy with high insulation values, natural ventilation and appropriate sourcing of materials.
- 18.2 A green roof is proposed on part of the scheme, as required by DM6.5, although no details have been provided about the substrate depth. If the committee is minded to approve this application a condition will be required requesting the provision and maintenance of a green roof to be submitted and approved by Islington Borough Council prior to the implementation of the roof.
- 18.3 A condition has also been attached requiring the submission of a sustainable design and construction statement detailing how the residential units will achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaption to climate change. The statement must also demonstrate how the dwellings will achieve a 19% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2013.

19. HIGHWAYS AND TRANSPORTATION

- 19.1 The site has a PTAL (Public Transport Accessibility Level) rating of 1b which is 'poor', however the site lies within reasonable walking distance of train and underground stations at Kings Cross/St Pancras Station some 800 metres away, and regular 390 bus services along York Way. The residential development would be car-free and should the application be approved by committee members this will be secured through a section 106 clause as required by policy CS10.
- 19.2 Policy DM8.4 requires the provision of secure cycle parking with 1 space per bedroom required for residential units (14 spaces for this scheme) and 1 space per 250sqm of B1 floorspace (1 space for this scheme). The London Plan requires 1 space for each 1-bedroom unit and 2 spaces for all other dwellings (9 spaces for this scheme) and 1 space per 150sqm of B1 floorspace (1.5 spaces for this scheme). Ground floor secure and enclosed cycle parking, together with a mobility scooter dock, is provided with 20 bicycle spaces which is in accordance with the policy requirements.

- 19.3 The waste/recycling team have commented that the refuse/waste & recycling has not been clearly stated on the plans/drawings and this can be addressed as follows:
- The waste and recycling proposals are no different from those approved before, under P2015/2834/FUL, except that there is an additional 3-bed flat.
 - For the 7 flats, in accordance with the Islington guidelines, the requirement based on the number of bedrooms is for a total of 2,380 litres of storage, to be approximately 50% waste and 50% recycling. This is accommodated in two storage spaces, with 2 x 660 litre Eurobins for waste and with recycling bins in a separate area.
 - For the offices, the total floor area is 253.5sqm, requiring 1 x 660 litre Eurobin and a recycling bin. This is separate from the flats' storage.
 - The travel distance to the storage areas is less than 10m from the kerb; the storage is all at ground level with no steps and a level threshold, and ventilated by louvred doors.
- 19.4 Should the committee permit this application a condition will be attached requiring a construction management plan and impact assessment to control the impacts of construction.
- 19.5 There is an existing vehicular entrance and dropped kerb that would need to be removed. Any works to the highway necessary including reinstatement of footways would be secured by a S106 legal agreement with the costs covered by the developer.

20. PLANNING OBLIGATIONS, COMMUNITY INFRASTRUCTURE LEVY

- 20.1 The Council's Affordable Housing Small Sites Contributions Supplementary Planning Document (SPD) together with Core Strategy policy CS12 Part G states that development proposals below a threshold of 10 residential units (gross) will be required to provide a financial contribution towards affordable housing provision elsewhere in the borough.
- 20.2 Paragraph 3.0.5 of the SPD states 'in line with the evidence base, the council will expect developers to be able to pay a commuted sum of £50,000 per unit for sites delivering fewer than 10 residential units in the north and middle parts of the borough where this site is located.
- 20.3 In this instance, the applicant has confirmed agreement to pay the full payment for the 7 no. units, equating to £350,000 in affordable housing contribution. The applicant has also confirmed to pay a carbon offset contribution of £7,000. In the event that the application was to be approved the payment would be required to be secured by way of a Unilateral undertaking, this is currently being prepared and will be finalised if the committee resolve to grant permission for this application.
- 20.4 If this application is granted the rights for future residents to obtain a parking permit will be removed to ensure that car free development is promoted.

21. OTHER MATTERS

- 21.1 Contamination: The site is listed on the contaminated land database due to previous potentially polluting uses. As such, a condition will be attached to ensure the applicant addresses any contamination land issues prior to the commencement of development, including desktop based assessment and any further on site investigations and remediation works.

22. SUMMARY AND CONCLUSION

Summary

- 22.1 The proposed revised scheme to implement a further storey to a portion of the approved roof and associated works, along with an increase in the amount of B1 floorspace is considered acceptable in regards to height, scale, form and design. The proposed alterations will not have an unacceptable impact upon the surrounding visual amenity, nor cause demonstrable harm to the setting of the listed building to the opposite side of Randall's Road.
- 22.2 The development proposed will not cause an unsatisfactory material change to the daylight/sunlight currently enjoyed by nearby properties. Furthermore, there will not be an adverse level of overshadowing or a sense of enclosure caused to nearby properties. The information provided in support of the application, along with information required by condition, is considered to demonstrate and ensure that the proposed development will preserve the residential amenities of the nearby properties and the proposed dwellings within the development scheme.
- 22.3 There is also a clear public benefit achieved in the proposal through the provision of additional residential floor space, affordable housing contributions and upgraded B1 floor space. The development also seeks to develop part of an allocated site and in doing so does not prejudice the further development of the wider site allocation.
- 22.4 As such, the proposed development is considered to accord with the policies of the National Planning Policy Framework 2018, the London Plan 2016, the Islington Core Strategy 2011, the Development Management Policies 2013 and Supplementary Planning Documents and as such is recommended for approval subject to appropriate conditions.
- 22.5 Therefore, the committee are asked to resolve to grant permission for this scheme for the detailed reasons set out within this report.

Conclusion

- 22.6 It is recommended that planning permission be granted subject to conditions and section 106 legal agreement head of terms as set out in Appendix 1.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

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

The Heads of Terms are:

- £350,000 contribution towards the provision of off-site affordable housing within the Borough
- £7,000 contribution towards the provision of Carbon Offsetting within the Borough
- Car Free – No parking permits are to be secured for the new residential unit
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	CONDITION: 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
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: 1666/01, 1666/02, 1666/03, 1666/04, 1666/40B, 1666/41B, 1666/42B, 1666/43B, 1666/44A, 1666/45BA, 1666/46A, 1666/47B, 1666/48A, 1666/49B, 1666/50A, Planning, Design, Access, Sustainability and Heritage Statement (Peter Brades, November 2017), Daylight/Sunlight Assessment (Hawkins Environmental, 28th June 2018), Addendum Daylight Impact Assessment (Hawkins Environmental 24th August 2018), Energy Statement (energy engineering, 7th November 2017), Basement Construction Structural Method Statement (BSC Consulting, 29/11/2017), Photographic Schedule of Condition - Piccadilly Line running

	<p>tunnels & Disused Platform Areas at York Road Disused Station - {re Construction Conditions Survey (Survey Associates Limited, 7th June 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 (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 commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) copper cladding c) windows and doors (including sections and reveals); d) balustrading treatment and screens (including sections) e) 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>Land Contamination</p> <p>CONDITION: No development (excluding demolition works) shall take place on site unless and until the following assessment has been submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) A land contamination investigation. <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <ul style="list-style-type: none"> b) Any necessary remedial land contamination works arising from the land contamination investigation. <p>The development shall be carried out strictly in accordance with the land contamination investigation and any resulting scheme of remedial land contamination works so approved, any necessary remediation shall be carried out prior to the first occupation of the development, and shall be maintained as such thereafter.</p> <p>REASON: Given the history of the site the land may be contaminated, investigation and potential remediation is necessary to safeguard the health and safety of future occupants.</p>
5	<p>Basement</p> <p>CONDITION: The Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) certifying the Structural Method Statement (SMS) dated 29/11/2017 submitted to support the hereby approved development shall be retained (or a replacement person holding equivalent qualifications shall be appointed and retained) for the duration of the development to monitor the safety of the construction stages and to ensure that the long term structural stability of the existing buildings and other nearby buildings are safeguarded, in line with the supporting Structural Method Statement. At no time shall any construction work take place unless a qualified engineer is appointed and retained in accordance with this condition.</p> <p>REASON: To ensure that the construction work carried out is in accordance to the submitted Structural Method Statement for the duration of the construction and maintain compliance with the Islington Basement Development SPD (2016).</p>

<p>6</p>	<p>London Underground Infrastructure</p> <p>The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for demolition, all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> • provide details on all structures; • accommodate the location of the existing London Underground structures and tunnels; • accommodate ground movement arising from the construction thereof; and • mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels. <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>REASON: To ensure that there is no impact on existing London Underground infrastructure.</p>
<p>7</p>	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 1 mobility scooter, 1 bicycle space for the office use and 1 bicycle spaces for the residential units shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<p>8</p>	<p>Accessible Housing (Compliance)</p> <p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, the 7 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). In particular, the following issues should be resolved:</p> <ul style="list-style-type: none"> • The door to the mobility scooter store should be powered; • The conflict between the mobility scooter store door and the bike/refuse store; • There must be step free access to the basement accessible WC; • Winding treads to the stairs down to the basement are not inclusive; • The plans do not show furniture layouts in all of the bedrooms; and • All bathroom doors must have doors that open outwards and sliding doors shown on some of the bathrooms are not acceptable. <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing.</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>

<p>9</p>	<p>Green/Brown Biodiversity Roofs</p> <p>CONDITION: The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plan 1666/43B 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) 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>
<p>10</p>	<p>CEMP (DETAILS)</p> <p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The CEMP shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned demolition and construction vehicle routes and access to the site; e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works; g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents; j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site; k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception) l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic using Randell's Road, Rufford Street and York Way at all times, including emergency service vehicles; m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.

	<p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</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: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
11	Refuse/Recycling Provided (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. 1666/41B 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>
12	Sustainable Design & Construction Statement
	<p>CONDITION: A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The statement shall detail how the dwellings hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwellings will achieve a 19% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2013, and not exceed water use targets of 110L/person/day.</p> <p>The development shall be carried out strictly in accordance with the Sustainable Design and Construction Statement so approved and retained as such thereafter.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>
13	Noise Assessment
	<p>CONDITION: "A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq 8 hour and 45 dB Lmax (fast) 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 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>

	REASON: To protect the residential amenity of the new unit hereby approved.
14	Bird/Bat boxes
	<p>CONDITION: Notwithstanding the plans hereby approved, no less than 8 nesting boxes / bricks shall be installed on the development hereby approved.</p> <p>The nesting boxes / bricks 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 into perpetuity.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and bio diversity enhancements.</p>
1	INFORMATIVES
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p>
2	S106 agreement
	<p>SECTION 106 AGREEMENT: You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>

APPENDIX 2: RELEVANT POLICIES

RELEVANT POLICIES

National Guidance

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

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

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.

A) The London Plan 2016

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.13 Opportunity areas and intensification areas

3 London's people

Policy 3.1 Ensuring equal life chances for all
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 3.15 Coordination of housing development and investment

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.3 Mixed use development and offices
Policy 4.4 Managing industrial land and premises

5 London's response to climate change

Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.9 Overheating and cooling
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage

6 London's transport

Policy 6.9 Cycling
Policy 6.13 Parking

7 London's living places and spaces

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 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

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

Policy CS10 (Sustainable Design)

Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (employment space)

Strategic Policies

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

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

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

DM3.4 Housing standards

DM3.5 Private outdoor space

Employment

DM5.1 New business floorspace

DM5.2 Loss of existing business floorspace

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

DM8.4 Walking and cycling

DM8.5 Vehicle parking

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, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Kings Cross and Pentonville Road Core Strategy Key Area
- Site Allocation KC4 – 176-178 York Way
- Brownfield Register – 57-65 Randell's Road
- Cally Plan SPD
- Adjoins CTRL and Crossrail 2 rail safeguarding areas
- Opposite SINC at Copenhagen Junction

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
- Urban Design Guide
- Basement Development
- Inclusive Design

London Plan

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

APPENDIX 3: SITE ALLOCATION

Site KC4

176-178 York Way



Address, location, postcode	176-178 York Way & 57-65 Randell's Road, N1
Ownership	176-178 York Way: Transeuropean; 57-65 Randell's Road: M Barnes, and S Macrides, London Borough of Islington.
Approximate size of site	2,300m ²
Current/previous use	Car sales outlet in a former petrol station (Sui Generis), two storey warehouse/office building (B1) (176-178 York Way) and car repair garage (Sui Generis) (57-65 Randell's Road).
How was the site identified and relevant planning history	The site was identified in the Regenerating King's Cross Neighbourhood Framework Document. An application (P043180) for redevelopment of 176-178 York Way was refused in 2005.

	<p>Planning application for 176-178 York Way (P110941) for temporary use for a period of five years as a builders' merchants refused (November 2011). A parallel application (P111380) for external alterations to the building and site layout was approved (September 2011).</p>
Allocation and justification	<p>Residential-led mixed use redevelopment, including re-provision of business floorspace (B1). A small element of other commercial uses could include retail and/or food and drink services (A1, A3, A4).</p> <p>The site is located in the part of King's Cross where large scale development is taking place and planned - on the opposite side of York Way in the London Borough of Camden and to the north at King's Cross Triangle (Site KC2) which straddles the boundary between the two boroughs.</p>
Design considerations and constraints	<p>The prominent corner location opposite the southern tip of the Triangle warrants a well-designed building to contribute to a high quality street environment that is welcoming to pedestrians and provides active uses along York Way.</p> <p>Any development should consider the relationship to the wider area/site, responding to the surroundings and be sympathetic in scale.</p> <p>Development of the site should contribute to opening up the surrounding neighbourhoods to York Way and the wider regeneration of the area.</p> <p>The site is not in or adjoining a conservation area. However development will need to pay due regard to the former York Road Underground Station on the southern side of Bingfield Street which adjoins the site to the south (172-174 York Way), and the amenity of the adjoining and nearby residential properties.</p> <p>Development should conserve and enhance the setting of the Grade II listed Paget Christian Centre, 18-26 Randell's Road, opposite the site.</p> <p>Site assembly, which includes a disused play area at the rear of 21-36 Outram Place, produces a better site for development within the physical boundaries created by York Way, Randell's Road and the rear of the maisonette block at 21-36 Outram Place.</p>
	<p>The site is located above the railway land and the underground and any proposal will need to adequately address the impact of exposure to noise and vibration to ensure an acceptable environment for future occupants.</p>
Estimated timescale	2017-2021

Appendix 4: Decision notice for extant permission ref P2015/2834

PLANNING DECISION NOTICE



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

Mr Peter Brades
42 Colebrook Row
London
N1 8AF

Case Officer: Ashley Niman
T: 020 7527 2685
E: planning@islington.gov.uk

Issue Date: 07 December 2015
Application No: P2015/2834/FUL

(Please quote in all correspondence)

Dear Sir or Madam

TOWN AND COUNTRY PLANNING ACTS

BOROUGH COUNCIL'S DECISION: Approve with conditions and legal agreement

Notice is hereby given of the above stated decision of Islington Borough Council, the Local Planning Authority, in pursuance of its powers under the above mentioned Acts and Rules, Orders and Regulations made thereunder, relating to the application / development referred to below, at the location indicated, subject to the condition(s) listed and in accordance with the plans submitted, save insofar as may be otherwise required by the condition(s).

Location:	57 - 65 Randell's Road, London, N1 0DH
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Application Type:	Full Planning Application		
Date of Application:	10 July 2015	Application Received:	10 July 2015
Application Valid:	10 July 2015	Application Target:	04 September 2015

DEVELOPMENT:

Demolition of the existing garage/workshop and the erection of a four storey plus basement building to provide commercial (B1) space at ground floor and basement, and residential use (five x 2-bed flats and one x 1-bed flat) to the four upper floors, together with the incorporation of refuse bin stores and bicycle storage.

PLAN NOS:

1666/02, 1666/01, 1666/03, 1666/04, 1666/20B, 1666/21B, 1666/22B, 1666/23B, 1666/24B, 1666/25B, 1666/26B, 1666/27B, 1666/28B, 1666/29B, Planning, Design, Access, Sustainability and Heritage Statement (Peter Brades, July 2015), Daylight/ Sunlight Assessment (Hawkins Environmental, 6th February 2015), Energy Statement (energy engineering, 19th February 2015).

CONDITIONS:

- 1 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

P-DEC-AP1

(Chapter 5).

- 2 DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:

1666/02, 1666/01, 1666/03, 1666/04, 1666/20B, 1666/21B, 1666/22B, 1666/23B, 1666/24B, 1666/25B, 1666/26B, 1666/27B, 1666/28B, 1666/29B, Planning, Design, Access, Sustainability and Heritage Statement (Peter Brades, July 2015), Daylight/ Sunlight Assessment (Hawkins Environmental, 6th February 2015), Energy Statement (energy engineering, 19th February 2015).

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.

- 3 CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:

- a) Details and samples of all facing brickwork
- b) Samples of all facing render including colour
- b) Details of window and door treatment (including sections and reveals);
- c) Details and samples of screening

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

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

- 4 CONDITION: A Construction Management Plan and Impact Assessment Plan 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 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.

REASON: In order to mitigate the impact of the development to nearby residents.

- 5 A Sustainable Design and Construction Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall detail how the dwellings hereby permitted achieve best practice sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. The statement must demonstrate how the dwellings will achieve a 25% reduction in Regulated CO2 emissions when compared with a building compliant with Part L of the Building Regulations 2010, and not exceed water use targets of 95L/person/day.

REASON: In the interest of sustainable development.

- 6 CONDITION: During the clearance and construction on site, the developer shall comply with Islington Council's Code of Construction Practice and the GLA's Best Practice Guidance for the control of dust and emissions from construction and demolition. The developer shall ensure that:
- 1 The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site.
 - 2 The operation of the site equipment generating noise and other nuisance causing activities,

audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08.00-18.00 Monday- Fridays, 08.00- 13.00 Saturdays and at no time during Sundays or public holidays.

3 All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.

REASON: In order to safeguard the amenity levels of adjoining occupiers during the construction process.

- 7 CONDITION: The accommodation be detailed to meet Category 2 of the National Standard for Housing Design as set out in the Approved Document M 'Accessible and adaptable dwellings' M4(2)

REASON: To ensure the proposal is accessible to all.

- 8 CONDITION: All future occupiers of the residential units hereby approved shall not be eligible to obtain an on street residents' parking permit except:
- i) In the case of disabled persons;
 - ii) In the case of units designated in this planning permission as "non car free"; or
 - iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.

REASON: To ensure that the development remains car free.

- 9 CONDITION: The dedicated refuse / recycling enclosure shown on drawing no. 1666/21B shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.

REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.

- 10 CONDITION: The biodiversity (green/brown) roof(s) shall be:
- a) biodiversity based with extensive substrate base (depth 80-150mm);
 - b) laid out in accordance with plan no. 1666/22B 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).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.

- 11 CONDITION: A noise assessment following the guidelines of PPG24 and a scheme for sound insulation and noise control measures shall be submitted to and approved in writing by; and implemented to the satisfaction of the Local Planning Authority prior to the first occupation of the rooms hereby approved. The sound insulation and noise control measures shall achieve the following internal noise targets:

Bedrooms (23.00-07.00 hrs) 30 dB LAeq, and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 35 dB LAeq, Kitchens, bathrooms, WC compartments and utility rooms (07.00 -23.00 hrs) 45 dB LAeq

The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON: To protect the amenity of future occupiers of the site

- 12 The bicycle storage area(s) hereby approved, which shall be covered, secure and provide for no less than 15 bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport

- 13 **CONDITION:** Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority

- a) A land contamination investigation.

Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:

- b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.

The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.

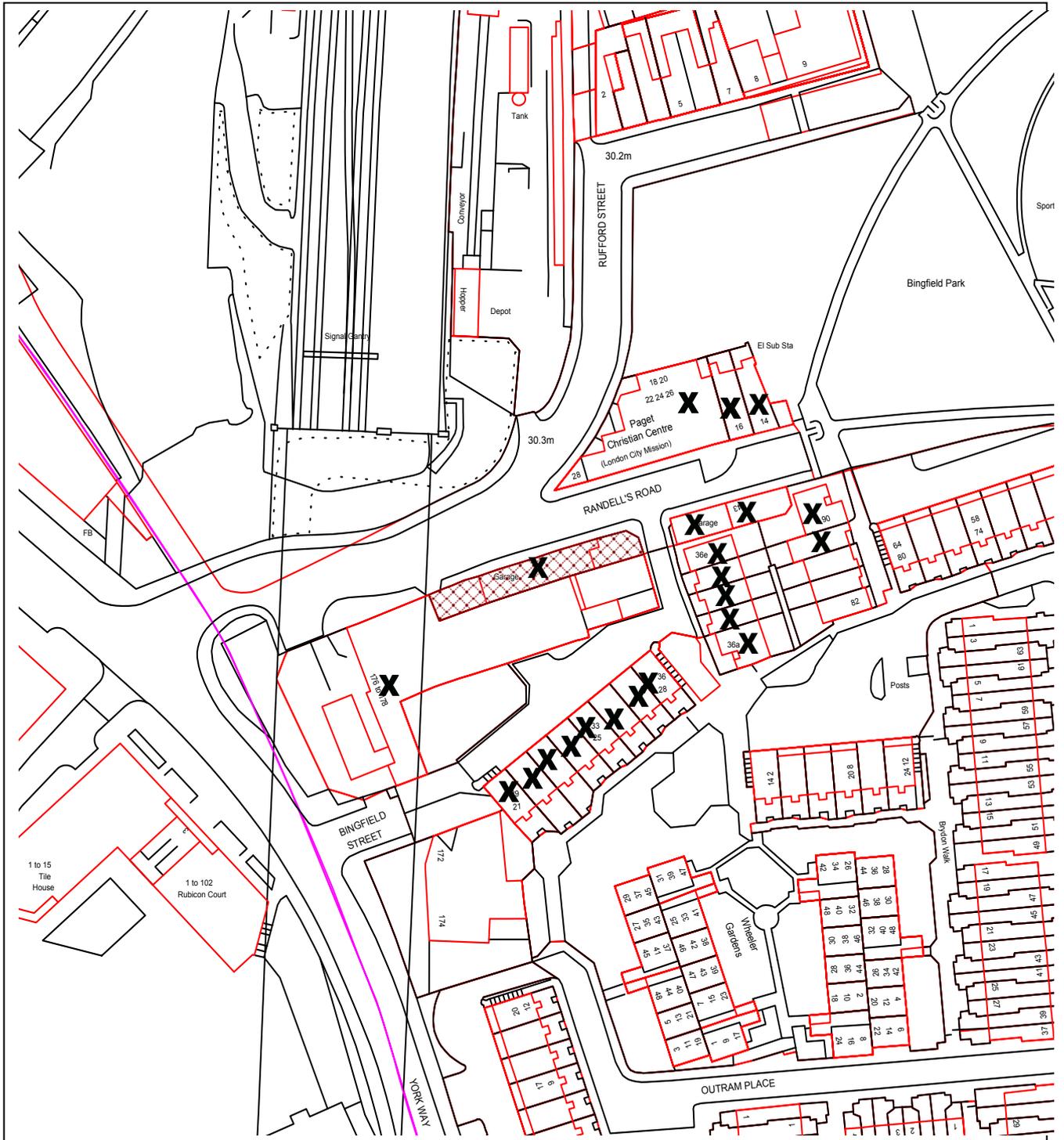
- c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).

REASON: To protect the amenity of future occupiers of the site.

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

- 1 **SECTION 106 AGREEMENT:** You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
- 2 **DEFINITIONS:** (Definition of 'Superstructure' and 'Practical Completion') A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
- 3 **CILINFORMATIVE:** 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

ISLINGTON



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P2017/4485/FUL

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ADDENDUM TO PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE A	AGENDA ITEM: B6
Date: 30 th October 2018	NON-EXEMPT

Application number	P2016/1803/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	Within 50m of Grade II* Listed Building Ben Johnson House, Barbican
Conservation area	Within 50m of St Luke's Conservation Area Within 50m of Chiswell Street Conservation Area
Development Plan Context	Bunhill & Clerkenwell Core Strategy Key Area Central Activities Zone (CAZ) Bunhill & Clerkenwell Finsbury Local Plan Archaeological Priority Area – Moorfields Local Cycle Routes
Licensing Implications	None
Site Address	Prior Weston Primary School Golden Lane Campus, 101 Whitecross Street, LONDON EC1Y 8JA
Proposal	Installation of 4 no. floodlights attached to existing columns associated with the use of the existing Multi Use Games Area, to provide an outdoor playspace for children until 8:00pm Monday to Friday.

Case Officer	Daniel Jeffries
Applicant	Mr Greg Page - REAM Partnership LLP
Agent	Mr Greg Page - REAM Partnership LLP

RECOMMENDATION

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

- subject to the conditions set out in Appendix 1 of the original report attached;

2. REASONS FOR DEFERRAL

2.1 This application was previously discussed at the Planning Sub-Committee A meeting on 6 September 2018 where objectors were given the opportunity to speak.

2.2 In the discussion the following points were made:

- The Planning Officer advised that since publication of the agenda two letters of objection had been received no additional updates had been received. The additional letters of objection raised concerns already considered and addressed within the main committee report. **(Appendix 1)**
- Objectors were concerned about the levels of noise from the use of the MUGA and its impact on their amenity and the amount of light spillage from the flood lights. In response, the Planning Officer advised that a condition restricting the hours of operation between the hours of 0900 and 2000 hours Monday to Friday had been included in the planning permission.
- Councillor Picknell proposed a motion to defer as the applicant was not available at the meeting to respond to issues raised by the objectors. This was seconded by Councillor Woolf.

2.3 Members decided to defer the application in order for the Sub-Committee to allow the applicant to respond to issues raised by objectors at a further meeting.

3. UPDATES FOLLOWING COMMITTEE 27th FEBRUARY 2017

3.1 Following the conclusion of the Planning Sub-Committee no additional information has been submitted. The applicants have been advised that members expect their attendance at committee to answer any specific questions relating to the site.

3.2 Notwithstanding this situation, a number of objectors raised concerns relating to the lack of compliance with the noise conditions relating to the original planning application (ref P052329).

3.3 This conditions relating to noise included conditions 13 (noise assessment) and 15 (acoustic controls) which state the following:

Condition 13:

CONDITION: The developer shall carry out a noise assessment following the guidelines of PPG24. A scheme for sound insulation and noise control measures should be submitted for the Council's written approval. The noise assessment should also include an outdoor target of 50dB LAeq, 16h. The scheme implemented and retained to the satisfaction of the Council in order to achieve the following noise target for neighbouring noise sensitive occupiers and within the on-site residential flat:

Bedrooms (23.00-07.00 hrs) 35 dB LAeq, 45 dB LAm_{ax} (fast)

Living Rooms (07.00-23.00 hrs) 40 dB LAeq

Kitchens, bathrooms, WC compartments and utility rooms (07.00-23.00 hrs) 45 dB LAeq.

REASON: To ensure the amenity in the locality and on-site is not prejudiced.

Condition 15:

CONDITION: Full details of the acoustic controls system for the fixed plant shall be submitted to, implemented as specified by, and approved in writing by the Local Planning Authority before the use commences and thereafter retained and maintained in accordance with approved details. No alterations to the plant and system shall be undertaken without the prior written approval of the Local Planning Authority.

REASON: To ensure the amenity in the locality and on-site is not prejudiced.

- 3.4 The details for these two conditions were submitted as part of an approval of details secured by condition application, which was subsequently approved on 10/04/2008. The submitted details were reviewed by the Council's Public Protection Team who confirmed that the details were sufficient to comply with the requirements of these conditions and be approved. A copy of the report associated with the approval of these conditions is attached to this report (**Appendix 2**).
- 3.5 Whilst it is acknowledged that the approval of these conditions were made in 2008, the details of the condition ensured that the use of the Multi-Use Games Area would not breach these noise levels. In the event that the current application was approved the use of the existing Multi-Use Games Area would be required to comply with the requirements of this noise level condition (no. 13). It should be noted that in the assessment of the condition, it notes that assessment submitted confirms that the site is subject to road traffic noise and that the resulting school elevations falls within a Noise Exposure Category (NEC) 'A/B' during the day and 'B' at night.
- 3.6 Whilst the guidance found within Planning Policy Guidance 24: Planning and Noise has been superseded, paragraph 8 of this document provides an explanation of Noise Exposure Categories (A to D). Category A represents the circumstances in which noise is unlikely to be a determining factor, while Category D relates to the situation in which development should normally be refused. Categories B and C deal with situations where noise mitigation measures may make development acceptable.
- 3.7 Given that the proposal would not result in any increase in the size of the existing Multi-Use Games Area, or extend the hours (albeit it is acknowledged it would allow use during winter months), it is considered that the proposal would not result in any significant noise or disturbance to the occupiers of neighbouring properties over and above this existing situation which was considered acceptable, as a result of the increased use of the area during the winter months, when the proposed floodlights are in operation.

4. CONCLUSION

- 4.1 Given the conditions imposed on the original approved development (ref P052329), including the details approved for condition 13, together with the conditions recommended by the Council's Pollution (Acoustic) Officer on this application, the proposal is considered that the proposal would have an acceptable impact on the occupiers of neighbouring properties. It is also considered to be compliant with the Council's policies in regards to land use, design including the impact on heritage assets, the local highway network and in all other associated material considerations. It is therefore recommended that planning permission be granted subject to the conditions as set out in Appendix 1 of the original report.

PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department

PLANNING SUB-COMMITTEE A		
Date:	6 th September 2018	NON-EXEMPT

Application number	P2016/1803/FUL
Application type	Full Planning Application
Ward	Bunhill Ward
Listed building	Within 50m of Grade II* Listed Building Ben Johnson House, Barbican
Conservation Area	Within 50m of St Luke's Conservation Area Within 50m of Chiswell Street Conservation Area
Development Plan Context	Bunhill & Clerkenwell Core Strategy Key Area Central Activities Zone (CAZ) Bunhill & Clerkenwell Finsbury Local Plan Archaeological Priority Area – Moorfields Local Cycle Routes
Licensing Implications	None
Site Address	Prior Weston Primary School Golden Lane Campus, 101 Whitecross Street, LONDON EC1Y 8JA
Proposal	Installation of 4 no. floodlights attached to existing columns associated with the use of the existing Multi Use Games Area, to provide an outdoor playspace for children until 8:00pm Monday to Friday.

Case Officer	Daniel Jeffries
Applicant	Mr Greg Page - REAM Partnership LLP
Agent	Mr Greg Page - REAM Partnership LLP

1. RECOMMENDATION

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

1. the conditions set out in Appendix 1;

2. PHOTOS OF SITE/STREET

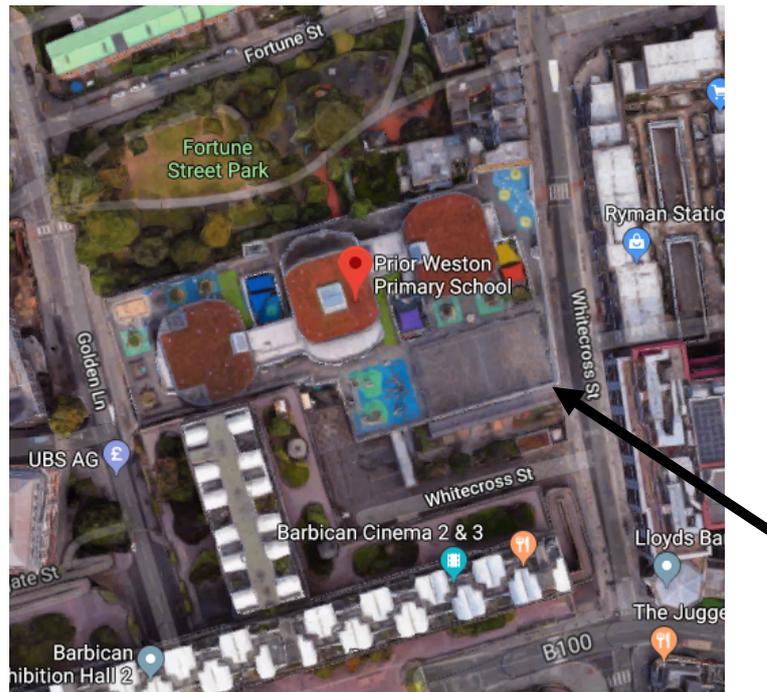


Image 1: Aerial view of the application site



Image 2: Aerial view in southerly direction



Image 3: Aerial view in westerly direction

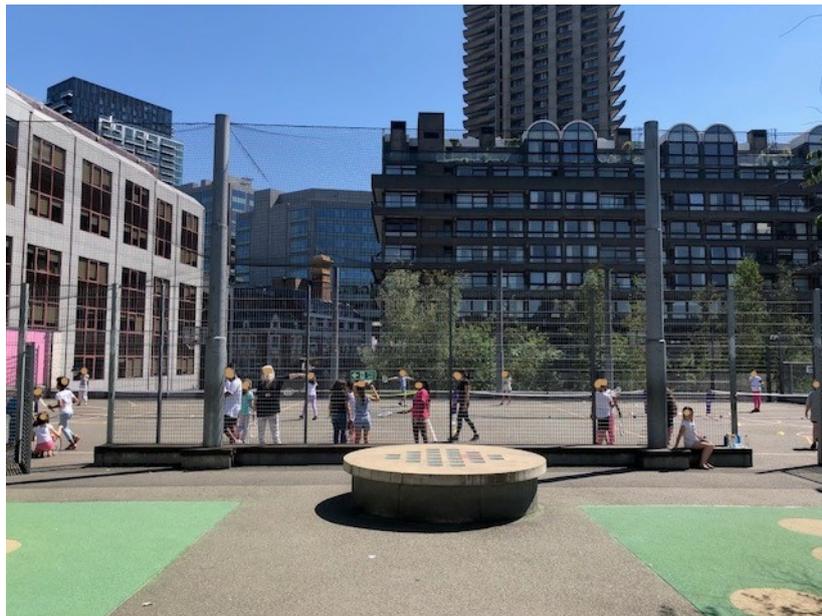


Image 4: View of the existing Multi-Use Games Area facing south (taken at first floor level) with the Ben Johnson House part of the Barbican in background

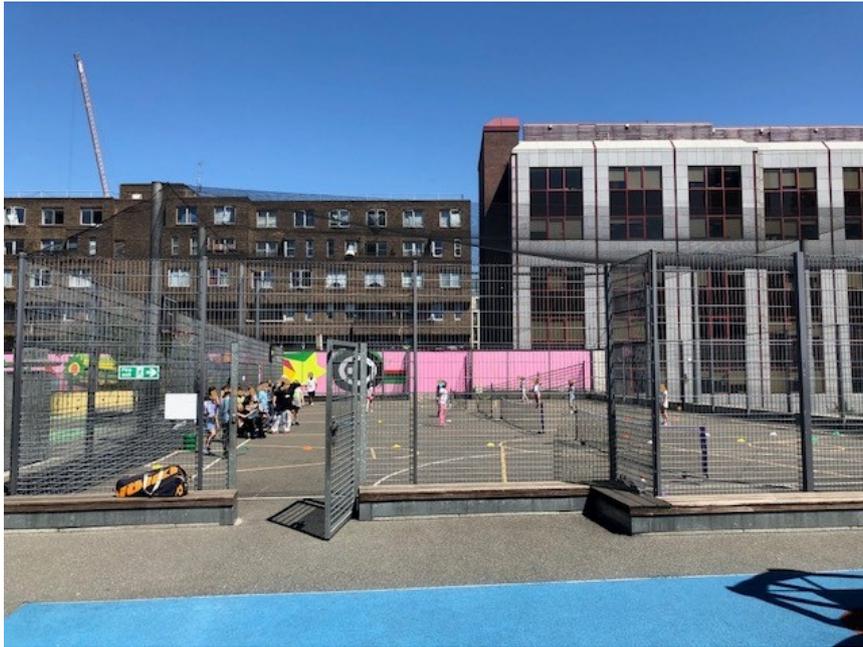


Image 5: View of the existing Multi-Use Games Area facing east (taken at first floor)



Image 6: View in southerly direction showing panoramic existing Multi-Use Games Area and nearby buildings

4. SUMMARY

- 4.1 Planning permission is sought for the erection of 4 no. floodlights to 4 no. existing columns on the Multi-Use Games Area, located at first floor of Prior Weston Primary School. The application seeks to operate these floodlights until 20:00 hours in the evening Monday to Friday by children at the school. The existing Multi-Use Games Area benefits from planning permission for its use between 8.00am until 8.00pm Monday to Friday and 10.00am until 6.00pm Saturdays, with no use on Sunday and Bank Holidays. Therefore, this proposal would allow for greater use of the facilities during the winter months during term time.
- 4.2 The application is brought to committee due to the significant number of objections received (73 objections) following two rounds of consultation.

- 4.3 The issues arising from the application are the principle of expanding the school facilities, the design of the proposal, including its impact on the visual appearance and historic character and setting of the host buildings and surrounding heritage assets and the impact to neighbouring amenity of the adjoining and surrounding residential and commercial properties.
- 4.4 The principle of improving the existing school facilities is acceptable in land use terms, and the design of the proposed equipment is considered acceptable and would preserve the visual appearance of the surrounding heritage assets. It is therefore compliant with Islington Core Strategy (2011) CS8 and CS9 policies, DM2.1, DM2.3, DM4.12 of the Development Management Policies (2013), the Urban Design Guide (2017) and the Chiswell Street and St Luke's Conservation Area Design Guidelines.
- 4.5 In addition, the proposal is not considered to unacceptably harm the residential amenity of neighbouring properties subject to conditions by way of significant noise or light spill to neighbouring properties over and above the existing situation. It is therefore considered to be compliant with policy DM2.1 of Islington's Development Management Policies (2013).
- 4.6 The proposal is therefore considered to be acceptable and it is recommended that the application be approved.

5. SITE AND SURROUNDINGS

- 5.1 The application site is located to the east of Golden Lane and to the west of Whitecross Street, and to the south of Fortune Street Park. The host property consists of a part single storey, part two storey, and part three storey building, which is used by Prior Weston Primary School, Richard Cloudesley School and the Golden Lane Children's Centre, as part of the Golden Lane Campus. The site can be accessed by Whitecross Street, to the east, and Golden Lane, to the west.
- 5.2 At first floor level there is an existing Multi-Use Games Area, located towards the south of the site used by the school.
- 5.3 The application building is not listed and the site is not located within a conservation area but is within 50m of both St Luke's and Chiswell Street Conservation Areas and the Barbican, being a Grade II* Listed Building. The site is also located within an Archaeological Priority Area, Central Activities Zone, the Bunhill and Clerkenwell Finsbury Local Plan and Core Strategy Key Areas.

6. PROPOSAL (in Detail)

- 6.1 Planning permission is sought for the installation of floodlights to the existing Multi Use Games Area, to extend the use of the outdoor playspace for children until 8:00pm Monday to Friday.
- 6.2 The proposed 4 no. floodlights would be located around the perimeter of the Multi Use Games Area (MUGA) at first floor level, attached to the existing metal columns located to the north and south of the existing playing pitch. The 4 no. floodlights would be 11m above the road level, and 5.2m above the playing pitch of the MUGA. The new fittings will be low energy LED type, arranged to achieve between 75 – 100 Lux at ground level, with the scheme light output and distribution being designed by Thorlux Lighting Ltd.

- 6.3 The existing MUGA is approximately 575sqm and is marked for various ball games. A curtain/ceiling netting system has been installed to prevent balls accidentally leaving the facility during play. The facility was approved as part of a larger scheme for the whole site, which included the following description, *'Demolition of existing buildings and the erection of a part 1, 2 and 3 storey educational facility fronting Golden Lane and Whitecross Street to accommodate 168 children within a 'Sure Start' Early Years Centre, 360 primary students and 30 students with special needs. Erection of a first floor Multi-Use-Games-Area and separate play spaces, associated hard and soft landscaping and five kerbside and six on-site drop-off bays. A caretaker's flat is included at second floor level'*. This was approved with conditions on 27th January 2006.
- 6.4 The existing approved hours of use of the MUGA is between 8.00am until 8.00pm Monday to Friday and 10.00am until 6.00pm Saturdays, with no use on Sunday and Bank Holidays. However, the existing site does not benefit from floodlights, and a condition restricts the use of any illumination.
- 6.5 The use of the MUGA, including when the floodlights are in operation exclusively for the school during term time. The Design and Access Statement confirms that the facilities would only be used by the school and would not be let for the use by external sports clubs.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS

- 7.1 P052329 - Demolition of existing buildings and the erection of a part 1, 2 and 3 storeys educational facility fronting Golden Lane and Whitecross Street to accommodate 168 children within a 'Sure Start' Early Years Centre, 360 primary students and 30 students with special needs. Erection of a first floor Multi-Use-Games-Area and separate play spaces, associated hard and soft landscaping and five kerbside and six on-site drop-off bays. A caretaker's flat is included at second floor level. Approved with conditions on 27/01/2006. See Appendix 2.
- 7.2 P122360 - Installation of a free standing dual pitch solar canopy. Approved with conditions on 18/02/2013.
- 7.3 930161 - Construction of single storey under-fives centre with playground and access on the site facing Golden Lane to the rear of Prior Weston School and the use of part of the existing school car park as a Barrow Store for Whitecross Street traders. Approved with conditions on 29/06/1993.
- 7.4 900601 - The sitting of portacabins and essential parking by John Lelliott Construction for a 6 month-12-month period in connection with adjoining refurbishment work. Present crossover only to be maintained. (withdrawn)

ENFORCEMENT

- 7.5 Golden Lane Under Fives Centre, 86, Golden Lane,
E08/03504 - Wall removed from Fortune Park – Case Closed - 13/11/2012

PRE-APPLICATION ADVICE:

- 7.6 None

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to 209 occupants of adjoining and nearby properties at Cherry Tree Walk, Golden Lane, Chiswell Street, Whitecross Street, Errol Street, Breton High Walk, on 3 October 2016 and reconsultation on 22 June 2018, and site and press adverts were displayed. The reconsultation was required as a result of amended drawings and a light spill drawing being submitted. The public consultation of the application expired on 12 July 2018.
- 8.2 It is the Council's practice to consider representations made up until the date of a decision. At the time of writing of this report 73 no. objections, including from the Breton House and Ben Johnson House Residents Group, and 2 no. letters of support in total had been received from the public with regard to the application. The letters of support considered that the proposal would be of benefit to the existing school children in terms of exercise and improve the school's facilities. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):
- Increased noise to neighbouring properties (Ben Johnson House, Breton House, at Barbican building) and lack of acoustic barrier (paragraphs 10.25 to 10.30)
 - Increased light spill and light pollution to neighbouring properties (Ben Johnson House, Breton House, at Barbican building) (paragraphs 10.25 to 10.29)
 - Loss of privacy to neighbouring properties (Ben Johnson House, Breton House, at Barbican building) (paragraph 10.24)
 - Lack of information in terms of the number, age of users and if only used in term time (Paragraph 10.35)
 - Increased traffic to surrounding area (paragraphs 10.33 and 10.34)
 - Requests that the use is restricted to 18:00 or 18:30 hours and acoustic screen (paragraph 10.30)
 - Lack of information as to how the lights would operate (paragraph 10.33)
 - Impact on Grade II* Listed Building (Barbican) (paragraphs 10.17) and the associated restrictions in relation to installation of double glazing at the property (paragraph 10.31)
 - The lack of compliance with acoustic mitigation conditions (paragraph 10.36)

Internal Consultees

- 8.3 **Design and Conservation Officer:** raised no objections to the proposal
- 8.4 **Highways:** confirmed that there are no comments to the proposal.
- 8.5 **Pollution Officer:** raised no objections to the proposal, subject to conditions relating to the times the floodlights should operate (Monday to Friday only between 09:00-2000 hours) and specifications of the type of lighting, which should be controlled by a photocell detector and timer switch.

External Consultees

- 8.8 **City of London:** raised objections to the proposal, raising concerns relating to the lighting causing significant disruption to residents trying to sleep, and increased noise levels for those playing sports.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

Islington Council (Planning Sub-Committee A), 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 affects 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 of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;
- 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)).

9.2 National Planning Policy Framework (NPPF) (2018): Paragraph 11 states: "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..."

9.3 At paragraph 8 the NPPF (2018) states: "that sustainable development has an economic, social and environmental role".

9.4 The updated National Planning Policy Framework 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

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

9.6 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.

9.7 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.

9.8 Members of the Planning Sub-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.

9.9 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.

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

Development Plan

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

9.12 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:

- Within 50m of Grade II* Listed Building Ben Johnson House, Barbican
- Within 50m of St Luke's Conservation Area
- Within 50m of Chiswell Street Conservation Area
- Bunhill & Clerkenwell Core Strategy Key Area
- Central Activities Zone (CAZ)
- Bunhill & Clerkenwell Finsbury Local Plan
- Archaeological Priority Area – Moorfields
- Local Cycle Routes

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Neighbouring Amenity including noise and light spill
- Highways and Transportation
- Other matters

Land Use

10.2 The proposal seeks to allow for the installation of 4 no. floodlights to the existing Multi-Use Games Area for the use by the school until 8:00pm in the evening, Monday to Friday. The applicant has confirmed that the facilities and use of the floodlights would be used solely for the school.

The National Planning Policy Framework (NPPF) states that Local Planning Authorities should give great weight to the need to create, expand or alter schools and should take a positive approach to development that will widen the choice of education. The DCLG Policy Statement (2012) - Planning for schools - mirrors this aim, stating that local authorities should give full and thorough consideration to the importance of enabling the development of state funded schools, including free schools.

1.1 Development Management Policy DM 4.12 is very supportive of new social and community infrastructure provision, which the proposed expanded use of the existing facilities would represent. The existing Multi-Use Games Area provides a valuable service in this locality, to the school which the council would wish to support and encourage. Policy DM4.12C sets out criteria for new social infrastructure, which must:

- i. be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes, including walking, cycling and public transport;*
- ii. provide buildings that are inclusive, accessible, flexible and which provide design and space standards which meet the needs 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. As such, the proposal would result in improved facilities for the school.*

1.2 Policy CS16 is also relevant, given that the application seeks to provide more opportunities to play. Part A of this policy seeks to improving the quality and function of existing play spaces so that they can provide more play opportunities for different age groups and disabled children, particularly in those areas where opportunities for play are currently limited. Within the supporting text paragraph 3.6.13 confirms that a key council objective is to improve health. It encourages the importance on building on the opportunities, including the 2012 London Olympics, to promote sport and physical activity across the borough to reduce health inequality. Paragraph 3.6.14 of the Islington Core Strategy also confirms the importance of the use of outdoor sports facilities include grass and synthetic playing pitches, tennis courts, Multi-Use Game Areas (MUGAs) and bowling greens in achieving this. Policy DM6.1A also seeks to ensure developments provide healthy environments, reduce environmental stresses,

facilitate physical activity and promote mental well-being, which is consistent with the objectives of these policies.

- 1.3 Policy 3.18 of the London Plan 2016 supports the expansion of education facilities and the enhancement of facilities for educational purposes. The provision of additional school facilities and space is classified as provision of new social infrastructure which is supported by policy DM4.12 of the Development Management Policies 2013. Paragraph 4.69 associated with this policy states '*development/redevelopment of social and strategic infrastructure should be designed to meet the needs of their intended occupants, taking into account any appropriate regulations and national design and space standards*'
- 1.4 Meeting the needs of current and future pupils within the school grounds is evidently a key benefit of this proposal. This would be in accordance with the National Planning Policy Framework which states that the Government, "*attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement...*" The framework also states that Council's should give "great weight to the need to create, expand or alter schools". The London Plan is supportive of proposals which enhance education and skills provision, including the expansion of existing facilities.
- 1.5 Therefore, in land use terms, it is considered that the expansion of the school facilities at this location would offer a number of policy benefits specific to this proposal, subject to the compliance with the requirements of Policy DM4.12C, including the amenity impact which will be assessed within the body of this report.

Design and Conservation

- 1.6 The site is not within a conservation area, but it is within 50m of both the St Luke's and Chiswell Street Conservation Areas, located to the north and south of the site respectively along Whitecross Street. In addition, whilst not within the boundaries of the Borough of Islington, being within the City of London, located to the south there is the existing Grade II* Listed Building of the Barbican, with the nearest point being named the Ben Johnson House. The proposal is therefore required to pay special regard to the statutory duty (s66 and s72(1)) for the preservation or enhancement of these heritage assets. Therefore, in terms of assessing the acceptability of the design of the proposal, it is important to consider the NPPF, Development Management Policies (2013) DM2.1 and DM2.3, Islington Core Strategy Policies (2011) CS9, and the guidance found within the Urban Design Guide (UDG) 2017, and the associated Conservation Design Guidelines.
- 1.7 Core Strategy 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'.
- 1.8 Policy DM2.1 states 'All forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics'.
- 1.9 In relation to heritage, Policy DM2.3 states 'Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance'.

1.10 The Urban Design Guide (UDG) (2017) provides guidance on how urban design principles should be applied to ensure that new development successfully contributes to making the borough a better place. It is applicable to all new developments, including alterations and extensions to existing buildings.

10.14 In this instance, the UDG does not provide any specific advice in relation to alterations to Multi-Use Games Area's including the installation of floodlights. However, it does provide general advice including to ensure that the character of the area and context is considered within any application for new development, including the importance of scale, massing and materials used.

The Chiswell Street and St Luke's Conservation Area Design Guidelines includes no specific guidance in relation to the proposal, other than the use of appropriate materials, and to take into consideration of the scale and context of the surrounding area.

10.16 In this instance, the proposal would result in the installation of 4 no. floodlights, positioned to the north and south of the existing MUGA. The floodlights would be attached to the existing columns which would not add to the visual clutter. Given that the scale of the floodlights which would be positioned on top of the existing columns it is considered that the proposal would be compliant with the Council's policies in this regard.



Image 7: Proposed elevations showing the floodlights above existing columns

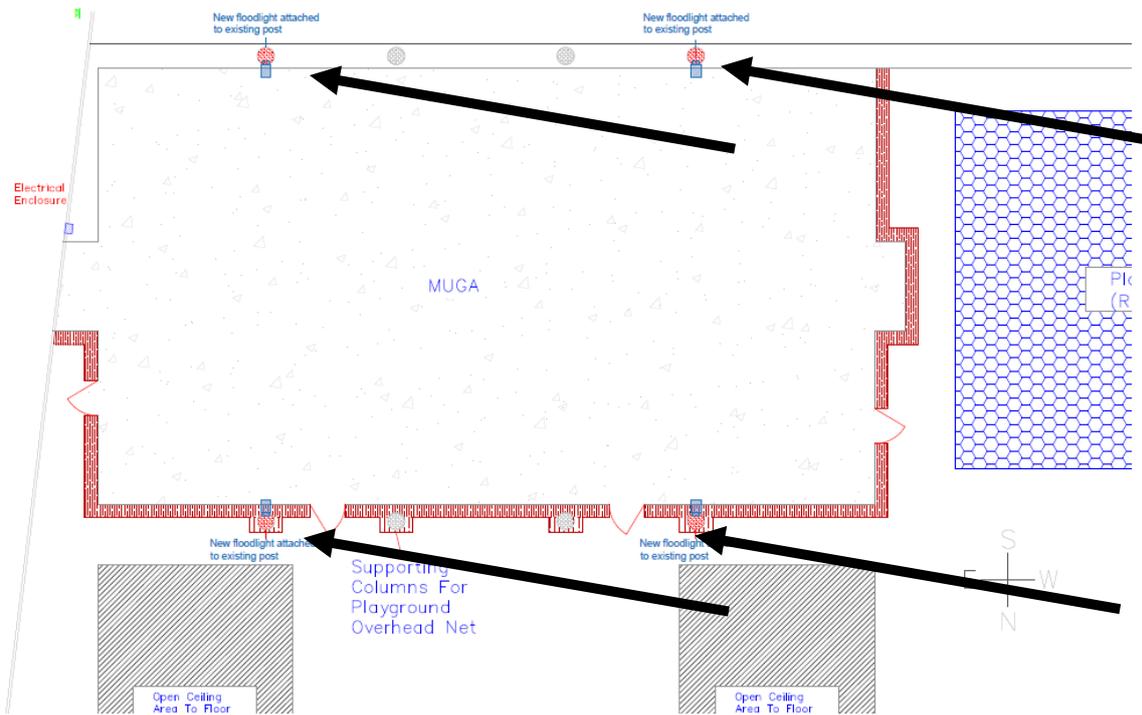


Image 8: Proposed Plan drawing showing position of proposed floodlights

10.17 As mentioned previously, there are a number of heritage assets within proximity to the existing MUGA, which is within the setting of both the St Luke's and Chiswell Street Conservation Areas, being 50m away to the north and south, and the Grade II* Listed Building of the Barbican, which is located 40m to the south and west. Given this situation, it is acknowledged that the light of the proposal would alter how these heritage assets would be experienced in terms of their setting. This is especially pertinent in the winter months, with floodlights likely to be used between the hours of 3:30pm and 8pm (approximately 4 and half hours). However, in this instance it is considered that the restriction in hours to a small period of the day, and that the lighting which would be targeted would result in minimal light spill to the surrounding area it is considered acceptable. In terms of the actual physical alterations to the existing MUGA, it is considered given the relatively small scale of development, comprising of floodlights which, as described above, would be affixed on top of existing columns, and the relative separation distances it is considered that there would be no harm to these heritage assets.

10.18 Overall, given the scale of the proposed floodlights which would be attached to the existing columns, their location within the site and separation distance from the surrounding both the nearby conservation areas and listed building, the proposal is considered to preserve the visual appearance and historic character of the host building and these nearby heritage assets, and is considered acceptable in design terms.

Neighbouring Amenity

10.19 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.

10.20 Policy 7.15 (part B) states that development proposals should seek to manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development; separating new noise

sensitive development from major noise sources through the use of distance, screening or internal layout in preference to sole reliance on sound insulation; controlling and mitigating potential adverse effects through the application of good acoustic design principles; and promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.

- 10.21 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.22 In this instance, the proposed floodlights would be located above the existing MUGA which is at first floor level, with the nearest residential properties are located to the east, along the east side of Whitecross Street, and the Barbican building to the west (Breton House) and south (Ben Johnson House) of the site.
- 10.23 In this instance, the only physical changes relate to the installation of 4 no. floodlights to the existing 4 no. columns. It is considered that this addition would result in no significant loss of daylight/sunlight or outlook or enclosure to neighbouring properties.

Privacy

- 10.24 In this instance, given the proposal relates to an existing MUGA there would no additional privacy issues associated with the proposed development, given that the area is currently in use by the school.

Noise and Light Pollution

- 10.25 The proposal would result in the existing MUGA being used Monday to Friday until 20:00 hours in the evening to be used by children attending the school. It is acknowledged that this would allow for increased use of the MUGA, particularly in the winter months. As result the proposal would likely result in increased noise and light spill to the surrounding area, over and above the existing situation, including to the residential properties to the south and east of the site.
- 10.26 In terms of light spill a drawing has been submitted to show the potential lighting Lux (Lumens per sqm) levels to the surrounding area. This drawing (Image 9), shows the separation distances (40m from Barbican and 18m from Whitecross Street) between the nearest point of the MUGA and the existing structures which surround the site, including the 5m high wall, together with the position and height of the floodlights. The light spill drawing shows that the floodlights would provide the existing MUGA with 100 Lux (G), which dissipates in levels away from the proposed floodlights, between 20 and 10 Lux (C and D) towards the eastern boundary of the site with Whitecross Street, to between 1 and 2 Lux (A and B) towards the residential properties along Whitecross Street and the south and western boundaries of the site. Given that 1 Lux is A measurement equivalent to the illumination of a one metre square surface that is one metre away from a single candle, the impact on the residential properties on Whitecross Street is considered acceptable. The light spill drawing shows that the nearest residential properties within the Barbican building would receive less than 1 Lux, and as such would not be detrimentally affected in relation to light spill from the use of the floodlights.

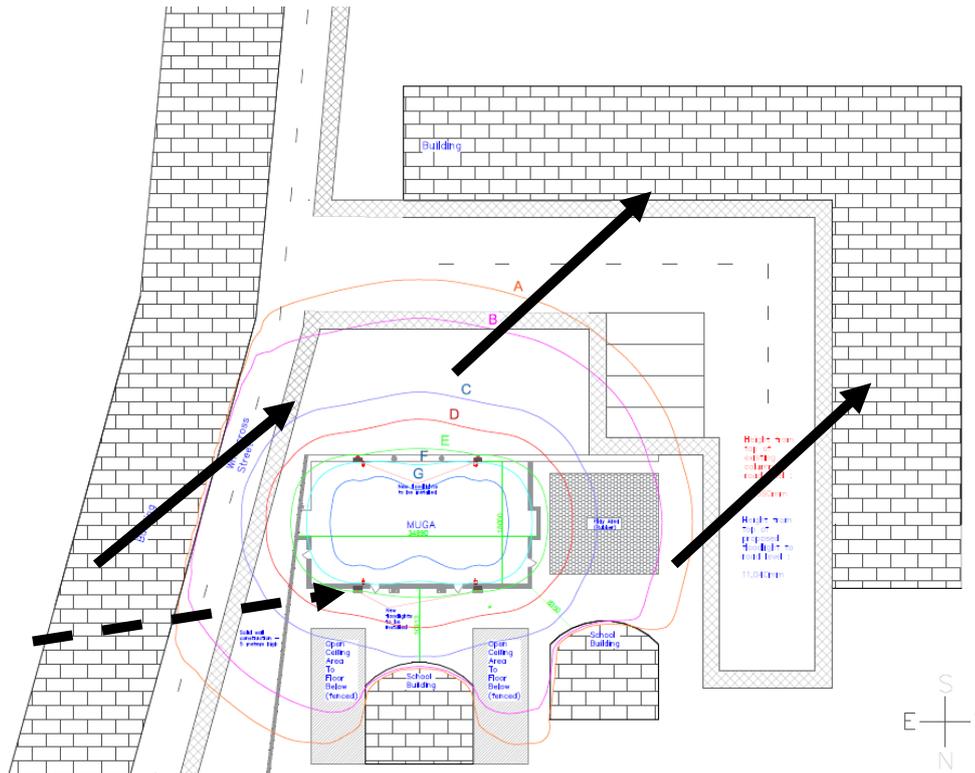


Image 9: Plan showing light spill to surrounding area as a result of the floodlights (residential properties are identified by solid arrows and 5m wall in dashed arrow)



Image 10: Aerial photo showing relationship of existing MUGA with surrounding residential properties identified.

10.27 The Council's Pollution Officer has raised no objections in relation to the proposed increased hours and use of the MUGA, in terms of the potential for increased noise and light spill. However, this is subject to conditions relating to times the floodlights should operate (Monday to Friday only between 0900-2000 hours) and specifications of the type of lighting as described within the application details. A condition has been recommended by the Pollution Officer (Condition 3) to control the hours of operation of the floodlights by a photocell detector and timer switch. In addition, this condition only permits the operation of the floodlights during term time.

10.28 The increased use of the facilities as a result of the increased operation of the MUGA during the winter months in particular. In understanding this increased use, it is important make note of the hours of sunlight/daylight. The predicted sunset and maximum hours of the operation of the floodlights after this time is outlined below:

Event	Date	Sunset time	Hours of operation after sunset
Autumn equinox	23 rd September 2018	6:56pm	1 hour 4 minutes
Winter solstice	21 st December 2018	3:53pm	4 hours 7 minutes
Spring equinox	20 th March 2019	6:13pm	1 hour 47 minutes
Summer solstice	21 st June 2019	After 8 pm	0

10.29 Looking at the forthcoming year, for the autumn term the start date for the school is 5th September 2018, and end date 21st December 2018, with one week half term in October, resulting in 14 no. full weeks. The spring term extends from 8th January 2019 to 5th April 2019, with one week half term in February 2019, resulting in 13 full weeks. There is no requirement for the operation of the floodlights during the summer term. Given the operation of the floodlights would be a maximum of 4 hours 7 minutes after sunset, and that it would be restricted to term time only the increase in use of hours is considered to be acceptable of its impact on the amenity impact on neighbouring properties. It is therefore considered that subject to the aforementioned conditions, including compliance with the light spill drawing, the operation of the floodlights would not have an unacceptable impact in terms of noise and light spill to neighbouring properties.

10.30 Concerns have been raised in relation to the lack of an acoustic barrier. However, given that the Council's Pollution Officer has considered the current proposal to be acceptable without an acoustic screen. In addition, given the acceptability of the proposed hours to the Pollution Officer until 2000 hours, it would unreasonable to restrict the hours until 1800 or 1830 hours as suggested within the consultation process.

10.31 It is acknowledged that the City of London Corporation have raised objections in relation to the proposal, particularly in relation to lighting causing disruption to residents and increased noise levels. However, the use of the facility until 8pm is considered a reasonable time frame by Officers, also the hours were considered acceptable on the original decision, albeit this proposal would allow for use during the winter months. Residents of the nearby Grade II* Listed Building of the Barbican building have expressed the opinion that it is unlikely that they would be able to install UPVC windows to improve noise mitigation, given its heritage designation. Whilst the acceptability of the installation of UPVC windows would require assessment by the local Planning Authority at the City of London Corporation within a formal planning application, this is

not considered to warrant the refusal of the application, as 8pm is considered reasonable for primary school, mid-week use only.

- 10.32 In summary the proposal would not conflict with Policy DM2.1 of the Islington's Development Management Policies with regards to the protection of neighbouring amenity or with Policies 7.4 and 7.6 of the London Plan in terms of potential harm to residential amenity and is therefore acceptable in this regard.

Highways and Transportation

- 10.33 Policy DM8.2 seeks to ensure that development proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. In this instance, the proposal would be used solely by the school and would not result in any community use, therefore the proposal is not considered to result in any increase in journeys, and more likely to result in reducing the amount of pupils leaving the school immediately after the end of the school day.
- 10.34 In addition, the site is in highly accessible location with excellent public transport provision (PTAL – 6b (the best)). It is considered that given the location of the site, the proposal is not required for the expansion of school numbers, and would not be used by external groups it would not result in any significant impact on the surrounding public highway network.

Other Matters

- 10.35 The consultation process raised concerns relating to the lack of information of the users of the MUGA, including the number, age of users and if only used in term time, and in relation to the operation of the lighting. The users of the MUGA would be solely for the school, therefore the number and age of users would be restricted by children attending the school. In terms of the operation of the lighting, as described above, a condition has been recommended to control the hours of operation by a photocell detector and timer switch.
- 10.36 Concerns have been raised in relation to the lack of compliance with the conditions of the original permission for the Multi-Use Games Area (ref. P052329), relating to noise mitigation. The Council can confirm that details of the fencing and enclosure for the MUGA was approved, secured by condition 3 of the original decision. In terms of any failure to comply with the attached conditions, this is a matter which could be referred to the Council's Planning Enforcement team. The Council's records do not indicate that there are any complaints in this regard.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 Planning permission is sought for the installation of 4 no. floodlights which would be attached to existing columns associated with the use of the existing first floor Multi Use Games Area. This is to allow the increased use of the existing Multi Use Games Area by the school to provide an outdoor playspace for children until 8:00pm Monday to Friday during term time.

- 11.2 The application is brought to committee because of the 73 no. objections received, raising some valid planning matters. Officers consider the planning merits of the development to be acceptable overall.
- 11.3 The issues arising from the application are the acceptability of the proposal in terms of the design of the floodlights, including its impact on the character and appearance of the application site and surrounding area and nearby heritage assets, its impact on the amenity of neighbouring residential and commercial properties, and the local highway network. These impacts have been carefully considered and it is not considered there will be any material harm in land use, design, or noise and light pollution to nearby residential properties to justify refusal.
- 11.4 As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and as such is recommended for an approval subject to appropriate conditions.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to conditions to secure the following and that there is delegated to each of the following: The Head of Development Management, the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>4 no. Thorlux Starguard 140W luminaires, drawing no. 1 (existing plan), 2 (proposed block), 3 (proposed plan), Site Location Plan and Block Plan.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Lighting hours of use
	<p>CONDITION: The 4 no. floodlights hereby approved shall be controlled by photocell detector and timer switch and operate between the hours of 0900 and 2000 hours Monday to Friday only during the school's term time only. The Multi-Use Games Area lighting shall be manually switched off when the area is not used for after school activities during these hours</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
4	Type of lighting
	<p>CONDITION: For the hereby approved floodlighting, there shall be installed only Thorlux Starguard 140W luminaires, which shall be retained thereafter. The floodlighting shall be regularly checked and maintained to avoid light spill. The hereby approved floodlights shall be built in compliance with the light spill drawing no. 2 (Proposed Plan) and retained thereafter.</p> <p>REASON: In order to protect the amenity of neighbouring properties in terms of light spill.</p>
5	No Community Use
	<p>CONDITION: For the hereby approved development there shall be no use of the existing Multi-Use Games Area, other than by the school, and the facilities shall not hired out for use by external sports clubs.</p> <p>REASON: In order to protect the amenity of neighbouring properties.</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 2018 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

2. Development Plan

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

A) The London Plan 2018 - Spatial Development Strategy for Greater London

Policy 2.10 Central Activities zone
Policy 5.3 Sustainable design and construction
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

B) Islington Core Strategy 2011

Strategic Policies

Policy CS 7 – Bunhill and Clerkenwell
Policy CS 8 – Enhancing Islington's character
Policy CS 9 - Protecting and enhancing Islington's built and historic environment
Policy CS 10 – Sustainable Design
Policy CS 16 – Play space

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.2 – Inclusive Design
- Policy DM2.3 – Heritage
- Policy DM4.12 – Social and strategic infrastructure and cultural facilities
- Policy DM6.1 – Healthy developments
- Policy DM6.4 – Sport and recreation
- Policy DM8.2 – Managing transport impacts
- Policy DM8.4 - Walking and cycling
- Policy DM8.5 - Vehicle parking

3. Designations

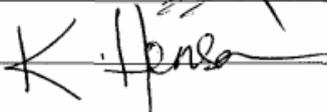
Within 50m of Grade II* Listed Building Ben Johnson House, Barbican
Within 50m of St Luke's Conservation Area
Within 50m of Chiswell Street Conservation Area
Bunhill & Clerkenwell Core Strategy Key Area
Central Activities Zone (CAZ)
Bunhill & Clerkenwell Finsbury Local Plan
Archaeological Priority Area – Moorfields
Local Cycle Routes

4. SPD/SPGS

Urban Design Guide 2017
Chiswell Street Conservation Area Design Guidelines
St Luke's Conservation Area Design Guidelines

Appendix 2

CASE OFFICER'S DELEGATED REPORT

Case officer:	MATTHEW ROSEL 	Date to Group Leader:	07/04/08.
Report agreed by:		Date agreed:	
Decision authorised by:		Date authorised	07/04/08

South Area	
Prior Weston Primary School, 101, Whitecross Street, Islington, London, EC1Y 8JA	

APPLICATION NUMBER	P052329(C13C15)
Type of application	Approval of details (planning conds)
Application completed	20-Dec-2007
Area team	MAJORS
Case officer	Matthew Rosel
Heritage information	Not in a Conservation Area Building is not listed
Planning constraints	APA2: Moorfields CLA: Central London Area Special Policy Within 200 metres of RS1 Crossrail 1 BH: Bunhill Special Policy Area EC1 New Deal for Communities area
PS2 code description	Not Required on PS1 / PS2 Reports
Statutory expiry date – 56 th day	14-Feb-2008
91 st day (only applies to majors aplns)	20 March 2008
Publicity expiry date	28-Jan-2008

Proposal

Approval of details pursuant to conditions 13 (noise assessment) and 15 (acoustic controls) of planning permission ref P052329 dated 27 January 2006

Applicants Plan Nos.: Golden Lane Campus ref 32901/2/2/1 – 28th Jul 06;
Acoustic Report for Building Control Submission; Acoustic Report for Planning Application [LBI reg: 2329(C13C15)1].

RECOMMENDATION: Approve with no conditions

INFORMATIVES (if any)

CASE OFFICERS REPORT

1. **Proposal** The proposal seeks the approval of details pursuant to condition 13 (noise assessment) and condition 15 (acoustic controls) Condition 13 reads as follows:

“CONDITION: The developer shall carry out a noise assessment following the guidelines of PPG24. A scheme for sound insulation and noise control measures should be submitted for the Council's written approval. The noise assessment should also include an outdoor target of 50dB LAeq, 16h. The scheme implemented and retained to the satisfaction of the Council in order to achieve the following noise target for neighbouring noise sensitive occupiers and within the on-site residential flat:

Bedrooms (23.00-07.00 hrs) 35 dB LAeq, 45 dB LAm_{ax} (fast)

Living Rooms (07.00-23.00 hrs) 40 dB LAeq

Kitchens, bathrooms, WC compartments and utility rooms (07.00-23.00 hrs) 45 dB LAeq.

REASON: To ensure the amenity in the locality and on-site is not prejudiced”

Condition 15 reads as follows:

“CONDITION: Full details of the acoustic controls system for the fixed plant shall be submitted to, implemented as specified by, and approved in writing by the Local Planning Authority before the use commences and thereafter retained and maintained in accordance with approved details. No alterations to the plant and system shall be undertaken without the prior written approval of the Local Planning Authority.

REASON: To ensure the amenity in the locality and on-site is not prejudiced.”

2. **Site and Surroundings** The application site previously comprised the vacant part 1, part 2 storey Fortune Park Early Years Centre and the vacant Prior Western Primary School, ancillary open space to both educational facilities and a non-illuminated ballcourt. The planning permission for the new school facility approved under application LBI ref: P05-2329 has been implemented and works are nearing practical completion.
3. The site is 'L' shaped and covers an area approximately equal to 6,461sqm, it is double fronted facing Golden Lane and Whitecross Street.

4. **Relevant History** Details of the original planning application are summarised below:
 - Planning application LBI ref: P05-2329 for the 'Demolition of existing buildings and the erection of a part 1, 2 and 3 storey educational facility fronting Golden Lane and Whitecross Street to accommodate 168 children within a 'Sure Start' Early Years Centre, 360 primary students and 30 students with special needs. Erection of a first floor Multi-Use-Games-Area and separate play spaces, associated hard and soft landscaping and five kerbside and six on-site drop-off bays. A caretaker's flat is included at second floor level' was GRANTED on 27/06/2006.
5. **Consultation** The following internal / external consultees were notified:
6. Public Protection (noise team) raise no objection to the details submitted.

RELEVANT POLICIES

7. **Islington Unitary Development Plan (2002)** The following policies of the Islington Unitary Development Plan (2002) are considered relevant to this application:

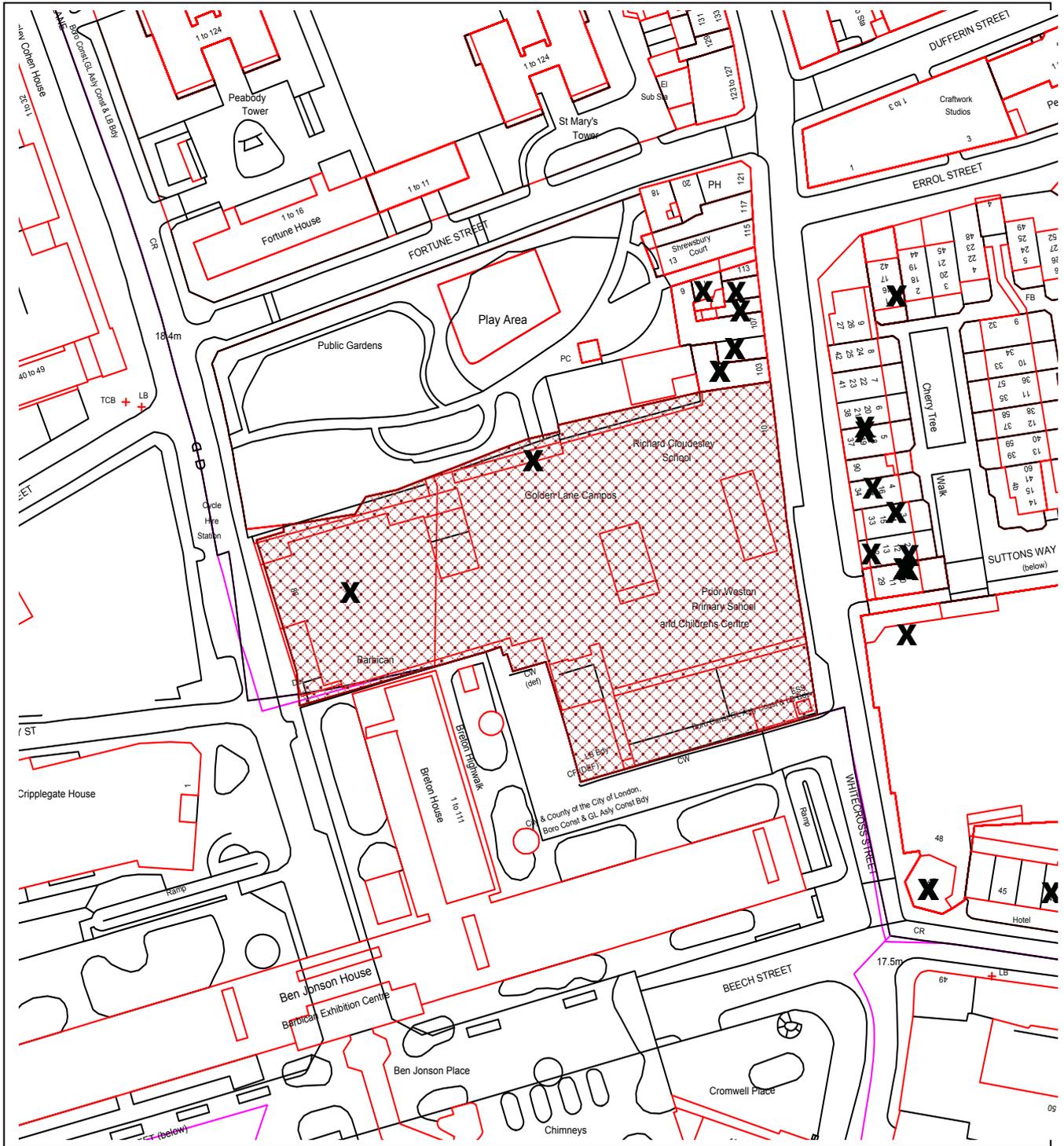
Env17	Protection of Amenity
D3	Site Planning

EVALUATION

8. **Condition 13 and 15** With reference to PPG24 the assessment submitted confirms that the site is subject to road traffic noise and that the resulting school elevations shall fall within a Noise Exposure Category (NEC) 'A/B' during the day and 'B' at night.
9. The Council's Public Protection (Pollution Team) have considered the details submitted and are satisfied with the assessment and suggested mitigation measures.
10. **Conclusion** It is therefore recommended that the details submitted with regard to conditions 13 and 15 be APPROVED.

Bibliography
 Unitary Development Plan
 Property case file

ISLINGTON



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